

**PROCEEDINGS
OF THE
COUNCIL
OF THE
CITY OF ROCHESTER
2017**

ROCHESTER, NEW YORK

OFFICIALS 2017

Lovely A. Warren Mayor

Carlos Carballada (1)
Deputy Mayor

Lisa M. Bobo
Chief Information Officer

Cedric Alexander (2)
Deputy Mayor

Charles A. Benincasa
Director of Finance

Alex R. Yudelson (3)
Chief of Staff

Baye Muhammad
Commissioner of Neighborhood
& Business Dev.

Timothy Weir
Director of Office Public Integrity

Norman Jones
Commissioner of Environmen-
tal Services

Bridget A. Monroe
Executive Staff Assistant IV

John Merklinger
Emergency Communication
Center Director

Tracey Miller
Assistant to the Mayor

Michael Ciminelli
Police Chief

Christopher Wagner
Director of Management & Budget

John Schreiber
Fire Chief

Tassie Demps
Director of Human Resource
Management

Patricia Uttaro
Library Director V

James Smith
Director of Communications

Marisol Ramos-Lopez
Commissioner of Recreation &
Youth Services

Brian Curran (4)
Corporation Counsel

(1) Position Ended 04/23/2017

(2) As of 04/24/2017

(3) As of 01/23/2017

(4) Position ended 12/31/2017

**Members of Council
2017**

Members	Residence
Loretta C. Scott	171 Berwick Road, 14609
President, Councilmember-at-Large	
Dana K. Miller	265 Melrose Street, 14619
Vice President, Councilmember-at-Large	
Molly Clifford.....	41 Lakeview Park, 14613
Councilmember, Northwest District	
Carolee A. Conklin	310 Exchange Boulevard, Apt. 257, 14608
Councilmember-at-Large	
Matt Haag.....	951 Park Avenue, 14610
Councilmember-at-Large	
Adam C. McFadden	351 Inglewood Drive, 14619
Councilmember, South District	
Jacklyn Ortiz	45 Ontario Street, 14605
Councilmember-at-Large	
Michael A. Patterson.....	1547 North Goodman Street, 14609
Councilmember, Northeast District	
Elaine M. Spaul, Esq.....	42 Westminster Road, 14607
Councilmember, East District	

**City Clerk's Office
2017**

Hazel L. WashingtonCity Clerk
Condenessa G. Brown.....Deputy City Clerk
Birth A. Manigault Chief Legislative Assistant
Paris D. McGruder ⁽¹⁾Senior Legislative Assistant
Victoria Best ⁽²⁾Senior Legislative Assistant
Joe L. Thomas Jr. Legislative Assistant
Dee S. Lewis ⁽³⁾ Senior Legislative Clerk
Michael Ann FlynnReceptionist
Lisa M. Alexander⁽⁴⁾Legislative Clerk
Curtis Joiner ⁽⁵⁾Legislative Clerk
Maria D. Ramos Legislative Clerk
Wendy Velez ⁽⁶⁾..... Legislative Aide Part-time

(1) Position ended 9/29/2017

(2) Position started 10/10/2017

(3) Position ended 03/22/2017

(4) Promotion 03/27/2017-Formerly Legislative Clerk

(5) Promotion as of 04/10/2017

(6) Position started 8/10/2017

**City Council Office
2017**

Andrea M. GuzzettaChief of Staff
Robert J. Scanlon, II.....Senior Legislative Analyst
Carmen L. Aponte-MercedSecretary to City Council

**Standing Committees
of
The City Council
2017**

Art & Culture in the Center City
Spaull, McFadden, Ortiz

Business & Economic Development
Miller, Patterson, Spaull

Finance
Conklin, Clifford, McFadden

Neighborhood & Community Development
Ortiz, Clifford, Conklin

Parks & Public Works
Haag, Patterson, Spaull

Public Safety, Youth & Recreation
McFadden, Clifford, Haag

The first Councilmember named after
the designation of the Committee is
Chair thereof.

Regular meetings of the Council shall be held at 7:30 p.m. in the Council Chamber, Room 302-A, City Hall.

Special Meetings may be called at any time by the Mayor or President of Council or any three Councilmembers.

Public Hearings - A listing of Public Hearings held in 2017 can be found on pages 534-535.

TUESDAY, JANUARY 17, 2017

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REGULAR MEETING
JANUARY 17, 2017

January 17, 2017

Present - President Scott, Councilmembers Clifford, Conklin, Haag, Miller, Ortiz, Patterson, Spaul - 8

Absent - Councilmember McFadden - 1

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

None.

APPROVAL OF THE MINUTES
By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of December 20, 2016 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges - 4245-17
Quarterly Report - Loans and Grants - 4246-17
Quarterly Report - Delinquent Receivables - 4247-17
Public Disclosure - HOME Participation - 4248-17

The Council submits Disclosure of Interest Forms from President Scott on Int. No. 1, Vice President Miller on Int. No. 1 and Int. No. 5, Councilmember Haag on Int. No. 22, and Councilmember McFadden on Int. No. 23.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 1 - Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc.

Int. No. 2 - Authorizing an amendatory agreement for upgraded, support and maintenance of Ektron Web Content Management System

Int. No. 3 - Amending the 2016-17 Budget

Respectfully submitted,
Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller (Abstained on Int. No. 1)
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-1
Re: Reappointment - ABC Board

Transmitted herewith for your approval is legislation making the following appointment to the Action for a Better Community, Inc. Board of Directors:

Charles A. Benincasa
91 Newcastle Road
Rochester, NY 14610

During his last term on the ABC Board of Directors, Mr. Benincasa had attended 20 out of 21 meetings.

Mr. Benincasa's ABC Board term is through November 30, 2019, and a copy of his resume is on file in the office of the City Clerk.

Respectfully submitted,

Loretta C. Scott
President

Resolution No. 2017-1
(Int. No. 1)

Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc.

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

Section 1. The Council hereby approves the appointment of City Finance Director Charles Benincasa to the Board of Directors of Action for a Better Community, Inc. for a term which shall expire on November 30, 2019.

Section 2. This resolution shall take effect immediately

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, Ortiz, Patterson, Spaul - 7

Nays - 0

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-1
Re: Amendatory Agreement-
Fuseideas, LLC, Ektron Web
Content Management System
Upgrade

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an amendatory agreement with Fuseideas, LLC, Winchester, Massachusetts, for additional services to implement an upgrade of the City of Rochester's Ektron Web Content Management System and provide an additional two years of support and enhancements for the web platform. The original agreement was executed in March 2015 for technical support and enhancement services with a maximum compensation of \$100,000 and a term of two years. This amendment will increase the services provided by Fuseideas, LLC and the total maximum compensation to \$200,000. The amendatory agreement will be funded as follows: \$60,000 from the 2016-17 Budget of the Information Technology Department (ITD), and \$40,000 from future years' budgets of ITD, contingent upon adoption. A portion of the 2016-17 expense will be charged

back to the Library. The term of the agreement will be extended from March 5, 2017 to March 5, 2019.

The Ektron Content Management System will be upgraded for the City's main website and the Library. This upgrade provides the latest security update, minimizes security vulnerabilities, supports improved content editor and search tools, supports additional browser versions, and provides more robust features and development tools to meet future needs.

Fuseideas was selected via a request for proposals (RFP) process in 2014 and has expertise with supporting our current environment. A justification for not issuing another RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-1
(Int. No. 2)

Authorizing an amendatory agreement for upgraded, support and maintenance of Ektron Web Content Management System

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 Fuseideas, LLC for additional services to upgrade the City's Ektron Web Content Management System and to support and enhance the City's website platform. The amendatory agreement shall increase the maximum compensation for the agreement originally authorized in Ordinance No. 2014-364 by \$100,000 to a new total of \$200,000 and shall extend the original agreement's term by two years to March 5, 2019. The increase in compensation shall be funded by \$60,000 from the 2016-17 Budget for Information Technology and by \$40,000 from subsequent years' Budgets for Information Technology, contingent upon adoption of the subsequent budgets.

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. 2017-2
Re: Budget Amendment– Blue
Cross Arena at the Rochester
Community War Memorial

Council Priority: Jobs and Economic
Development; Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion amending the 2016-17 Budget of the City of
Rochester by transferring \$55,000, from Contingency
to the Department of Environmental Services
for management services related to the Blue Cross
Arena at the Rochester Community War Memorial.

The City of Rochester and SMG entered into a new
Management Agreement which provides a fixed
management fee. The budget amendment will fund
the management fee for the remainder of the 2016-
17 fiscal year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-2
(Int. No. 3)

Amending the 2016-17 Budget

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

Section 1. Ordinance No. 2016-180, the 2016-
17 Budget of the City of Rochester, as amended, is
hereby further amended by transferring the sum of
\$55,000 from Contingency to the Department of
Environmental Services for management services
related to the Blue Cross Arena at the Rochester
War Memorial.

Section 2. This ordinance shall take effect im-
mediately.

Passed unanimously.

By Vice President Miller
January 17, 2017

To the Council:

The Business & Economic Development Commit-
tee recommends for adoption the following entitled
legislation:

Int. No. 4 - Authorizing a lease agreement for 61
North Chestnut Street

Respectfully submitted,

Dana K. Miller
Michael A. Patterson
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-3
Re: Lease Agreement- 328
East Main LLC, 61
North Chestnut Street

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion authorizing a lease agreement between the City
and 328 East Main LLC to lease the parking lot at
61 North Chestnut Street. The lease agreement is
for parking the vehicles owned by the commercial
tenants in the building located at 316-350 East Main
Street which is owned by 328 East Main LLC. The
term of the lease is three years, with two, one-year
renewal options. An independent appraisal pre-
pared by Kevin L. Bruckner, MAI on October 18,
2016 determined that \$1,250 is the appropriate
monthly market rental amount for the property.

The parking lot is approximately 10,255 square feet
and has been leased by 328 East Main LLC since
January 1, 2015. The commercial tenants of the
building at 316-350 East Main are the New York
State Department of Taxation and Finance and Max
to Go (DBA Aunt Rosie's).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-1

Ordinance No. 2017-3
(Int. No. 4)

**Authorizing a lease agreement for 61 North
Chestnut Street**

WHEREAS, the City of Rochester has received
from 328 East Main LLC a proposal for the lease of
a parking lot located at 61 North Chestnut Street
(the Property);

WHEREAS, pursuant to Section 21-23 of the
Municipal Code, the Council is required to follow
additional procedures due to the length of the pro-
posed lease;

WHEREAS, an independent appraisal of the value of the lease prepared by Kevin Bruckner, MAI of Bruckner, Tillett, Cahill & Rossi Inc. has determined that \$1,250 is the appropriate monthly market rental amount for the Property;

WHEREAS, the Council affirmatively finds that the proposed lease authorized herein is in the public interest because it will allow for parking of vehicles of the commercial tenants or patrons of the building located at 316-350 East Main Street that is owned by 328 East Main LLC; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is 3 years with two 1-year renewal options, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with 328 East Main LLC for the lease of an approximately 10,255 square feet parcel containing a parking lot located at 61 North Chestnut Street. The agreement shall extend for a term of 3 years, with two options to renew for an additional term of 1 year each.

Section 2. The lease agreement shall obligate the lessee to pay monthly rent to the City in the amount of \$1,250.

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

Section 4. This ordinance shall take effect immediately

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, Miller, Ortiz, Patterson, Spaul - 7

Nays - Councilmember Conklin - 1

By Councilmember Ortiz
January 17, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 5 - Authorizing the sale of real estate and amending Ordinance No. 2016-359

Int. No. 6 - Amending the name and area previously designated as Bull's Head Urban Renewal District, as amended

Int. No. 7 - Authorizing payment in lieu of taxes and loan agreements for the Community on East Main project

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller (Abstained on Int. No. 5)
Loretta C. Scott
NEIGHBORHOOD & COMMUNITY
DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-4
Re: Sale of Real Estate and
Amending Ordinance No. 2016-359

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of thirteen properties, and amending Ordinance No. 2016-359 to include the sale of three properties which were inadvertently omitted. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with delinquent taxes or open code violations, and have not been in contempt of court or fined as a result of an appearance ticket or unsatisfied judgments during the past five years.

The first three properties are vacant lots sold together through a request for proposals. The purchaser will construct four new single family homes on the properties. The fourth property was also sold by request for proposals and the purchaser will construct a parking lot.

The next four properties are vacant lots sold by negotiated sales to the adjacent owners. The purchasers will combine the lots with their existing properties and utilize them as green space.

The last five properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots

Ordinance No. 2017-4
(Int. No. 5)

Authorizing the sale of real estate and amending Ordinance No. 2016-359

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
3-3.5 Diamond Pl	107.53-1-35	33 x118	3,894	\$50	Rochester Housing Charities
12 Diamond Pl	107.53-1-28.1	133 x 108	9,968	\$550	Rochester Housing Charities
15 Diamond Pl	107.53-1-30.1	52 x 118	6,136	\$475	Rochester Housing Charities

with their existing properties.

The first year projected tax revenue for these thirteen properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$6,462.

Amendment to Ordinance No. 2016-359

Ordinance No. 2016-359, relating to the sale of real estate, is hereby amended by adding three vacant lots that were sold in conjunction with the adjacent structures by regular auction. The three lots are 219 Avenue C (sold with 215-217 Avenue C), the west half of 755-757 Avenue D (sold with 751-753 Avenue D), and 6 Elizabeth Place (sold with 8 Elizabeth Place). These lots were inadvertently omitted from the introductory submitted to Council in November.

The first year projected tax revenue for these three properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$960.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-2

399-409 Gregory St 121.65-1-53 120 x 148 19,981 \$37,500 John T. Trickey, Jr.

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

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
2056 Clifford Av	107.23-1-19	55 x 120	6,600	\$475	Vivid Properties, LLC
64 Columbia Av	121.61-2-72	40 x 173	6,879	\$475	Richard C. Turner, Sr., Valerie Miller Turner, Dana K. Miller, Freda Burch Miller
24 Durnan St	091.73-3-47.1	105 x 80	8,400	\$525	Gabriel Rosario
44 Oakman St	106.46-1-23.2	40 x 110	4,420	\$425	Frank Howard

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
564 Clifford Av	106.31-2-56.2	15 x 96	1,527	Flairine C. Creve-Coeur
37 Durnan St	091.81-1-17.1	76 x 83	6,360	Patricia L. Walker
457 Hawley St	120.75-2-8.2	16 x 152	2,524	Ivy M. D-Lyston
95 Mohawk St	091.75-2-38	36 x 96	3,483	Eddie & Bounleua Phouthasack
149 Salisbury St	107.30-2-16	10 x 90	906	Priscella Burch

Section 4. Section 1 of Ordinance No. 2016-359 is hereby amended to read in its entirety as follows:

Section 1. The Council hereby approves the sale of the following parcels of improved property by regular auction:

Address	SBL#	Lot Size	Use	Price	Purchaser
345 Avenue B	106.22-1-12	40 x 64	1 Family	\$ 400	Angel Diaz
215-217 Avenue C	106.21-3-3	40 x 120	2 Family	\$3,000	Marvalyn Napier
‡219 Avenue C	106.21-3-4	40 x 120	Vacant Lot		
751-753 Avenue D	091.80-3-37	36 x 100	2 Family	\$2,000	Paul Anastasi
‡755-757 Avenue D western half	091.80-3-37.1	36 x 100	Vacant Lot		
245 Bay St	106.51-1-11	40 x 110	3 Family	\$3,600	Cory E. Bell
32 Centennial St	120.25-3-30	40 x 85	2 Family	\$11,500	Walter Gerula
252 Clay Ave	090.50-2-46	33 x 120	1 Family	\$ 700	Kabongo Kasongo
436 Columbia Ave	120.67-3-54	36 x 115	1 Family	\$5,900	Musliha Ahmed
35 Conkey Ave	106.37-2-25	40 x 100	1 Family	\$2,200	Angel Diaz
330 Conkey Ave	091.77-3-26	40 x 125	1 Family	\$4,200	Yvan DelValle
3 Duke St	106.50-2-31	41 x 120	2 Family	\$2,500	Edmond N. Toub
8 Elizabeth Pl	106.42-2-59	35 x 63	1 Family	\$3,400	Belkis Sanchez
‡6 Elizabeth Pl	106.42-2-58	35 x 63	Vacant Lot		
6 Englert St	106.43-4-58	40 x 120	1 Family	\$2,500	Joseph Raskin
59 Epworth St	120.51-4-20	30 x 63	1 Family	\$1,700	Umenzi Thompson
70 Ernestine St	135.31-2-46	40 x 110	1 Family	\$13,000	Nikki Nacole Bell
23-25 Fair Pl	106.68-1-8	40 x 76	2 Family	\$3,200	Muhammed Khan
‡ 21 Fair Pl	106.68-1-9	40 x 78	Vacant Lot		
14 Fern St	105.66-2-47	78 x 89	1 Family	\$1,200	Jerry Perkins
24 Florence St	120.67-3-42	33 x 139	1 Family	\$1,400	Keisha Wright
515 Hayward Av	107.69-1-9	40 x 125	1 Family	\$12,000	Marvalyn Napier
90 Nichols St	106.28-2-31	59 x 100	1 Family	\$21,000	Pablo A. Vazquez

84 Northland Av	091.84-3-80	51 x 124	1 Family	\$ 7,800	Yaneisy Blat & Ronald Gamboa
396 Pullman Av	090.33-2-19	53 x 104	2 Family	\$14,000	Joseph A. Tasse
402 Ravine Av	105.33-2-36	35 x 71	1 Family	\$ 2,500	Walter Gerula
32 Ries St	105.82-3-14	49 x 110	1 Family	\$ 7,500	Znovia Hill Meeks
184 Sixth St	106.52-2-82	40 x 120	2 Family	\$ 6,000	Pablo A. Vazquez
15 Terry St	120.35-3-56.1	49 x 144	1 Family	\$ 2,200	Joseph Raskin
190 Weaver St	091.72-1-38	40 x 119	2 Family	\$29,000	Musliha Ahmed
63 Woodward St	106.65-3-27	40 x 133	1 Family	\$23,500	Lydell Strickland

‡ Indicates vacant lot sold in conjunction with the structure listed above it

Section 5. 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 6. This ordinance shall take effect immediately.

Underlining indicates new text

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, Ortiz, Patterson, Spaul - 7

Nays - None - 0

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-5
Re: Amendment- Bull's Head
Urban Renewal District

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legisla-
tion amending an area previously designate as the
Bull's Head Urban Renewal District through expansion.

By Ordinance No. 2009-107, City Council designat-
ed an area to be known as the Bull's Head Urban
Renewal District (District). That original area con-
sists of approximately 17.5 acres comprising 104
parcels with separate tax identification numbers and
is generally bounded by properties located on the
north sides of Brown Street, West Main Street and
West Avenue, as well as properties located on both
sides of Hortense Street, Danforth Street, Silver
Street, Kensington Street, 34-36 Colvin Street, all
of Algonquin Street and the southernmost block of
York Street. A boundary map showing the original
District is attached.

The proposed amendment will add 30 properties
comprising approximately 16.7 acres to the Bull's
Head Urban Renewal District boundary to account
for properties in need of neighborhood revitaliza-
tion and to simplify the District's boundary edge
conditions in certain areas. The boundary amend-
ment will result in a District that encompasses an
area located on the north side of West Main Street
and West Avenue that is generally bounded by
properties on the north side of Danforth Street and
Silver Street, properties on the west side of Essex
Street, the property at 842-848 West Main Street,
properties on the east side of Colvin Street, an adja-
cent area on the south side of West Main Street that
is bounded by properties on the west side of
Churchlea Place, properties on the north side of
Clifton Street, and properties on the east side of
Genesee Street. A boundary map showing the
amended District boundary and associated addi-
tional properties is attached.

The District, as amended, will comprise approxi-
mately 34.2 acres and 134 properties. Existing land
uses include residential, commercial, mixed-use,
vacant and industrial. Many of the structures within
the proposed amended district are over 80 years old
and in poor condition. The area includes numerous
vacant and/or underutilized structures and lots.

The properties to be added to the Bull's Head Urban
Renewal District have been included in a Condi-
tions Analysis report completed by LaBella Associ-
ates, D.P.C. in October 2016. A copy of the report
is available for review in the Office of the City
Clerk. The documented conditions constitute suffi-
cient evidence to define the amended area as "sub-
standard" and/or "blighted", satisfying the require-
ments for an urban renewal designation as set forth
in the New York State Urban Renewal Law (Gen-
eral Municipal Law, Article 15) and in the City's
Zoning Code.

After approval of the amendment to the Bull's Head
Urban Renewal District, a formal redevelopment
plan for the District will be prepared. The plan may
subdivide the District into various development par-
cels and will require Planning Commission review
and Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-3

Ordinance No. 2017-5
(Int. No. 6, as amended)

**Amending the name and the area previously des-
ignated as Bull's Head Urban Renewal District**

WHEREAS, in Ordinance No. 2009-107, the
Council designated as the Bull's Head Urban Re-
newal District (the ~~District~~ Area) an approximately
17.5-acre area in the City of Rochester comprising
104 parcels with separate tax identification numbers
and generally bounded by properties located on the
north sides of Brown Street, West Main Street and
West Avenue, as well as properties located on both
sides of Hortense Street, Danforth Street, Silver
Street and Kensington Street, 34-36 Colvin Street,
all of Algonquin Street and the southernmost block
of York Street;

WHEREAS, "Bull's Head Urban Renewal Area"
is the preferred title for the Area because it has not
yet been the subject of an urban renewal plan ap-
proved by the Council in accordance with Article
15 of the NYS General Municipal Law and the
adoption of its own zoning regulations in accord-
ance with Sections 120-119 through 120-121 of the
Municipal Code; and

WHEREAS, a subsequent conditions report indi-
cates that it would be appropriate to add to the ~~Dis-~~
~~trict~~ Area an adjoining area of approximately 16.7
acres to account for properties in need of neighbor-
hood revitalization and to simplify the ~~District's~~
Area's boundary edges in certain areas.

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

Section 1. The title and Section 1 of Ordinance No. 2009-107 are hereby amended to read as follows:

Designating An Area To Be Known As The Bull's Head Urban Renewal District Area

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

Section 1. The Council hereby finds and declares that the area in the City of Rochester generally bounded by properties located on the north sides of Brown Street, West Main Street and West Avenue, as well as properties located on both sides of Hortense Street, Danforth Street, Silver Street, and Kensington Street, 34-36 Colvin Street, all of Algonquin Street and the southernmost block of York Street, as set forth in a conditions report and map prepared by Clark Patterson Engineers, Surveyors & Architects, P.C. on file in the Office of the City Clerk, is substandard and insanitary and is appropriate for urban renewal in accordance with the provisions of Article 15 of the General Municipal Law of the State of New York. The Council hereby designates the same as an urban renewal area to be known as the Bull's Head Urban Renewal District Area.

Section 2. The Council hereby finds and declares that an approximately 16.7-acre area in the City of Rochester consisting of 30 land parcels with separate tax identification numbers located:

- a. on the east side of Colvin Street comprising numbers 40-42 through 70,
- b. on the north side of Danforth Street comprising numbers 96 through 118,
- c. on the southwesterly side of Essex Street comprising numbers 15 through 41-43,
- d. on the northwesterly side of Brown Street comprising numbers 762 through 780,
- e. both sides of West Main Street comprising numbers 842-848 and 856 on the north side and number 835-855 on the south side,
- f. number 160 Clifton Street, and
- g. number 68-92 Genesee Street,

as set forth and delineated in a Conditions Analysis

report by LaBella Associates, D.P.C. dated October 2016, which is on file in the Office of the City Clerk, is substandard and insanitary and is appropriate for urban renewal in accordance with the provisions of Article 15 of the General Municipal Law of the State of New York. The Council hereby designates the same as an urban renewal area to be added to the Bull's Head Urban Renewal ~~District Area~~ that was originally designated in Ordinance No. 2009-107.

Section-2.3. The Council finds that this area is blighted, deteriorated or deteriorating due to the presence of distressed and underutilized land, and that the conditions of the area are hampering and impeding proper economic development, and are inimical to the public health, safety, morals and welfare of the inhabitants of the City of Rochester and the State of New York. Designation of this area as an urban renewal area will permit clearance, planning and redevelopment activities to accomplish economic development objectives.

Section-3.4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined or double-underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-6
Re: Community on East Main

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation for the Community at East Main project, a mixed-use, mixed-income project being undertaken by Home Leasing, LLC in the East Main, Mustard, Atlantic (EMMA) neighborhood.

This legislation will:

1. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Community on East Main project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
2. Authorize a loan agreement for a \$700,000 construction/permanent loan with Home Leasing or an affiliated partnership or housing development fund corporation to be

formed by Home Leasing, and appropriate \$200,000 in 2012-13 Cash Capital to the Housing Revolving Loan Fund, and appropriate \$500,000 in HOME funds from the Affordable Housing Fund allocation of the 2016-17 Housing Development Fund of the Consolidated Community Development Plan to finance the loan.

The loan will serve initially as a 2% construction loan payable annually, then at conversion to permanent financing become a 30 year, 2% interest-only loan payable annually with the principal payment due at the end of the 30 year term.

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 Community on East Main project involves the creation of 72 new rental units intended for mixed-income households and people with developmental disabilities. The development will be located on a two acre site at 1307-1337 East Main Street and 48 Breck Street. The units will be targeted to households with income at or below 50%, 60%, and 90% of the Area Median Income.

The development includes the demolition of two residential structures, adaptive reuse of an existing, circa-1920, three-story commercial building into 26 units plus a three-story new addition with 22 units; new construction of two, three-story townhouse buildings of 10 units each; and one, two-story townhouse building with four units. Sixteen of the apartments will be set aside for tenants with developmental disabilities who will receive services through Hillside Family of Agencies, a significant partner in the project. The Community on East Main will complement significant development that has occurred in the Southeast and Northeast areas of the City in the past decade, most recently the development of Corpus Christi Market Apartments, Eastman Gardens, and the Focused Investment Strategy programs in the Beechwood and Marketview Heights neighborhoods. The project was awarded funding through New York State Homes and Community Renewal's application for 9% low-income housing tax credits (LIHTC). Other sources of funding include the Office of Persons With Developmental Disabilities (OPWDD), the New York State Community Investment Fund (NYS CIF), and the New York State Energy Research and Development

Authority (NYSERDA).

The sources and uses for the project are summarized below:

Uses	
Land/Building	\$757,700
Soft Costs	1,621,180
Hard Costs	12,125,971
Contingency	595,193
Development Fee	1,851,096
Reserves and Working Capital	397,039
TOTAL	\$17,348,179

Permanent Sources	
9% LIHTC	\$13,033,343
OPWDD Capital Loan	1,781,321
Housing Trust Fund Mortgage	1,168,421
Deferred Developer Fee	393,093
City of Rochester	700,000
NYS CIF	135,000
General Partner Loan	70,000
NYSERDA	67,000
TOTAL	\$17,348,179

Workforce goals for the project are 6.9% women and 20% minorities.

A State Environmental Quality Review or SEQR has been completed and a Negative Declaration has been issued. A National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the Community on East Main project.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-6
 (Int. No. 7)

Authorizing payment in lieu of taxes and loan agreements for the Community on East Main 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 payment in lieu of taxes agreement (PI-LOT agreement) for the Community on East Main at 1307 East Main Street (SBL # 107.69-2-5), 1311 East Main Street (SBL # 107.69-2-6.2), 1313 East Main Street (SBL # 107.69-2-6.3), 1317 East Main Street (SBL # 107.69-2-7.1), 1337 East Main Street (SBL # 107.69-2-11.1), and 48 Breck Street (SBL #

107.69-2-53.1) (the Project) with a housing development fund corporation formed by Home Leasing, LLC for the Project. The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption for 30 years, provided that the housing development fund corporation 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 2. The term of the PILOT agreement shall run for 30 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 in accordance with Article 11 of the NYS Private Housing Finance Law and for the purpose of providing housing for mixed-income households and people with developmental disabilities.

Section 3. The sum of \$200,000 in 2012-13 Cash Capital is hereby appropriated to the Housing Revolving Loan Fund. The sum of \$500,000 from the Affordable Housing Fund of the Housing Development Fund within the Consolidated Community Development Plan/2016-17 Annual Action Plan is hereby appropriated to principal for the Project loan authorized herein.

Section 4. The Mayor is hereby authorized to enter into a loan agreement with Home Leasing, LLC or an affiliated partnership or housing development fund corporation formed for the Project, for construction and permanent financing of the Project. The loan shall be in the amount of \$700,000, which shall be funded from the amounts appropriated in Section 3 herein. The loan agreement shall have a term that extends to 30 years following completion of Project construction. The loan shall function as a 2% construction loan with interest-only payments due annually until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2% due annually and repayment of the loan principal due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 5. The agreements authorized herein 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 6. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
January 17, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 8 - Authorizing an agreement with Erdman, Anthony and Associates, Inc. related to Central Vehicle Maintenance Facility Underground Electrical Service Replacement Phase 3 and 4

Int. No. 10 - Authorizing the receipt and appropriation of funds for the Inner Loop East Transformation Project

Int. No. 11 - Appropriating funds and authorizing an agreement with C & S Engineers, Inc., for the 2018 Preventive Maintenance Group No. 2 Project, as amended

Int. No. 12 - Appropriating funds and authorizing an agreement with Erdman, Anthony and Associates, Inc., for the 2020 Preventive Maintenance Group No. 9 Project

Int. No. 13 - Appropriating funds and authorizing an agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., for the 2020 Preventive Maintenance Group No. 11 Project

Int. No. 14 - Authorizing an amendatory agreement for the Public Market Winter Shed Renovation and Expansion Project

Int. No. 15 - Authorizing an amendatory agreement for additional construction phase design and resident project representation services for the Midtown Redevelopment Project

Int. No. 16 - Amending Ordinance No. 2016-22 relating to an intermunicipal agreement with Monroe County for parking signs and amending Ordinance No. 2016-349 relating to a Public Bikeshaaring System agreement, as amended

Int. No. 17 - Authorizing an agreement with the New York State Department of Transportation for snow removal

Int. No. 18 - Authorizing the New York State Department of Transportation to work on water main valve boxes on the Meigs Street and Alexander Street bridges over Route I-490

Int. No. 25 - Authorizing the initiation of an application to amend the Official Map to dedicate as parkland and name the Thomas R. Frey at El

Camino

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 9 - Amending the Official Map by abandonment of Dowling Place

Int. No. 19 - Authorizing geometric changes related to the Main Street Streetscape Wayfinding Enhancement Project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-7
Agreement- Erdman, Anthony
and Associates, Inc., Central
Vehicle Maintenance Facility
Underground Electrical Service
Replacement Phase 3 and 4

Transmitted herewith for your approval is legislation establishing \$200,000 as a maximum compensation for an agreement with Erdman, Anthony and Associates, Inc., Rochester, New York, for engineering services related to the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Phase 3 and 4. The cost of the agreement will be financed from 2015-16 Cash Capital and the term shall extend until three months after the two-year guarantee inspection that follows project completion.

This project is the final phase for the replacement of the existing electrical service throughout the entire CVMF. The scope of work for this phase includes removal and replacement of underground electrical service from building 200 to building 201 and the transition from underground to overhead electric service between buildings 300, 301, 101, and 100. Phase 1 and 2 were completed in the fall of 2015.

The consultant shall provide engineering services which include condition inspection, design, bid and award phase services, construction administration, and resident project representation services for the project.

Erdman, Anthony and Associates, Inc., was selected through a request for proposals process

which is described in the attached summary.

The project design is anticipated to begin in spring 2017. Construction is anticipated to begin in summer 2018, with completion in summer 2019. The agreement will result in the creation and/or retention of the equivalent of 3.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-4

Ordinance No. 2017-7
(Int. No. 8)

Authorizing an agreement with Erdman, Anthony and Associates, Inc. related to Central Vehicle Maintenance Facility Underground Electrical Service Replacement Phase 3 and 4

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 Erdman, Anthony and Associates, Inc. related to Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Phase 3 and 4. The maximum compensation for the agreement shall be \$200,000. The cost of the agreement shall be funded from 2015-16 Cash Capital. The term shall extend until 3 months after the two-year guarantee inspection that follows project completion.

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:

Re: Ordinance No. 2017-8
Official Map Amendment –
Abandonment of Dowling Place

Transmitted herewith for your approval is legislation amending the Official Map by authorizing the proposed abandonment of Dowling Place. The abandonment was referred to the necessary agencies for comment.

The right-of-way abandonment will provide ownership rights to the abutting property of High Falls

Operating Co, LLC for development purposes.

The City Planning Commission, in its November 14, 2016 meeting, recommended approval of this abandonment by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

The street abandonment has been reviewed in accordance with the State Environmental Quality Review Act and Chapter 48 of the Municipal Code as part of a larger project that includes expansion of the High Falls Brewery and demolition of a National Register-eligible building. An updated Negative Declaration issued on September 30, 2016 found that the overall project will result in no significant adverse impacts to the environment.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-5

Ordinance No. 2017-8
(Int. No. 9)

Amending the Official Map by abandonment of Dowling Place

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

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

LEGAL DESCRIPTION OF PROPOSED LANDS TO BE ABANDONED – DOWLING PLACE

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

COMMENCING at a point in the intersection of the southerly highway boundary line of Bausch Street and the westerly highway boundary line of St. Paul Street thence:

- a) S38° 32' 40" E, along the westerly highway boundary line of St Paul Street, a distance of 28.86 feet to a point, thence:
- b) N 51° 27' 20" E, continuing along said westerly bounds of St Paul Street a distance

of 7.00 feet to a point, thence:

- c) S 38° 32' 40" E, continuing along said westerly bounds of St Paul Street, a distance of 668.94 feet to a point, thence:
- d) S 38° 20' 00" E continuing along said westerly bounds of St Paul Street, a distance of 273.49 feet to the true point of beginning, said point being the intersection formed by the aforesaid west bounds of St Paul Street and the northerly bounds of Dowling Place, thence:
 - 1) S 38° 19' 38" E continuing along said westerly bounds of St Paul Street, a distance of 23.00 feet to a point, thence:
 - 2) S 83° 24' 15" W, along the southerly bounds of Dowling Place, a distance of 221.36 feet to a point, thence:
 - 3) S 87° 52' 00" W, continuing along said southerly bounds of Dowling Place, a distance of 242.26 feet to a point, thence:
 - 4) N 02° 44' 35" W, continuing along said westerly bounds of Dowling Place, a distance of 16.00 feet to a point, thence:
 - 5) N 87° 52' 00" E, along the northerly bounds of Dowling Place, a distance of 196.05 feet to a point, thence:
 - 6) N 83° 24' 15" E, continuing along the northerly bounds of Dowling Place, a distance of 254.26 feet to the place and point of beginning.

INTENDING TO DESCRIBE a parcel of land to be conveyed, Dowling Place, which contains 8,158 square feet of land, City of Rochester, New York.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-9
Re: Inner Loop East Transformation Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Inner Loop East Transformation project. This legislation will:

1. Appropriate \$1.5 million in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) to finance a portion of the construction of the project, and
2. Amend Ordinance No. 2014-299, as amended by Ordinance No. 2015-239, to reduce the appropriation of New York State funds in Section 2 by the same amount.

The Inner Loop East Transformation project was awarded up to \$17.7 million in 2013 TIGER discretionary grant funding, and is one of only 52 transportation projects nationwide to receive TIGER funding. This project will remove the aging, 50-year old, eastern segment of the Inner Loop expressway between Broadway and Richmond Street, and replace it with appropriately-scaled, complete streets along Howell, South Union and North Union Streets. These new at-grade streets will enhance the area's livability, allowing people to walk and bicycle between neighborhoods and downtown more easily.

Removing this portion of the Inner Loop will result in approximately 5.8 acres of new sites for redevelopment in the East End, a growing downtown district and destination location for local residents and visitors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-9
(Int. No. 10)

Authorizing the receipt and appropriation of funds for the Inner Loop East Transformation Project

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

Section 1. The sum of \$1,500,000 in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) is hereby appropriated to finance a portion of the construction of the Inner Loop East Transformation Project (the "Project"). The Mayor is hereby authorized to enter

into an agreement with DASNY for the receipt and use of said funds.

Section 2. Section 2 of Ordinance No. 2014-299 relating to funding of the Project, as amended by Section 2 of Ordinance No. 2015-239, is hereby further amended to read in its entirety as follows:

Section 2. The sum of ~~\$4,214,075~~ \$1,214,075 in anticipated reimbursements from the State of New York is hereby appropriated to finance a portion of the construction of the Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-10
Re: Agreement – C & S
Engineers, Inc., Design Services,
2018 Preventive Maintenance
Group No. 2 Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2018 Preventive Maintenance Group No. 2 Project. This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the projects;
2. Appropriate \$231,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) which will be used to finance the federal portion of the design services; and
3. Establish \$289,000 as maximum compensation for an agreement with C & S Engineers, Inc., Rochester, New York, for design services related to the Project. The agreement will be funded by 2014-15 Cash Capital (\$57,800) and anticipated reimbursements from the FHWA (\$231,200). The agreement will expire three months after the two-year guarantee inspection that follows the Project completion.

Federal aid will reimburse the City for 80% of eligible design costs; local funds will support the balance.

This Project, administered by the City under agreement with NYSDOT includes two locations:

- Alexander Street from Mount Hope Avenue to East Main Street; and
- Scio Street from East Avenue to Central Park.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

C & S Engineers, Inc. was selected for design services through a request for proposals process, which is described in the attached summary.

Design services will begin in spring 2017; it is anticipated that construction will begin in spring 2018 with scheduled completion in fall 2018. The design phase of this project results in the creation/retention of the equivalent of 3.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-6

Ordinance No. 2017-10
(Int. No. 11, as amended)

Appropriating funds and authorizing an agreement with C & S Engineers, Inc., for the 2018 Preventive Maintenance Group No. 2 Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to participate in and administer the 2018 Preventive Maintenance Group No. 2 Project (Project).

Section 2. The Mayor is hereby authorized to accept and appropriate \$~~231,200~~231,442 in anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of ~~\$289,000~~289,302 with C & S Engineers, Inc. for design services related to the Project. The agreement shall be funded by ~~\$57,800~~57,860 from 2014-15 Cash Capital and ~~\$231,200~~231,442 from the FHWA reimbursements appropriated in Section 2. The term shall extend until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-11
Re: Agreement – Erdman, Anthony and Associates, Inc., Design Services, 2020 Preventive Maintenance Group No. 9 Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2020 Preventive Maintenance Group No. 9 Project. This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the projects;
2. Appropriate \$288,056 in anticipated reimbursements from the Federal Highway Administration (FHWA) which will be used to finance the federal portion of the design services; and
3. Establish \$359,000 as maximum compensation for an agreement with Erdman, Anthony and Associates, Inc., Rochester, New York, for design services related to the Project. The agreement will be financed with 2016-17 Cash Capital (\$70,944) and anticipated reimbursements from the FHWA

(\$288,056). The agreement will expire three months after the two-year guarantee inspection that follows the Project completion.

Federal aid will reimburse the City for 80% of eligible design costs; local funds will support the balance.

This Project, administered by the City under agreement with NYSDOT includes two locations:

- Hudson Avenue from North Street to NYS Route 104; and
- Saint Paul Street from Central Avenue to Gorham Street.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

Erdman, Anthony and Associates, Inc. was selected for design services through a request for proposals process, which is described in the attached summary.

Design services will begin in spring 2017; it is anticipated that construction will begin in spring 2020 with scheduled completion in fall 2020. The design phase of this project results in the creation and/or retention of the equivalent of 3.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No AQ-7

Ordinance No. 2017-11
(Int. No. 12)

Appropriating funds and authorizing an agreement with Erdman, Anthony and Associates, Inc., for the 2020 Preventive Maintenance Group No. 9 Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to participate in and administer the 2020

Preventive Maintenance Group No. 9 Project (Project).

Section 2. The Mayor is hereby authorized to accept and appropriate \$288,056 in anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of \$359,000 with Erdman, Anthony and Associates, Inc., for design services related to the Project. The agreement shall be funded by \$70,944 from 2016-17 Cash Capital and \$288,056 from the FHWA reimbursements appropriated in Section 2. The term shall extend until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 5. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-12
Re: Agreement - T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., Design Services, 2020 Preventive Maintenance Group No. 11 Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2020 Preventive Maintenance Group No. 11 Project. This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the projects;
2. Appropriate \$262,400 in anticipated reimbursements from the Federal Highway Administration (FHWA) which will be used to finance the federal portion of the design services; and
3. Establish \$328,000 as maximum compensation for an agreement with T.Y. Lin International Engineering, Architecture &

Land Surveying, P.C., Rochester, New York, for design services related to the Project. The agreement will be financed with 2016-17 Cash Capital (\$65,600) and anticipated reimbursements from the FHWA (\$262,400). The term of the agreement will extend three months after the two-year guarantee inspection that follows Project completion.

Federal aid will reimburse the City for 80% of eligible design costs; local funds will support the balance. This Project, administered by the City under agreement with NYSDOT, includes Lyell Avenue from Lake Avenue to Mount Read Boulevard.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. was selected for design services through a request for proposals process, which is described in the attached summary.

Design services will begin in spring 2017; it is anticipated that construction will begin in spring 2020 with scheduled completion in fall 2020. The design phase of this project results in the creation/retention of the equivalent of 3.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-8

Ordinance No. 2017-12
(Int. No. 13)

Appropriating funds and authorizing an agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., for the 2020 Preventive Maintenance Group No. 11 Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to participate in and administer the 2020

Preventive Maintenance Group No. 11 Project (Project).

Section 2. The Mayor is hereby authorized to accept and appropriate \$262,400 in anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of \$328,000 with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., for design services related to the Project. The agreement shall be funded by \$65,600 from 2016-17 Cash Capital and \$262,400 from the FHWA reimbursements appropriated in Section 2. The term shall extend until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-13
Re: Amendatory Agreement –
T.Y. Lin International Engineering,
Architecture & Land Surveying, P.C.,
Public Market Winter Shed
Renovation and Expansion Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy,
Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$115,000 as maximum compensation for an amendatory agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., Rochester, New York, for market demonstration kitchen design, engineering due to unknown site conditions, food vendor kiosk designs, winter shed vendor planning and meetings, new shed infrastructure modifications and reimbursable expenses for the Public Market Winter Shed Renovation and Expansion Project. This amendatory agreement brings total maximum compensation for T.Y. Lin International on this Project to \$1,198,000. The cost of the amendatory agreement will be financed from bonds issued in February 2016 via Ordinance No. 2016-47.

In December 2010, Ordinance No. 2010-433 authorized the original agreement with T.Y. Lin International for master planning and architectural design services for the Project, in the maximum amount of \$300,000. The agreement was subsequently amended by Ordinance No. 2012-374 in the amount of \$630,000 and by Ordinance No. 2015-73 in the amount of \$153,000 for architectural and engineering design and construction supervision services.

Construction of the project is on-going and anticipated to be completed in the summer of 2017. The adjusted construction cost is \$7,353,000. This agreement will result in the creation and/or retention of the equivalent of 1.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-13
(Int. No. 14)

Authorizing an amendatory agreement for the Public Market Winter Shed Renovation and Expansion 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 T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. for architectural and engineering design and construction supervision services for the Public Market Winter Shed Renovation and Expansion Project (the "Project"). The amendatory agreement shall increase the maximum compensation for the agreement originally authorized in Ordinance No. 2010-433 and as last amended in Ordinance No. 2015-73 by \$115,000 to a new total of \$1,198,000 and the amendatory amount shall be funded by \$115,000 from the proceeds of a bond ordinance authorized in Ordinance No. 2016-47. The amendatory agreement shall include engineering, architecture and supervision services for food vendor kiosk design, engineering due to unknown site conditions, vendor planning and meetings, infrastructure modifications and reimbursable Project expenses.

Section 2. The amendatory agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-14
Re: Amendatory Agreement –
LaBella Associates, DPC,
Midtown Redevelopment Project

Council Priority: Jobs and Economic
Development; Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$310,000 as maximum compensation for an amendatory agreement with LaBella Associates, DPC for additional construction phase design and resident project representation (RPR) services required for the Midtown Redevelopment Project. This amendment will increase total compensation to \$4.31 million and will be funded from 2014-15 Cash Capital (\$145,000) and 2015-16 Cash Capital (\$165,000).

Below is a summary of related legislative actions for the agreement:

<u>Ord. No.</u>	<u>Purpose</u>	<u>Amount</u>
2012-155	Original: Phase 1 RPR	\$950,000
2012-469	Amendatory:Phase2RPR	\$1,150,000
2013-55	Amendatory: Phase 3RPR	\$1,400,000
2013-333	Amendatory: Phase 4 RPR	100,000
2015-301	Amendatory: Phase 5 RPR	400,000
Proposed	Amendatory: Added Work	310,000
TOTAL		\$4,310,000

The proposed amendatory agreement with LaBella Associates, DPC will provide RPR and construction phase design services for Phase 5 Midtown Commons work that was added to the Phase 3 contract; installation of a new heating system at the garage; and construction of a pedestrian walkway between Broad and Elm Streets. Phase 5 work took longer than expected due to design issues and long lead times for various materials. In early summer 2016, the City added design and construction of a new pedestrian walkway between Broad Street and Elm Street. This required design and RPR services. The City also added sidewalk and curb work along the north side of Broad Street and south side of Elm Street at Tower 280. This work was originally deleted from the Phase 3 work due to tower construction by a private developer. As tower work was completed, the developer requested that this work be resumed.

The Midtown Redevelopment Project has included various construction phases as summarized below:

Ordinance No. 2017-14
(Int. No. 15)

Phase 1 - Construction of the Midtown Truck Tunnel. Contractor: Crane Hogan Structural Systems. Work completed March 2013 with a final cost of \$6,856,429.

Phase 2 - Rehabilitation of level 3 of the Midtown Parking Garage. Work included reconstruction of deck slabs, utility upgrades, and deck coatings. Work is substantially complete. Final estimated cost is \$13,964,050.

Phase 3 - Project site work. Work included various utility improvements; realignment and reconstruction of streets at the project site; and installation of various open space landscape features. Contractor: Sealand Contractors Corp. Work is substantially complete. Current estimated cost is \$8,866,148.

Phase 4 - Construction of a new access building and security office space for the garage. Contractor: Crane Hogan Structural Systems. Work is substantially complete. Final estimated cost is \$1,242,513.

Phase 5 - Additional landscaping features for open space. The City was originally going to bid this phase as a separate project. However, due to schedule requirements, this work was added to the Phase 3 contract. Work is substantially complete. Costs for this work are included in the Phase 3 costs above.

Garage Heating Project - The City recently bid a contract to install a heating system in the garage. Work will be performed by Nairy Mechanical and Blackmon Farrell Electric at a final estimated cost of \$410,000. This work began in September 2015 and was completed in January 2016.
Pedestrian Walkway - The City is adding work to install a new pedestrian walkway from Broad Street to Elm Street, adjacent to the Midtown Tower. Final estimated cost of the walkway is \$583,000. This work was performed by the Phase 3 contractor and was started in May 2016 and was complete in November 2016.

All Phases - Total construction cost of all phases is currently estimated to be \$ 33,386,000.

This amendment will result in the creation and/or retention of the equivalent of 4.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Authorizing an amendatory agreement for additional construction phase design and resident project representation services for the Midtown Redevelopment 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 LaBella Associates, D.P.C for additional construction phase design and resident project representation services for the Midtown Redevelopment Project. The amendatory agreement shall increase the maximum compensation for the agreement originally authorized in Ordinance No. 2012-155 and last amended in Ordinance No. 2015-301 by \$310,000 to a new total of \$4,310,000. The increase in compensation shall be funded by \$145,000 from 2014-15 Cash Capital and \$165,000 from 2015-16 Cash Capital.

Section 2. The term of the amendatory agreement may extend until 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-15
Re: Amendment - Ordinance No. 2016-22,
Intermunicipal Agreement for
Parking Signs

Transmitted herewith for your approval is legislation amending Ordinance No. 2016-22, which authorized an agreement with Monroe County for the fabrication, installation and maintenance of parking signs on roads within the jurisdiction of the City. The amendment establishes \$200,000 as maximum compensation for the agreement (an increase of \$45,000). The agreement will continue to be funded by a combination of funds from the 2015-16 Budgets of the Department of Environmental Services and Cash Capital, for the current and subsequent fiscal years, contingent upon approval of future budgets. The term of the agreement, five years

with five optional one-year extensions, remains the same.

The original agreement establishes the County’s fee for each type of parking sign, with \$155,000 as annual maximum compensation. There has been an unexpected increased demand for new and replacement signs due to an increase in parking changes authorized by the Traffic Control Board and sign replacements associated with capital improvement projects. This amendment will make the necessary funds available to fully fund the parking sign program.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-15
(Int. No. 16, as amended)

Amending Ordinance No. 2016-22 relating to an intermunicipal agreement with Monroe County for parking signs and amending Ordinance No. 2016-349 relating to a Public Bikesharing System agreement

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

Section 1. Section 3 of Ordinance No. 2016-22 authorizing an intermunicipal agreement with Monroe County for parking signs is hereby amended to read as follows:

Section 3. Said agreement shall have an ~~approximate~~ maximum annual cost of ~~\$155,000~~ \$200,000. The first year of said agreement shall be funded from the 2015-16 Budgets of the Department of Environmental Services and Cash Capital; subsequent years shall be funded from ~~both said~~ said budgets for subsequent years, contingent upon approval of said budgets.

Section 2. Section 2 of Ordinance No. 2016-349 relating to a Public Bikeshare System agreement is hereby amended to read as follows:

Section 3. The agreement shall be for an initial term of ~~two~~ three years with the option to extend the agreement for up to 3 additional terms of one year each.

Section 3. This ordinance shall take effect immediately.

Strikethrough indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-16
Re: Agreement – New York State
Department of Transportation,
Snow and Ice Removal Services

Transmitted herewith for your approval is legislation authorizing a one-year extension of an existing agreement with the New York State Department of Transportation (NYSDOT) for the provision by the City of Rochester of snow and ice removal services on the following State highways:

1. Lake Avenue, from Lyell Avenue to West Ridge Road; and
2. Plymouth Avenue, from Commercial Street to Troup Street.

The total length of these two streets is 2.7 miles. The City has provided these services since 1978, pursuant to periodic agreements. The most recent agreement was authorized by City Council in February 2016 (Ord. No. 2016-48). This legislation will extend the agreement to June 30, 2019, as required by NYSDOT.

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

The State will reimburse the City \$72,839.32 for snow and ice removal performed during the 2016-17 winter season, which is \$238.23 more than the prior year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-16
(Int. No. 17)

Authorizing an agreement with the New York State Department of Transportation for snow removal

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

Section 1. The Mayor is hereby authorized to enter into a one-year extension of an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue,

from Commercial Street to Troup Street, through June 30, 2019. The agreement shall obligate the State to reimburse the City for such services in the amount of \$72,839.32, for services during the 2016-17 season.

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. 2017-17

Re: Authorization- New York State Department of Transportation, Valve Box Work on Meigs Street and Alexander Street Bridges over Route I-490

Transmitted herewith for your approval is legislation authorizing the New York State Department of Transportation (NYSDOT) to include water main valve box adjustment as part of their project for the Bridge Deck Preventative Maintenance - 2017 project, on the Meigs Street and Alexander Street bridges over Route 490.

Several water main valve boxes are impacted by the NYSDOT project and will require either adjustment or replacement. This authorization will allow NYSDOT to perform all necessary work needed to either adjust or replace impacted valve boxes. This work will be performed at no cost to the City. In addition, the City agrees to maintain the water facilities that are adjusted or replaced as part of this project.

This legislation also authorizes the Mayor to sign all documentation that may be necessary as a result of this project as it relates to the water system improvements.

The City will provide five certified copies of the Council ordinance to the NYSDOT.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-9

Ordinance No. 2017-17
(Int. No. 18)

Authorizing the New York State Department of

Transportation to work on water main valve boxes on the Meigs Street and Alexander Street bridges over Route I-490

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

Section 1. Council hereby authorizes the New York State Department of Transportation (NYSDOT) to adjust or replace water main valve boxes as part of the agency’s Bridge Deck Preventative Maintenance – 2017 project on the Meigs Street and Alexander Street bridges over Route I-490.

Section 2. Council hereby authorizes the City to maintain the water facilities that are adjusted or replaced by NYSDOT pursuant to the authorization provided herein.

Section 3. Council hereby authorizes the Mayor to sign all documentation that may be necessary to implement the water facilities work that is authorized herein and the documentation may contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-18

Re: Pavement Width Changes - Main Street Streetscape and Pedestrian Wayfinding Enhancement

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing geometric changes to East Main Street between St. Paul Street and Franklin Street and to Franklin Street between East Main Street and Liberty Pole Way as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project.

The Project is being designed under an agreement with Stantec Consulting Services Inc., and is being funded with federal, New York State, and private contributions as well as City debt, all of which have been approved in prior legislation. The Project will result in streetscape enhancements along Main Street between St. Paul Street / South Avenue and Franklin Street / East Avenue, including the Liberty

Pole Plaza. Pedestrian wayfinding signage will extend the length of Main Street from Ford Street to University Avenue. The geometric changes will provide 54 recessed parking spaces along the length of the Main Street corridor. An additional 20 curbside spaces will be available on Franklin Street. A public hearing on the pavement width changes is required. This legislation was initially presented to Council last month but was postponed when the original public hearing had to be cancelled due to inclement weather.

A public informational meeting was held on November 28, 2016. A copy of the minutes of this meeting are attached. The pavement width changes were endorsed at the November 15, 2016 Traffic Control Board meeting.

Design of the project is underway. Construction is anticipated to begin in spring 2017 with completion in fall 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-18
(Int. No. 19)

Authorizing geometric changes related to the Main Street Streetscape Wayfinding Enhancement project

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

Section 1. Council hereby approves the following pavement width change as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement project (the Project):

- A. Pavement width changes on East Main Street from St. Paul Street/ South Avenue to East Avenue/ Franklin Street to accommodate 8 feet recessed parking:
 - 1. Decrease of 8 feet, along south side of E. Main Street, beginning 37 feet east of South Avenue and continuing 10 feet eastward; and
 - 2. Increase of 8 feet, along the north side of E. Main Street, beginning 65 feet east of St. Paul Street and continuing 236 feet eastward; and
 - 3. Increase of 8 feet, along the south side of E. Main Street, beginning 63 feet west of S. Clinton Avenue and continuing 195 feet westward; and

- 4. Increase of 8 feet, along the north side of E. Main Street, beginning 50 feet west of N. Clinton Avenue and continuing 205 feet westward; and
 - 5. Decrease of 9 feet, along the south side of E. Main Street, beginning 32 feet east of S. Clinton Avenue and continuing 10 feet eastward; and
 - 6. Increase of 8 feet, along the north side of E. Main Street, beginning 60 feet east of N. Clinton Avenue and continuing 135 feet eastward; and
 - 7. Increase of 8 feet, along the north side of E. Main Street, beginning 30 feet west of Franklin Street and extending 190 feet westward.
- B. Pavement width change on Franklin Street from E. Main Street to Liberty Pole Way:
- 1. Decrease of 1.4 feet from 41.4 feet to 40 feet, along the southwest side of Franklin Street, beginning at Main Street and extending 177 feet northwest.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-19
Re: Authorization and Direction to
Initiate Official Map Amendment

Transmitted herewith for your approval is legislation authorizing and directing the initiation of an amendment to the Official Map of the City of Rochester to establish and name all or portions of 374 Hollenbeck Street, 490 Conkey Avenue, 820 St. Paul Street and 196 Smith Street as the Thomas R. Frey Trail at El Camino.

Pursuant to Section 76-4 of the Rochester City Code, Official Map Amendments may be initiated by City Council and filed with the City Engineer.

Mr. Frey has been instrumental in the work of the Genesee Land Trust in developing the El Camino

Trail, the current improvements in the land areas adjoining Conkey and Clifford Avenues, known as Conkey Corner Park, and countless other places in the public realm.

Amending the Official Map of the City of Rochester to create the Thomas R. Frey Trail at El Camino is a fitting and appropriate honor to the career and legacy of Mr. Frey. It will be a lasting tribute to his commitment to linking urban families and neighborhoods to the natural places within our City and region.

Respectfully submitted,
Lovely A. Warren Mayor Loretta C. Scott President, City Council

Matt Haag
Chair, Parks & Public Works Committee

Ordinance No. 2017-19
(Int. No. 25)

Authorizing the initiation of an application to amend the Official Map to dedicate as parkland and name the Thomas R. Frey Trail at El Camino

WHEREAS, the El Camino Trail (the Trail), a recreational trail created out of a former railroad right-of-way that extends from Seneca Park to the Genesee River Trail near the Bausch Memorial Bridge, is a great community and neighborhood asset;

WHEREAS, Thomas R. Frey has been instrumental in the work of the Genesee Land Trust in developing the Trail, the current improvements in the land areas adjoining Conkey and Clifford Avenues, known as Conkey Corner Park, and countless other places in the public realm;

WHEREAS, dedicating and naming the Thomas R. Frey Trail at El Camino as public parkland is a fitting and appropriate honor to the career and legacy of Mr. Frey as a lasting tribute to his commitment to linking urban families and neighborhoods to the natural places within our City and region; and

WHEREAS, under Section 76-4D of the Municipal Code, the City Council may initiate the process of amending the City’s Official Map to dedicate and name City parkland, a process that will also require a public review and recommendation by the City Planning Commission and a public hearing prior to a final vote by the City Council.

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

Section 1. The City Council hereby approves and directs the initiation of an application on behalf of the City Council to amend the Official Map of the City of Rochester to dedicate as parkland a trailway to be named the “Thomas R. Frey Trail at El Camino.” Said dedicated parkland may consist of all or portions of the following parcels of land owned by the City of Rochester:

Address	Tax Parcel Number	Approximate Area
374 Hollenbeck Street	091.62-1-79.002	5.55 acres
490 Conkey Avenue	091.69-2-26	3.18 acres
820 St. Paul Street	106.37-3-15	1.91 acres
196 Smith Street	106.61-1-19.002	5.15 acres

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
January 17, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 20 - Amending the 2016-17 Budget and appropriating federal forfeiture funds

Int. No. 21 - Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction

Int. No. 22 - Amending Ordinance No. 2016-382 relating to agreements for the Comprehensive Adolescent Pregnancy Prevention Program

Int. No. 23 - Authorizing an agreement for the Youth Voice One Vision Program

Int. No. 24 - Authorizing an agreement with the Rochester City School District related to School Resource Officers

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-20
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$7,500 from federal forfeiture funds generated by the Police Department and amending the 2016-17 Budget of the Police Department by this amount.

The Police Department needs to purchase two canine dogs for its Canine Unit this year to replace two current dogs that are being retired. Each new dog costs \$7,500. The requested federal forfeiture funds will be used to replace one dog. The Police Department is requesting the Rochester Police Foundation, Inc. to donate funds to purchase the second dog.

This appropriation will result in a balance of approximately \$725,550 in the federal forfeiture fund. Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-20
(Int. No. 20)

Amending the 2016-17 Budget and appropriating federal forfeiture funds

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

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$7,500 from funds to be received from the Federal Government from seized and forfeited assets. Said funds are hereby appropriated to purchase a dog for the Police Department's Canine Unit.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-21
Re: Inter Municipal Agreement-
Monroe County, Firearms
Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675. The term of the agreement is January 1, 2017 through December 31, 2017.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2016-17 Budget of the Police Department.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-21
(Int. No. 21)

Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for reimbursement of the 2017 Firearms Instruction Program in the amount of \$55,675. The term of the agreement shall be January 1, 2017 through December 31, 2017.

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. 2017-22
Re: Amending Ordinance No. 2016-382

Transmitted herewith for your approval is legislation amending Ordinance No. 2016-382 which authorized legislation for agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program. This amendment will increase funding amounts to three agencies and decrease the amount to one agency to match the approved New York State budgeted amount. The contract amounts inadvertently were transposed in the original ordinance.

<u>Organizations</u>	Original	Amended	Difference
	<u>Amount</u>	<u>Amount</u>	
Baden Street Settlement, Inc./ Metro Council for Teen Potential	\$54,461	\$63,542	\$9,081
Society for the Protection and Care of Children	\$50,559	\$54,461	\$3,902
YWCA of Rochester and Monroe County	\$46,470	\$50,559	\$4,089
Highland Family Planning	\$63,542	\$46,470	\$-17,072
			\$0

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-22
(Int. No. 22)

Amending Ordinance No. 2016-382 relating to agreements for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. Section 2 of Ordinance No. 2016-382 is hereby amended to read in its entirety as follows: Section

2. The Mayor is hereby authorized to enter the City into agreements to provide Program services with the following organizations up to the maximum amount specified therein for the term January 1, 2017 through December 31, 2017:

<u>Organization</u>	<u>Amount</u>
Baden Street Settlement, Inc. /Metro	
Council for Teen Potential	\$54,461,63,542
Christopher Communications (marketing & media)	25,000
Hillside Children’s Center/Family Resource Center	19,900
Highland Family Planning	63,542,46,470
Society for the Protection and Care of Children	50,559,54,461
YWCA of Rochester and Monroe County	46,470,50,559
TOTAL	\$259,932

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into amendatory agreements with one or more of the other above providers to use the unexpended funds to provide additional Program services.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-23
Re: Budget Amendment

Transmitted herewith for your approval is legislation related to a grant from the Rochester Area Community Foundation. This legislation will:

1. Authorize receipt and use of a grant award of \$25,000; and
2. Amend the 2016-17 Budget of the Department of Recreation and Youth Services to reflect the grant authorized herein by \$25,000.

This grant award will allow expanded programming for the youth development program called Youth Voice One Vision, which also serves as the Mayor’s Youth Advisory Council.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-23
(Int. No. 23)

Authorizing an agreement for the Youth Voice One Vision Program

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

Section 1. The Council hereby authorizes the receipt and use of \$25,000 from the Rochester Area Community Foundation for the Youth Voice One Vision program (Program). The Mayor is hereby authorized to execute any agreement or other documents as may be necessary to effectuate the funding authorized herein.

Section 2. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Youth Services by \$25,000 to reflect the receipt of the funds authorized herein and said funds are hereby appropriated to the Program.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-24

Re: Intermunicipal Agreement –
Rochester City School District,
School Resource Officers

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

Transmitted herewith for your approval is legislation authorizing the Mayor to enter into an agreement with the Rochester City School District (RCSD) for funding up to \$1,120,000 as partial reimbursement of the City's cost to provide sworn City of Rochester Police Officers to serve as School Resource Officers at RCSD facilities. The term of this agreement is from July 1, 2016 through June 30, 2017.

Police Officers have been assigned as School Resource Officers since 1999 to assist in maintaining safe school environments. The cost for the service then, and through 2003, was supported in part by a federal grant. From 2003 to 2007, the total cost was absorbed by the City. During the development of the 2007-08 Budget of the City of Rochester, and following extensive negotiations with RCSD, it was agreed that the RCSD would provide annual support for the School Resource Officers.

Some of the duties of the School Resource Officers include functioning as role models for students, providing a police presence in the school, anti-truancy enforcement, and handling calls for service that originate within the school setting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-24
(Int. No. 24)

Authorizing an agreement with the Rochester City School District related to School Resource Officers

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District (RCSD) for the receipt and use of funds in an amount not to exceed \$1,120,000 from the RCSD as partial reimbursement for the City's cost to provide sworn City of Rochester Police Officers to serve as School Resource Officers at RCSD facilities

Section 2. The term of said agreement shall extend from July 1, 2016, through June 30, 2017.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:46 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
FEBRUARY 21, 2017

Present - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9

The Council President requested the Council to rise for a Moment of Silence.
Pledge of Allegiance to the Flag of the United States of America.

Recognition Ceremony

Retirement:

- Emergency Communications
 - Mary Louise Pettinski
 - Stephen Wegman
- Environmental Services
 - *Richard T. Craft
 - *Willis A. Curtis
 - *Mary A. Gaudio
- Finance Department
 - *Amy Jasinski
- Law Department
 - *Linda L. Horne
- Neighborhood & Business Development
 - *Antonella Daniels
 - *Susan Welk
- Fire Department
 - *Michael F. Quinlan
- Police Department
 - *Aaron K. Brown
 - *Thomas J. Colucci
- *Did not attend meeting*

APPROVAL OF THE MINUTES
By Councilmember Haag

RESOLVED, that the minutes of the Regular Meeting of January 17, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges Jan. 2017 – 4249-17
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges Feb. 2017 – 4250-17
 - Quarterly Report – Schedule of Revenues and Expenditures – 4251-17
 - Quarterly Report – Professional Services Agreements – 4252-17

Semi-Annual Report of COMIDA PILOT Billing – 4253-17

The Council submits Disclosure of Interest Forms from Councilmember McFadden on Int. No. 46, and Councilmember Spaul on Int. No. 42 and Int. No. 43.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
February 21, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 26 - Amending the 2016-17 Budget

Int. No. 27 - Authorizing an agreement for the 2017 Xerox Rochester International Jazz Festival

Int. No. 28 - Reducing the amounts authorized in previous bond ordinances

Int. No. 56 - Resolution establishing the maximum number of Commissioners of Deeds

Int. No. 58 - Authorizing an agreement with Rochester Museum & Science Center for services related to replacing and displaying in context a historic carousel rounding board

Respectfully submitted,
Carolee A. Conklin
Molly Clifford
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-25
Re: Budget Amendment - Fire Wage Settlement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Fire Wage Settlement. This legislation will amend the 2016-17 Budget by:

1. Transferring \$1,313,100 from Contingency to the budget of the Rochester Fire Department (RFD) for salary and wages pursuant to the agreement reached through negotiation and subsequent ratification by the Local 1071 of the International Association of Fire Fighters, Inc. (IAFF); and
2. Transferring \$169,000 from Contingency to Undistributed to fund FICA associated with settlement of the contract and corresponding salary adjustment for disabled fire personnel.

The increase to the RFD budget is necessitated by the settlement with IAFF in August 2016. When the 2016-17 Budget was adopted in June 2016, wage rates had not yet been established for sworn fire personnel as their contract had expired June 30, 2016. Negotiations with IAFF began in February 2016 prior to contract expiration. Multiple sessions were held with IAFF in an attempt to reach consensus on wage adjustments and other operational matters.

Negotiations with IAFF ultimately proved successful in August 2016 when terms of a successor agreement were approved and ratified by the membership of IAFF. The following salary increases were approved:

<u>Effective Date</u>	<u>Percent Increase</u>
July 1, 2016	2.5%
July 1, 2017	2.0%
July 1, 2018	2.5%
July 1, 2019	2.0%
July 1, 2020	2.5%

In addition to the base salary increases, the settlement included the continuation of an additional 1.6% parity allowance effective for the period of July 1, 2016

to June 30, 2021.

The total expected fringe cost for the settlement consisting of FICA is \$105,300 which will be funded by the proposed transfer from Contingency to Undistributed Expenses. No adjustment will be made for pension costs, as the impact of the IAFF settlement will not occur until the City's February 2018 pension bill. Sufficient funds for the pension increase will be accounted for in the proposed 2017-18, 2018-19, 2019-20, and 2020-21 Budgets, respectively, contingent upon City Council approval. Disabled fire personnel paid from Undistributed Expenses are also entitled to the same wage adjustments as active IAFF members, which results in an incremental expense of \$63,700.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-25
(Int. No. 26)

Amending the 2016-17 Budget

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

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$1,482,100, from the Contingency allocation to the following appropriations in the following amounts:

Rochester Fire Department:	\$1,313,100
Undistributed:	<u>169,000</u>
Total:	\$1,482,100

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-26
Re: Agreement - Rochester International
Jazz Festival, LLC, Xerox Rochester
International Jazz Festival

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$243,000 as maximum compensation for an agreement with the Rochester International Jazz Festival, LLC to designate the City of Rochester as the lead government sponsor of the 2017 Xerox Rochester International Jazz Festival (XRIJF). The cost of this agreement will be funded from the 2016-17 Budget of the Bureau of Communications. The term of the agreement is one year.

The 16th annual festival will be held from June 23 to July 1, 2017 and will include more than 347 shows at 19 city venues within walking distance of each other in the East End Cultural District. The City's contribution to the festival will underwrite free, outdoor events, including 14 headliner shows that take place on the weekends during the festival at the East Avenue and Chestnut Street stage, and more than 35 regional and local shows that take place daily on the Jazz Street (Gibbs Street) stage. The Jazz Street stage includes performances by local high schools and continuing education music programs. The festival also provides an additional 30 free performances, jam sessions, and children's workshops in both indoor and outdoor venues throughout the course of the nine days. These events are designed to attract approximately 15,000 to 25,000 visitors each night of the festival.

In previous years, the City provided an additional investment through the cost of public safety services and equipment rental, not to exceed \$68,000. Services included traffic control and pedestrian crossing for street closings, fire safety detail, and equipment rental such as barricades, flashers, signage, roll-off dumpsters, containers and trash disposal. This year, in an effort to standardize the way the City manages events funded through the Special Events Funding process and to achieve transparency, these services will no longer be provided as an in-kind contribution. Instead, that cost will be added to the total amount of funding for the festival, which will keep the overall support at the same level. Like all other City-funded special events, the Jazz Festival will be expected to pay all City bills.

The XRIJF has become one of the nation's most popular and respected music festivals. The festival's growing recognition throughout the world further enhances Rochester's reputation as a major music destination. Founded in 2002, attendance has grown each year, attracting music lovers from around the U.S. and the world. In 2002, attendance for the festival was 15,000. In the last few years, attendance estimates have been close to 180,000.

The Rochester International Jazz Festival, LLC consistently delivers a multi-dimensional festival with something for everyone. From legendary performers and familiar favorites, to rising stars and new discoveries, the festival navigates all genres of creative improvised music from all corners of the world.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-10

Ordinance No. 2017-26
(Int. No. 27)

Authorizing an agreement for the 2017 Xerox Rochester International Jazz Festival

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$243,000 with Rochester International Jazz Festival, LLC for the 2017 Xerox Rochester International Jazz Festival. Said amount shall be funded from the 2016-17 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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. 2017-27
Re: Rescinding Authorization of Previous
Bonds

Council Priority: Deficit Reduction and LongTerm Financial Stability

Transmitted herewith for your approval is legislation requesting the deauthorization of specific Bond Authorizations. The funds are no longer needed for the specific projects because the actual costs were less than originally estimated. The ordinances to deauthorize are:

Ordinance No.	Original Authorization	Amount to Deauthorize	Original Project
2011 – 066	\$877,000	\$20,000	Street - Oakwood Rd. Reconstruction
2012 210	\$477,000	\$26,000	Street - Dewey Ave. and Driving Pk.
2012-332	\$755,000	\$4,000	Street - Benton St. Group II Curb Replacement
2013-015	\$7,600,000	\$700,000	Water - S. Clinton Ave. Conduits
2013-072	\$826,000	\$2,000	Street - Akron St. Group Reconstruction
2013-101	\$544,000	\$59,000	Water - Hemlock Water Filtration
2013-199	\$300,000	\$16,000	Water - Melville St. Group
2013-289	\$150,000	\$60,000	Water - Water Main Ext. and Improvements
2013-316	\$98,000	\$2,000	New Boiler for Edgerton Recreation Center
2013-325	\$268,000	\$85,000	Water - Stutson St. Improvement
2014-046	\$89,000	\$6,000	Water - Brentwood Street Group
2014-088	\$2,100,000	\$100,000	Water - 2014 Water Main Ext. and Improvements
2015-068	\$1,886,000	\$104,000	Water - 2015 Water Main Ext. and Improvements
2015-189	\$283,000	\$15,000	Street - Arlington St. Rehabilitation
2015-190	\$97,000	\$2,750	Water - Arlington St. Rehabilitation
2015-230	\$551,000	\$31,000	Water - Harding Rd.

The “amount to deauthorize” referenced above are the authorized, unissued amounts remaining on the specific Bond Authorizations. The amounts to be deauthorized were provided to the Finance Director’s Office by the Department of Environmental Services. The purpose of the deauthorizations is to allow for the allocation of the funds no longer needed for the current projects to be allocated towards future projects, and thereby remain within each annual debt limit established by Council Ordinance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-27
(Int. No. 28)

Reducing the amounts authorized in previous bond ordinances

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

Section 1. The following bond ordinances are hereby amended by reducing the amount of authorized bonding as follows:

Ordinance	Original Authorization	Amount to Deauthorize	Project
2011-066	\$877,000	\$20,000	Street -Oakwood Rd Reconstruction
2012-210	\$477,000	\$26,000	Street -Dewey Ave & Driving Pk
2012-332	\$755,000	\$4,000	Street -Benton St Grp II Curb Repl
2013-015	\$7,600,000	\$700,000	Water -S. Clinton Ave Conduits
2013-072	\$826,000	\$2,000	Street -Akron St Grp Reconstruction
2013-101	\$544,000	\$59,000	Water -Hemlock Water Filtration
2013-199	\$300,000	\$16,000	Water -Melville St Group
2013-289	\$150,000	\$60,000	Water -Water Main Ext & Improv
2013-316	\$98,000	\$2,000	New Boiler for Edgerton Rec Ctr
2013-325	\$268,000	\$85,000	Water -Stutson St Improvement
2014-046	\$89,000	\$6,000	Water -Brentwood Street Group

2014-088	\$2,100,000	\$100,000	Water -2014 Water Main Ext & Imp
2015-068	\$1,886,000	\$104,000	Water -2015 Water Main Ext & Imp
2015-189	\$283,000	\$15,000	Street -Arlington St Rehabilitation
2015-190	\$97,000	\$2,750	Water -Arlington St Rehabilitation
2015-230	\$551,000	\$31,000	Water -Harding Rd

Section 2. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-2
Re: Commissioners of Deeds

Transmitted herewith for your approval is legislation related to the appointment of Commissioners of Deeds. The proposed legislation establishes the number of Commissioners of Deeds at no more than 250 per year during calendar years 2017 and 2018. Since Fiscal Year 2004-05, not more than 175 have been issued per year, so the 250 annual maximum is expected to be sufficient to meet demand.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2017-2
(Int. No. 56)

Resolution establishing the maximum number of Commissioners of Deeds

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

Section 1. During calendar years 2017 and 2018, there shall be appointed no more than 250 Commissioners of Deeds annually.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-28
Re: Agreement - Rochester Museum & Science Center, Preservation, Exhibition and Replacement of Historic Carousel's Decorative Boards

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,663 as maximum compensation for an agreement with the Rochester Museum & Science Center (RMSC) to preserve and exhibit, in historical context, a rounding board depicting a pickaninny-style farm scene (Rounding Board) that has been removed from the historic Ontario Beach Park Carousel (Carousel) and to craft and install a suitable rounding board to replace the Rounding

Board on the Carousel. The agreement will be funded from the 2016-17 Budget of Undistributed Expenses, and the term of the agreement will be for one year from March 1, 2017 to February 28, 2018, with the option of three one-year extensions.

The circa 1905 Carousel was designated an official City landmark in 1980. Under a 99-year inter-municipal agreement between the City and the County of Monroe, the County is now and will remain in control of the Park and the Carousel for public park purposes through June 5, 2060. Last year, at the City's request, the County granted the City permission to remove the Rounding Board from the Carousel provided that the City obtain permission to do so from the Rochester Preservation Board. In March 2016, the Preservation Board granted the City permission to do so, subject to a number of conditions intended to maintain the cultural and historical integrity and educational value of the Rounding Panel and the Carousel.

One Preservation Board condition requires that the Rounding Board be placed under the stewardship of RMSC to be restored and placed into an interpretive exhibit with the understanding that RMSC will allow the exhibit to go on tour or be loaned to other community organizations for display to the public. The Preservation Board also requires that the Rounding Board be replaced with a new board painted with a new scene that will be compatible with the visual and historic character of the remaining boards on the Carousel (Replacement Board).

Accordingly, in the spring of 2016, the Rounding Board and another board depicting a swan in flight (Swan Board) were removed from the Carousel and moved to RMSC. The Swan Board will be used as a model for the background color and shape of the Replacement Board. Once the Replacement Board is completed, that board and the Swan Board will be installed on the Carousel.

The Preservation Board also requires that the community be engaged in deciding how to display and explain the legacy of the Rounding Board and in choosing the design and subject matter of the Replacement Board. The City already has established and has been consulting with two community advisory groups to implement this requirement. Both groups consist of representatives of a cross-section of the community as well as representatives from the City and RMSC.

Under a Memorandum of Understanding signed in September 2016, the City has authorized and paid RMSC \$6,600 as compensation for services and costs involved in the removal and preservation of the Rounding and Swan Boards.

RMSC has provided the City with a proposal to complete the remaining work for an amount not to exceed \$30,663. The remaining work will include preparing a circulating exhibit cabinet with an accompanying audio and visual component for the Rounding Board, services involved in arranging for the exhibit to be transported to and returned from other community organizations consistent with historic preservation requirements, and crafting a suitable Replacement Board that will be designed in consultation with the City and a community advisory group.

The City has not engaged in a request for proposal (RFP) process for these services because the Preservation Board has designated RMSC to perform the services due to RMSC's unique experience with preserving and displaying local historic artifacts and due to RMSC's commitment to consult closely with the City and local advisory groups on how the services will be performed.

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AQ-11

Ordinance No. 2017-28
(Int. No. 58)

Authorizing an agreement with Rochester Museum & Science Center for services related to replacing and displaying in context a historic carousel rounding board

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 Rochester Museum & Science Center for services related to replacing and displaying in context a rounding board that has been removed from the historic carousel in Ontario Beach Park. The agreement shall have a term of one year with the option to extend the term up to 3 additional periods of one year each subject to the mutual consent of the parties. The maximum compensation for the agreement shall be \$30,663. The cost of the agreement shall be funded from the 2016-17 Budget of Undistributed Expenses.

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.

By Councilmember Ortiz
February 21, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 29 - Authorizing the sale of real estate

Int. No. 30 - Resolution approving the continuation of the Downtown Tax Abatement Program for Owner-Occupied Housing

Int. No. 33 - Resolution approving appointment to the City Planning Commission

Int. No. 34 - Appropriating funds for the Lead Hazard Control Grant Program

Int. No. 57 - Amendatory agreement for hearing officer services for administrative nuisance abatement hearings

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation

Int. No. 31 - Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to dwelling unit conversions and prohibited variances, as amended

The following entitled legislation is being held in Committee:

Int. No. 32 - Amending the Zoning Code map

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott

NEIGHBORHOOD & COMMUNITY
DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-29
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

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

Both properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$687.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-12

Ordinance No. 2017-29
(Int. No. 29)

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 unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
114 Kosciusko St	091.65-3-62	30 x 115	3,455	Ida M. Conley
66 Seward St	121.53-1-40	28 x 132	3,810	Nolia M. Brooks

Section 2. 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 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-3
Re: Reauthorization- Downtown Tax Abatement Program for Owner-Occupied Housing

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a five-year extension of a tax abatement program for new owner-occupied residential units in the Center City District, that was approved by City Council in April 2012 (Res. No. 2012-15). New owner-occupied units, created through new

construction or the renovation of an existing building, would continue to be eligible for a partial nine-

year property tax exemption. The actual exemption would be realized through a payment-in-lieu-of-tax (PILOT) agreement approved by the County of Monroe Industrial Development Agency (COMIDA).

The intent of the program is to facilitate more owner-occupied housing in the Center City District. A 2015 survey conducted by the Rochester Downtown Development Corporation shows that of the 3,717 residential units located in the downtown area, only 136 are owner-occupied. Providing additional owner-occupied housing will further stabilize the Center City and encourage more residences

downtown that will contribute to the creation of a vibrant, more active public realm.

Resolution No. 2012-15 included a sunset provision of five years, expiring May 31, 2017. Since its inception (via Resolution No. 2007-14), 35 owner-occupied units have been completed with the assistance of the partial tax exemption for a total assessed value of \$11,164,500. An additional 85 units are planned or under construction and will rely on the partial tax exemption.

COMIDA receives applications and considers PILOT agreements for qualified projects. New owner-occupied residential units will have partial abatements of taxation and special *ad valorem* levies. The abatement is applied to the increase in assessed value attributable to the newly created, owner-occupied residential unit. The structure of the partial tax abatement will be as follows:

<u>Year</u>	<u>% of Increased Assessment Abated</u>
1	90%
2	80%
3	70%
4	60%
5	50%
6	40%
7	30%
8	20%
9	10%
10	0%

The tax abatement is restricted to the residential portion of projects located in the area defined in the Zoning Code as the Center City District. A map of the area is attached. The property owner is required to file an application for the abatement with COMIDA for initial approval and then the City receives the PILOT application for final approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-13

Resolution No. 2017-3
(Int. No. 30)

Resolution approving the continuation of the Downtown Tax Abatement Program for Owner-Occupied Housing

WHEREAS, the City wishes to continue to facilitate the construction of new residential, owner-occupied units in the Center City Zoning District as set forth in Resolution Nos. 2007-14 and 2012-15; and

WHEREAS, the County of Monroe Industrial Development Agency (COMIDA) has approved a policy providing for tax abatements through the use of payment in lieu of tax agreements for qualified projects, upon the City’s approval of such a policy.

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

Section 1. The Council hereby approves the continuation by COMIDA of a tax abatement policy, using payment in lieu of tax agreements for qualified projects whereby newly constructed or renovated owner-occupied residential units in the Center City Zoning District will be eligible for a partial, nine year, real property tax abatement applicable to the increase in assessed value which is attributed to the newly created owner-occupied residential units as follows:

<u>Year</u>	<u>Abatement in Assessment Increase</u>
1	90%
2	80%
3	70%
4	60%
5	50%
6	40%
7	30%
8	20%
9	10%
10	0%

Section 2. This resolution shall take effect immediately and shall remain in full force and effect until May 31, 2022.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-30
Re: Zoning Text Amendment - Dwelling Unit Conversions and Prohibited Variances

Transmitted herewith for your approval is legislation revising Chapter 120 of the Municipal Code, the Zoning Code, to allow office space and certain other nonresidential uses in Residential zoning districts to be converted to residential space by means of an area variance. These revisions were inadvertently left out of legislation approved by City Council in August 2016 related to Retail Sales and Services.

That prior legislation (Ord. No. 2016-263) removed Retail Sales and Services uses from the lists of uses that are either permitted or specially permitted in the City’s Residential zoning districts, thereby increasing the number of nonconforming, nonresidential uses existing in those districts. However, it left intact the provisions that designate offices and other types of nonresidential uses in Residential districts as conforming uses via either the permitted or specially permitted use category.

At present, Zoning Code §120-195B(5)(c) prohibits any variance that would increase the number of residential units in the R-1 District, with an exception for “the conversion of *nonconforming* nonresidential floor area to dwelling unit(s).” and Zoning Code §120-166 permits the conversion of *nonconforming*, nonresidential uses to residential space by means of an area variance.

The word “nonconforming” should have been omitted in both of these sections. If the word “nonconforming” were to remain, converting nonresidential space to residential space by means of an area variance would be permissible only for retail and other nonconforming uses. No variance would be allowed to convert office space and other *conforming* nonresidential uses to residential space in the R-1 Residential district, while such a conversion would require a use variance in the R-2 and R-3 Residential districts if the dwelling unit conversion standards are not met. It is much more difficult to satisfy the “unnecessary hardship” criteria required for a use variance, than it is to satisfy the balancing criteria required for an area variance.

This proposed legislation removes the word “nonconforming” from both sections, thereby allowing all nonresidential uses, nonconforming and conforming, to be converted to residential space in Residential districts by means of an area variance. These changes, shown on the next page, will advance the City’s goal of maximizing the proportion of residential space within Residential districts.

Pursuant to Zoning Code §120-190, prior review by the City Planning Commission is not required because this legislation is a minor amendment for clarification or correction purposes. Pursuant to Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Municipal Code, this legislation is classified as a Type II action, requiring no further environmental review.

As a Zoning Text Amendment, this legislation requires a public hearing.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-14

Ordinance No. 2017-30
(Int. No. 31, as amended)

Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to dwelling unit conversions and prohibited variances

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended so that Section 120-166, Dwelling unit conversions, reads in its entirety as follows:

§ 120-166. Dwelling unit conversions.
The intent of this section is to establish standards to prevent the overcrowding of dwelling units and to ensure satisfactory amenities as conversions take place. Conversion of existing buildings to increase the number of dwelling units contained in them presents issues surrounding overcrowding, parking, open space and neighborhood character. Dwelling

unit conversions that do not meet the standards established in this section may be permitted only upon a showing of unnecessary hardship in accordance with the provisions of §120-195, unless otherwise prohibited, with the exception that the Zoning Board of Appeals may waive the dwelling unit conversion standards in residential districts for the proposed conversion of all or a portion of ~~nonconforming~~ nonresidential floor area to residential use based on the standards for an area variance.

Section 2. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-195, Permitted uses and structures, to revise subsection B(5)(c), one of the items on a list of prohibited variances, to read as follows:

- (c) Permit conversion of a single-family residential structure to any nonresidential uses or increase the number of residential units in the R-1 District, except that a variance may be approved to permit the reestablishment of a prior legally established nonconforming use in a residential structure which has been abandoned as a result of vacancy or discontinuance; or to permit the conversion of ~~nonconforming~~ nonresidential floor area to a dwelling unit(s).

Section 3. This ~~resolution ordinance~~ shall take effect immediately ~~and shall remain in full force and effect until May 31, 2022.~~

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-4
Re: Board Appointments - City
Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member and one alternate member to the City Planning Commission.

Mr. Milton Pichardo, 683 Ridgeway Avenue, Rochester, New York 14615, will be joining the Commission as a full-time member. He will be replacing Mr. Steven Rebholz, who would like to serve as an alternate. Mr. Pichardo is currently an Engineer with Rochester Gas and Electric. He will be serving out the remainder of Mr. Rebholz’s term which expires on May 31, 2018. Mr. Rebholz’s term as an alternate will also expire on May 31, 2018.

Resumes for both individuals are available in the Office of the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-4
(Int. No. 33)

Resolution approving appointment to the City Planning Commission

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following person for a term that expires on May 31, 2018:

<u>Name</u>	<u>Address</u>
Milton Pichardo	683 Ridgeway Avenue

Section 2. The Council hereby approves the appointment to the City Planning Commission of the following person as an alternate for a term that expires on May 31, 2018:

<u>Name</u>	<u>Address</u>
Steven V. Rebholz	92 Westchester Avenue

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-31
Re: Lead Hazard Control Grant Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the appropriation of \$300,000 from the Lead Hazard Control Program allocation of the Housing Development Fund of the 2016-17 Community Development Block Grant (CDBG) for the City's 2016 Lead Hazard Control Grant Program.

The Lead Hazard Control Grant Program was approved by City Council through Ordinance No. 2016-102. This appropriation will complete the City's obligations to the U.S. Department of Housing and Urban Development (HUD) under the terms of HUD's 2015 funding award whereby the City pledged to contribute \$924,000 in matching funds over three years.

The City continues to operate the Lead Hazard Control Grant Program by offering financial assistance to eligible owners of one to four unit privately-held housing units. Approximately \$14,000 is being made available for a single-family residence to correct lead-based paint hazards and other environmental health hazards, with an additional \$6,000 being made available for each additional unit. Typical lead hazard control work activities have included: window/door replacement; porch repair/replacement; siding; minor rehabilitation work; and bare soil treatment.

The program will allow for a minimum production of 220 units of lead safe housing by December 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-31
(Int. No. 34)

Appropriating funds for the Lead Hazard Control Grant Program

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

Section 1. The Council hereby appropriates \$300,000 from the Lead Hazard Control Program allocation of the Housing Development Fund of the 2016-17 Community Development Block Grant for the City's use to operate the Lead Hazard Control Grant Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-32
Re: Amendatory Agreement - Paul A. Marasco, Esq., Hearing Officer Services

Council Priority: Public Safety; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Paul A. Marasco, Esq. to provide hearing officer services for the City's administrative nuisance abatement hearings. This agreement will extend by one year the original one-year agreement authorized in Ordinance No. 2016-15 for the same maximum compensation of \$14,300. The second year's compensation will be funded from the 2016-17 and 2017-18 Budgets of the Department of Neighborhood and Business Development, contingent upon approval of the latter budget.

Under Section 3-15 of the Charter of the City of Rochester, the City may initiate abatement proceedings against property owners and tenants of structures that have acquired 12 nuisance points within six months or 18 points within 12 months. An abatement hearing is the method by which the City affords due process prior to rendering a final determination which may impact those with an interest in the real property.

Mr. Marasco has been presiding over the hearings for the past year pursuant to the original agreement, and has done so with fairness and an understanding

of all of the legal and practical factors that they involve. Continuing his services will streamline the process and provide consistent decisions.

The nuisance abatement hearing process may change due to the City's on-going consideration of improvements to the system to be recommended by Strategic Community Intervention, LLC and/or due to pending litigation that is challenging the constitutionality of the process.

Mr. Marasco's performance and the upcoming changes to the process make it inappropriate to implement the request for proposals (RFP) process for this one-year extension. A justification statement for not issuing an RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-15

Ordinance No. 2017-32
(Int. No. 57)

Amendatory agreement for hearing officer services for administrative nuisance abatement hearings

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 Paul A. Marasco, Esq. to serve as hearing officer during administrative nuisance abatement hearings initiated by the City pursuant to Section 3-15 of the City Charter. The amendatory agreement shall increase the maximum compensation for the agreement originally authorized in Ordinance No. 2016-15 by \$14,300 to a new total of \$28,600 and shall extend the original term by one year for a new total of 2 years. The increase in the maximum compensation shall be funded from the 2016-17 and 2017-18 Budgets of the Department of Neighborhood and Business Development, contingent upon adoption of the latter budget.

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:

Introductory No. 32
Re: Zoning Map Amendment - 102 Mt.
Read Boulevard and 75 Independence
Street

Transmitted herewith for your consideration is legislation amending the Zoning Map of the City of Rochester by rezoning 102 Mt. Read Boulevard

and 75 Independence Street from R-1 Low Density Residential District to M-1 Industrial District. The applicant, Michael G. Wegman, requested that his proposal for rezoning be brought before City Council per Section 120-190 C.(3)(c)[1] and (d)[1] of the Zoning Code after receiving a negative recommendation from the City Planning Commission.

Mr. Wegman owns both 102 Mt. Read Boulevard and 75 Independence Street in addition to the two adjacent properties at 96 Mt. Read Boulevard and 314 Buffalo Road, which are already zoned M-1. He is proposing to rezone 102 Mt. Read Boulevard and 75 Independence Street so that these four, contiguous parcels are all located in the M-1 Zoning District.

Mr. Wegman's properties are currently being used as follows:

102 Mt. Read Boulevard as a two-family dwelling;

75 Independence Street as a vacant parcel;

96 Mt. Read Boulevard as a gas station; and

314 Buffalo Road as a distribution center and contractor's office.

The City Planning Commission held an informational meeting on the proposed map amendment on Monday, January 9, 2017, the minutes of which are attached. The applicant spoke in support of the rezoning, and no one spoke in opposition. After a lengthy discussion and much deliberation, however, the City Planning Commission recommended denial. The Commission members determined that rezoning 102 Mt. Read Boulevard (a two-family house) and 75 Independence Street (a vacant parcel) would remove the buffer that currently exists on this block between the R-1 Low Density Residential District and the M-1 Industrial District and would further facilitate the encroachment of industrial uses into the adjacent low-density residential neighborhood.

The City Planning Commission voted on each parcel separately, as there was a difference of opinion regarding each property. The City Planning Commission recommended against the rezoning by a vote of 2-4-0 for 102 Mt. Read Boulevard, and by a vote of 1-5-0 for 75 Independence Street.

A public hearing is required for the proposed Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 32

AMENDING THE ZONING CODE MAP

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

Section 1. Chapter 120 of the Municipal Code,

Zoning Code, as amended, is hereby further amended by changing the zoning district classification of the properties constituting 102 Mt. Read Boulevard (SBL# 120.38-1-4) and 75 Independence Street (SBL# 120.38-1-11) from R-1 Low Density Residential to M-1 Industrial.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
February 21, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 35 - Authorizing agreement and appropriations for 2017 Preventive Maintenance Group 5 Project

Int. No. 36 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$331,000 Bonds of said City to finance the rehabilitation of certain portions of Arnett Boulevard, Genesee Park Boulevard and Webster Avenue related to the 2017 Preventive Maintenance Program Group 5

Int. No. 37 - Authorizing an agreement with Popli, Architecture + Engineering & L.S., D.P.C. for design services related to the 2018 Preventive Maintenance Northeast Group 1 Project

Int. No. 38 - Authorizing an agreement with LaBella Associates, D.P.C. for design services related to the 2019 Preventive Maintenance Northwest Group 5 Project

Int. No. 39 - Authorizing agreements and funding for Campbell Street R-Center improvements

Int. No. 40 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$500,000 Bonds of said City to finance replacement of windows, HVAC system and gymnasium floor for the Campbell Street Recreation Center

Int. No. 41 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$185,000 Bonds of said City to finance replacement of the main electrical service for the Campbell Street R-Center Water Park Facilities and Playground Improvement Project

Int. No. 42 - Authorizing an agreement with Stantec Consulting Services Inc. for the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs Project

Int. No. 43 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$2,440,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project

Int. No. 44 - Authorizing agreement to attach streetlight equipment and facilities to utility poles owned by Rochester Gas and Electric Corporation

Int. No. 46 - Authorizing an agreement with Cornerstone Training, LLC for the Rochester Environmental Job Training Program

Int. No. 47 - Authorizing an agreement for dredging services in the Genesee River

Int. No. 48 - Amending the budget and authorizing a dog park at Cobbs Hill Park

Int. No. 49 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$1,000,000 Bonds of said City to finance a portion of the City's 2017 Water Main Cleaning and Lining Project of the Distribution System Water Main Renewal Program

Int. No. 50 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$850,000 Bonds of said City to finance a portion of the City's 2017 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program

Int. No. 51 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$200,000 Bonds of said City to finance water main extensions for the City's 2017 Water Main Extensions and Improvements Project of the Distribution System Water Main Renewal Program

Int. No. 55 - Authorizing amendatory agreement for the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

Int. No. 55A - Bond Ordinance of the City of Rochester, New York, amending Ordinance No. 2016-410 and authorizing the issuance of ~~\$745,000~~ \$1,299,000 Additional Bonds of said City to finance cost increases in construction inspection services for the City's Main Street Streetscape and Pedestrian Wayfinding Enhancement Project, as amended

Int. No. 55B - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$355,000 Bonds of said City to finance the cost of relocation of water hydrants and water service curb stops for the City's Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

The Parks & Public Works Committee recommends for consideration the following entitled legislation

Int. No. 45 - Amending the Official Map in relation to the Inner Loop East Transformation Project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-33 and
Ordinance No. 2017-34
Re: 2017 Preventive Maintenance Group 5
Project

Transmitted herewith for your approval is legislation related to the 2017 Preventive Maintenance Group 5 Project along portions of Arnett Boulevard, Genesee Park Boulevard, and Webster Avenue. This legislation will:

1. Authorize the issuance of bonds totaling \$331,000 and the appropriation of the proceeds thereof to partially finance construction, inspection and contingencies for the project; and
2. Authorize the appropriation of \$2,072,800 of federal aid and \$379,650 of Marchiselli State Aid from anticipated reimbursements from the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), respectively, to finance the project.

The 2017 Preventive Maintenance Group 5 Project was designed by engineering consultant C & S En-

The costs for the categories of work for the project based upon the bid amount are as follows:

<u>Source</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
FHWA	\$1,769,761	\$303,039	\$ -	\$2,072,800
State Marchiselli Aid	331,830	47,820	-	379,650
Bond issued herein	107,569	46,940	176,491	331,000
2013-14 Cash Capital	1,119	201	90	1,410
Pure Waters (Ord. No. 2016-160)	5,960	-	477	6,437
2014-15 Cash Capital	762	-	38	800
TOTAL	\$2,217,001	\$398,000	\$177,096	\$2,792,097

gineers, Inc., and is intended to address minor pavement distresses, drainage concerns, hazardous sidewalks, and upgrade accessible curb ramps to meet the newest Americans with Disabilities Act (ADA) requirements. The project includes milling and resurfacing three arterial streets; installing bump-outs for traffic calming and pedestrian safety at three intersections along Arnett Boulevard; adjusting catch basin frames and grates, water valves and sewer castings; performing spot street base and sidewalk repair; installing truncated domes at sidewalk ramps; installing new pavement markings; and replacing traffic loops and topsoil and seed on lawn areas disturbed by construction.

Prior actions authorized by City Council in support of this project include: design services by C & S Engineers, Inc. (Ord. No. 2014-396); an amendatory agreement with C & S for Marchiselli Aid (Ord. No. 2015-333); an amendatory agreement with C & S for right of way services, acquisition authorization and Official Map Amendment (Ord. No. 2016-157); and geometric pavement changes (Ord. No. 2016-370).

Bids for construction were received on January 10, 2017. The apparent low bid of \$2,217,000.71 was submitted by Sealand Contractors Corporation which is 2.9% less than the engineer's estimate. An additional \$177,097 will be allocated for project contingencies.

Meeting minutes for the project's August 16, 2016 public meeting to review geometric changes were provided to Council at their November 2016 meeting. The Planning Commission authorized the Official Map Amendment for the geometric changes at their April 4, 2016 meeting.

Construction is anticipated to commence in the spring of 2017 and be complete by fall of 2017. The project will result in the creation and/or retention of the equivalent of 30.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-16

Ordinance No. 2017-33
(Int. No. 35)

Authorizing agreement and appropriations for 2017 Preventive Maintenance Group 5 project

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

Section 1. The sum of \$2,072,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the 2017 Preventive Maintenance Group 5 project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue (Project). In addition, the Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of \$379,650 in anticipated reimbursements from the Marchiselli Aid Program, which amount also is hereby appropriated to fund Project construction and inspection.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-34
(Int. No. 36)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$331,000 Bonds of said City to finance the rehabilitation of certain portions of Arnett Boulevard, Genesee Park Boulevard and Webster Avenue related to the 2017 Preventive Maintenance Program Group 5

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling and resurfacing, including inspection, sidewalk and curb repairs and intersection pedestrian

safety measures, along portions of Arnett Boulevard, Genesee Park Boulevard and Webster Avenue related to the 2017 Preventive Maintenance Program Group 5 Project in the City (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 \$2,792,097. The plan of financing includes the issuance of \$331,000 bonds of the City hereby appropriated to finance a portion of said Project, \$2,072,800 in anticipated reimbursements from the Federal Highway Administration to be appropriated in an ordinance accompanying this bond ordinance, \$379,650 in NYS Marchiselli Aid Program reimbursements to be appropriated in an ordinance accompanying this bond ordinance, \$1,410 from 2013-2014 Water Cash Capital, \$6,437 from Rochester Pure Waters District reimbursements authorized in Ordinance No. 2016-160, 2014-2015 Cash Capital in the amount of \$800 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 \$331,000 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 \$331,000. 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. 20. 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. 2017-35
Re: Agreement - Popli, Architecture + Engineering & L.S., D.P.C., Design Services, 2018 Northeast Preventive Maintenance Group 1 Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2018 Northeast Preventive Maintenance Group 1 Project. This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project;
2. Appropriate \$166,262 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance the federal portion of the project's design services; and
3. Establish \$208,000 as maximum compensation for an agreement with Popli Architecture + Engineering & L.S., D.P.C, Penfield, New York, for design services, which will be financed with \$41,738 from 2016-17 Cash Capital and \$166,262 from anticipated reimbursements from the FHWA. The term of the agreement will be three months after the two-year guarantee inspection that follows project completion.

The FHWA will reimburse the City for 80% of eligible design costs, and local funds will support the balance. This federal aid project, administered by the City under agreement with the NYSDOT includes two locations:

- Upper Falls Blvd (Genesee River to Hudson Avenue), and
- St. Paul Street (Gorham Street to Lowell Street).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

Popli was selected for design services through a request for proposals process, which is described in the attached summary.

Design services will begin in spring 2017. It is anticipated that construction will begin in spring 2018 with scheduled completion in fall 2018. The design phase of this project results in the creation and/or retention of the equivalent of 2.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-17

Ordinance No. 2017-35
(Int. No. 37)

Authorizing an agreement with Popli, Architecture + Engineering & L.S., D.P.C. for design services related to the 2018 Preventive Maintenance Northeast Group 1 Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to participate in and administer the 2018 Preventive Maintenance Northeast Group 1 Project (Project).

Section 2. The Mayor is hereby authorized to accept and appropriate \$166,262 in anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement for a maximum compensation of \$208,000 with Popli, Architecture + Engineering & L.S., D.P.C. for design services related to the Project. The agreement shall be funded by \$41,738 from 2016-17 Cash Capital and \$166,262 from the FHWA reimbursements appropriated in Section 2. The term shall extend until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-36
Re: Agreement - LaBella Associates,
D.P.C., Design Services, 2019
Preventive Maintenance Northwest
Group 5 Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2019 Preventive Maintenance Northwest Group 5 Project. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project;
2. Appropriate \$307,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) which will be used to finance the federal portion of the design services; and
3. Establish \$384,000 as maximum compensation for an agreement with La Bella Associates, D.P.C. Rochester, New York, for design services which will be financed with \$76,800 from 2015-16 Cash Capital and \$307,200 from anticipated reimbursements from the FHWA. The term of the agreement will be for three months after the two-year guarantee inspection that follows the project completion.

The FHWA will reimburse the City for 80% of eligible design costs and local funds will support the balance. This federal aid project, administered by the City under agreement with the NYSDOT includes three locations:

- Beach Avenue from Lake Avenue to the West City Line;
- Dewey Avenue from Eastman Avenue to the North City Line; and
- Lake Avenue from the Lake Ontario State Parkway to Beach Avenue.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

LaBella Associates, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary

Design services will begin in spring 2017; it is anticipated that construction will begin in spring 2019 with scheduled completion in fall 2019. The design phase of this project results in the creation and/or retention of the equivalent of 3.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-18

Ordinance No. 2017-36
(Int. No. 38)

Authorizing an agreement with LaBella Associates, D.P.C. for design services related to the 2019 Preventive Maintenance Northwest Group 5 Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to participate in and administer the 2019 Preventive Maintenance Northwest Group 5 Project (Project).

Section 2. The Mayor is hereby authorized to accept \$307,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) and said amount is hereby appropriated to fund the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement for a maximum

imum compensation of \$384,000 with LaBella Associates, D.P.C., for design services related to the Project. The agreement shall be funded by \$76,800 from 2015-16 Cash Capital and \$307,200 from the FHWA reimbursements appropriated in Section 2. The term shall extend until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-37,
Ordinance No. 2017-38 and
Ordinance No. 2017-39

Re: Amendatory Agreement - Edge Architecture, PLLC, Campbell Street R-Center Gym Floor, Windows and HVAC Replacement Project and Campbell Street R-Center Water Park Facilities and Playground Improvement Project

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to two projects: the Campbell Street R-Center Gym Floor, Windows and HVAC Replacement Project, and the Campbell Street R-Center Water Park Facilities and Playground Improvement Project. This legislation will:

1. Establish \$100,000 as maximum compensation for an amendatory agreement with Edge Architecture, PLLC, Rochester, New York, for additional architectural, engineering design and resident project representation (RPR) services for the Campbell Street R-Center Gym Floor, Windows and HVAC Replacement Project, increasing the total maximum compensation to \$200,000. The amendatory agreement will be funded from bonds authorized in Ordinance No. 2016-241 and the term shall extend until three months after the completion of a two-year guarantee inspection of the project; and
2. Authorize the issuance of bonds totaling \$500,000 and the appropriation of the proceeds thereof, to partially finance the Campbell Street R-Center Gym Floor, Windows and HVAC Replacement Project; and
3. Authorize the issuance of bonds totaling \$185,000 and the appropriation of the pro-

ceeds thereof, to partially finance the Campbell Street R-Center Water Park Facilities and Playground Improvement Project; and

4. Appropriate \$500,000 from anticipated funding from the Dormitory Authority of the State of New York (DASNY) to partially finance the Campbell Street R-Center Water Park Facilities and Playground Improvement Project.

Ordinance No. 2016-240 authorized the original agreement with Edge Architecture, PLLC for maximum compensation of \$100,000. The project includes gym flooring, windows and HVAC replacement in the gymnasium. Edge will provide additional design and RPR services for replacement of the main electrical service with an upgrade, below-grade waterproofing and perimeter drainage for the gymnasium, and kitchen renovations.

The estimated total cost of the Campbell Street R-Center Gym Floor, Windows and HVAC Replacement Project, including contingency, design and RPR, is estimated at \$1,020,000 and will be funded as follows:

Bonds issued (Ord. No. 2016-241)	\$ 520,000
Bonds issued herein	500,000
TOTAL	\$1,020,000

The estimated total cost of the Campbell Street R-Center Water Park Facilities and Playground Improvement Project, including contingency, design and RPR, is estimated at \$975,000 and will be funded as follows:

2011-12 Cash Capital	\$ 45,317
2013-14 Cash Capital	5,000
2014-15 Cash Capital	114,683
DASNY funds (Ord. No. 2015-120)	125,000
Bonds issued herein	185,000
DASNY funds appropriated herein	500,000
TOTAL	\$975,000

There was a public meeting held on September 22, 2016. See the attached minutes outlining comments from that meeting.

Design began in summer 2016; it is anticipated that construction will begin in summer 2017 with scheduled completion in winter 2018. The amendatory agreement will result in the creation and/or retention of the equivalent of 1.0 full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-19

Ordinance No. 2017-37
(Int. No. 39)

Authorizing agreements and funding for Campbell Street R-Center improvements

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 for additional architectural design and engineering design and for resident project representation services for the Campbell Street R-Center Gym Floor, Windows and HVAC Replacement Project. The amendatory agreement shall increase the maximum compensation for the agreement originally authorized in Ordinance No. 2016-240 by \$100,000 to a new total of \$200,000. The increase in compensation shall be funded by the bonds authorized in Ordinance No 2016-241. The term of the amendatory agreement may extend until 3 months after completion of a two-year guarantee inspection of said Project.

Section 2. The sum of \$500,000 in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) is hereby appropriated to finance a portion of the Campbell Street R-Center Water Park Facilities and Playground Improvement Project. The Mayor is hereby authorized to enter into an agreement with DASNY for the receipt and use of said funds.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-38
(Int. No. 40)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance replacement of windows, HVAC system and gymnasium floor for the Campbell Street Recreation Center

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 replacing the windows, HVAC system and gymnasium floor for the City's Campbell Street Recreation Center located at 524 Campbell Street (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 \$1,020,000. The plan of financing includes the issuance of \$500,000 bonds of the City hereby appropriated to the Project and authorized herein, \$520,000 of City bonds authorized under Ordinance 2016-241, 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 \$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 \$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. 13. of the Law, is ten (10) 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. 2017-39
(Int. No. 41)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$185,000 Bonds of said City to finance replacement of the main electrical service for the Campbell Street R-Center Water Park Facilities and Playground Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of replacing the main electrical service, with a below grade waterproofing and perimeter drainage system for the City's Campbell Street R-Center Water Park Facilities and Playground Improvement Project located at 524 Campbell Street (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 \$975,000. The plan of financing includes the issuance of \$185,000 in bonds of the City hereby authorized and appropriated for the Project, \$45,317 of 2011-12 Cash Capital, \$5,000 of 2013-14 Cash Capital, \$114,683 of 2014-15 Cash Capital, \$125,000 in reimbursements from the Dormitory Authority of the State of New York ("DASNY") authorized under Ordinance No. 2015-120 and hereby appropriated to the Project, \$500,000 of DASNY reimbursements to be appropriated to the Project in an ordinance accompanying this bond 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 \$185,000 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 \$185,000. 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. 19. 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. 2017-40 and
Ordinance No. 2017-41

Re: Agreement- Stantec Consulting
Services Inc., Joseph A. Floreano
Rochester Riverside Convention
Center River Terrace Repairs

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs. This legislation will:

1. Establish \$630,000 as a maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for engineering and landscape architectural services, including inspection, design, bid and award phase services, construction administration and resident project representation services. The cost of the agreement will be financed from bonds to be issued herein and the term will be for three months after the two-year guarantee inspection following project completion; and
2. Authorize the issuance of bonds totaling \$2,440,000 and the appropriation of the proceeds thereof to finance the project.

The objective of the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs project includes in-depth inspection and verification of existing terrace structural conditions, design and creation of bid documents, and construction oversight for permanent repairs and waterproofing to extend the life of the terrace for decades to come.

Stantec Consulting Services Inc. was selected through a request for proposals process which is described in the attached summary. The project is anticipated to begin in spring 2017, with construction anticipated to begin in spring 2018 with completion

in summer 2019.

It's estimated that this agreement results in the creation and/or retention of 6.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-20

Ordinance No. 2017-40
(Int. No. 42)

Authorizing an agreement with Stantec Consulting Services Inc. for the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs 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 for a maximum compensation of \$630,000 with Stantec Consulting Services Inc., to provide engineering and landscape architectural services for the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs Project. The agreement shall be funded from bonds to be authorized and appropriated for the project. The term shall extend until 3 months after the two-year guarantee inspection that follows Project completion.

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.

Ordinance No. 2017-41
(Int. No. 43)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,440,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of structural inspection, engineering and repair, including waterproofing, of the exterior terrace located at the City's Joseph A. Floreano Rochester Riverside Convention Center (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 \$2,440,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,440,000 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 \$2,440,000 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 \$2,440,000. 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(a)(1) 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.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-42
Re: Agreement - Rochester Gas & Electric,
Pole Attachments

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Gas & Electric Corporation (RG&E), Rochester, New York, to allow the City to attach streetlight and related equipment and facilities to RG&E-owned poles. Annual compensation for pole use is based upon the number of pole attachments the City requires and the Street Light Tariff rate approved by the Public Service Commission (PSC); this amount is typically \$91,200. The term of this agreement will be for ten years and will be funded from the 2016-17 Budget of the Department of Environmental Services, and subsequent budgets, contingent upon their approval.

In order to operate the City's streetlighting system, it is necessary to utilize certain RG&E-owned wooden distribution poles. This practice has been on-going via mutual understanding for decades, and has followed the appropriate regulation consistent with the directive of the PSC Street Light Tariff, Leaf 38.

RG&E has requested to formalize this practice through a pole attachment agreement. Rates are set by the PSC as noted above, and this agreement has no cost change.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-42
 (Int. No. 44)

Authorizing agreement to attach streetlight equipment and facilities to utility poles owned by Rochester Gas and Electric Corporation

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Gas and Electric Corporation (RGE) to attach City streetlights and related equipment and facilities to RGE-owned utility distribution poles. The term of the agreement shall be 10 years. The annual compensation for the

agreement shall be based on the number of pole attachments that the City requires and the street light tariff rate approved by the Public Service Commission. The annual compensation shall be funded by the 2016-17 Budget of the Department of Environmental (DES) and from subsequent annual Budgets of DES, contingent upon adoption of the subsequent Budgets.

Section 2. The agreements authorized herein 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. 2017-43

Re: Official Map Amendment -
 Abandonments and Dedication of
 Additional Rights-of-Way, Inner Loop
 East Transformation Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Inner Loop East Transformation project. This legislation will amend the Official Map by:

1. Authorizing the proposed abandonment of portions of the following streets creating surplus City- owned lands:

<u>Street Name</u>	<u>Map Name</u>	<u>Area</u>
a. Pitkin Street	Abandonment - 2	4,551 SF
b. Pitkin Street	Abandonment - 3	1,895 SF
c. Pitkin Street	Abandonment - 4	3,319 SF
d. Pitkin Street	Abandonment - 5	12,537 SF
e. Howell Street	Abandonment - 6	350 SF
f. Howell Street	Abandonment - 6	2,143 SF
g. Howell Street	Abandonment - 7	264 SF
h. Savannah Street	Abandonment - 8	3,574 SF
i. Broad Street	Abandonment - 9	253 SF

2. Dedicating the following seven permanent easements as public rights-of-way for street purposes.

<u>Address</u>	<u>Property Owner</u>	<u>Area</u>	<u>Map/Parcel</u>
216 Monroe Avenue	109 S Union St	48 SF	M1/P1
111 South Union Street	109 S Union St	810 SF	M2/P1
321 East Avenue	Bethel Christian Fellowship, Inc.	2,690 SF	M3/P1
321 East Avenue	Bethel Christian Fellowship, Inc.	59 SF	M3/P2
292 East Avenue	Bethel Christian Fellowship, Inc.	38 SF	M4/P1
1 Manhattan Square Drive	Margaret Woodbury Strong Museum	1,384 SF	M7/P1
1 Manhattan Square Drive	Margaret Woodbury Strong Museum	4,307 SF	M7/P2

The Inner Loop East Transformation project removed the aging 50-year old eastern segment of the Inner Loop expressway between Broadway and Richmond Street and replaced it with appropriately scaled, complete city streets along Howell Street, South Union Street and North Union Street. The project created surplus land above the bed of the former expressway. That surplus land will become available for redevelopment opportunities in the southeast Center City and East End.

Removing this portion of the Inner Loop will result in approximately 5.8 acres of new sites for redevelopment in the East End, a growing downtown district and destination location for local residents and visitors. A summary of the past legislation is attached.

These amendments will be presented to the City Planning Commission for its February 6, 2017 meeting and minutes of that meeting will be forwarded to the City Clerk.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-21

Ordinance No. 2017-43
(Int. No. 45)

Amending the Official Map in relation to the Inner Loop East Transformation Project

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following 9 described land parcels heretofore dedicated to street purposes, as more particularly described below and as depicted in maps on file with the City Clerk.

**Pitkin Street
Abandonment Map 2**

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Street Boundary of East Avenue and the westerly Street Boundary of Pitkin Street, said point being 170.15 feet left of and at right angles to station U46+21.60 of the hereinafter described 2012 Survey Baseline; thence northerly along said westerly Street Boundary of Pitkin Street a distance of 1.29 feet to a point, said point being 170.30 feet left of and at right angles to station U46+22.88 of the said Survey Baseline; thence easterly and perpendicular to the westerly Street Boundary of Pitkin Street through the lands now or formerly owned by The City of Rochester a distance of 39.00 feet to the true Point of Beginning, said point being 131.55 feet left of and at right angles to station U46+27.32 of the said Survey Baseline; thence S71°32'15"E along new northerly Street Boundary of East Avenue a distance of 11.00 to a point, said point being 120.62 feet left of and at right angles to station U46+28.56 of the said Survey Baseline; thence N18°22'08"E along Jurisdiction line a distance of 272.41 feet to a point, said point being 151.73 feet left of and at right angles to station U48+99.19 of the said Survey Baseline; thence N21°30'11"E along said jurisdiction line a distance of 104.44 feet to a point, said point being 157.97 feet left of and at right angles to station U50+03.44 of the said Survey Baseline; thence N26°29'00"W along said Jurisdiction line a distance of 23.98 feet to a point on the new easterly Street Boundary of Pitkin Street, said

point being 176.71 feet left of and at right angles to station U50+18.39 of the said Survey Baseline; thence southerly along said new easterly Pitkin Street Boundary on a tangent arc to the right, said arc having a radius of 292.00 feet, and a distance of 14.52 feet to the point of tangency, said point being 174.70 feet left of and at right angles to station U50+04.01 of the said Survey Baseline; thence S18°23'33"W continuing along said new easterly Pitkin Street Boundary a distance of 379.15 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 4551± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U45+78.91; thence N 24°55'38" E to Station U52+40.97.

**Pitkin Street
Abandonment Map 3**

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Street Boundary of East Broad Street and the westerly Street Boundary of Pitkin Street, said point being 182.56 feet left of and at right angles to station U42+32.14 of the hereinafter described 2012 Survey Baseline; thence northerly along said westerly Street Boundary of Pitkin Street a distance of 124.57 to the true Point of Beginning, said point being 177.03 feet left of and at right angles to station U43+56.59 of the said Survey Baseline; thence N77°43'22"E through the lands now or formerly owned by the City of Rochester along the former southerly Street Boundary of a portion of road formerly known as Court Street a distance of 6.31 feet to a point, said point being 171.60 feet left of and at right angles to station U43+59.79 of the said Survey Baseline; thence N50°09'26"E continuing through the lands now or formerly owned by the City of Rochester through the portion of road formerly known as Court Street a distance of 108.05 feet to a point on the former northerly Street

Boundary of a portion of road formerly known as Court Street, said point being 114.53 feet left of and at right angles to station U44+51.54 of the said Survey Baseline; thence S77°43'22"W continuing through the lands now or formerly owned by the City of Rochester along the former northerly Street Boundary of a portion of road formerly known as Court Street a distance of 69.50 feet to a point on the westerly Street Boundary of Pitkin Street, said point being 174.38 feet left of and at right angles to station U44+16.21 of the said Survey Baseline; thence S20°49'11"W along said westerly Street Boundary of Pitkin Street a distance of 59.68 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 1,895± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U39+44.15; thence N 18°16'19" E to Station U45+78.91.

Pitkin Street
Abandonment Map 4

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Street Boundary of Savannah Street and the westerly Highway Boundary of the Rochester City Inner Loop Arterial, thence South 21°19'35" West a distance of 30.94 feet to the true Point of Beginning, said point being 170.34 feet left of and at right angles to station U 36+99.70 of the hereinafter described 2012 Survey Baseline; thence South 68°30'40" East through the property now or formerly owned by the City of Rochester, a distance of 7.96 feet to a point, said point being 162.40 feet left of and at right angles to Station U 37+00.29 of said Baseline; thence North 21°19'45" East continuing through the property now or formerly owned by the City of Rochester, a distance of 416.28 feet to a point, said point being 170.46 feet left of and at right angles to Station U 41+39.11 of said Baseline; thence North 68°01'45" West continuing through the property now or formerly owned by the City of Rochester, a distance of 7.98 feet to a point, said point being 178.43 feet left of and at right angles to Station U 41+39.62 of said Baseline; thence South 21°19'35" West continuing through the property now or formerly owned by the City of Rochester, a distance of 38.49 feet to a point on the westerly Street Boundary of Pitkin Street, said point being 180.48 feet left of and at right angles to Station U 41+01.19 of said Baseline; thence South 21°19'35" West along said westerly Street Boundary of Pitkin Street, a

distance of 346.91 feet to the point of intersection of the said westerly Street Boundary of Pitkin Street and the northerly Street Boundary of Savannah Street, said point being 172.71 feet left of and at right angles to Station U 37+30.56 of said Baseline; thence South 21°19'35" West continuing through the property now or formerly owned by the City of Rochester, a distance of 30.94 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 3319± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U30+73.24; thence N 25°43'35" E to Station U39+44.15 thence N 18°16'19" E to Station U45+78.91.

Pitkin Street
Abandonment Map 5
Abandonment 1

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the southerly Street Boundary of Savannah Street and the westerly Highway Boundary of the Rochester City Inner Loop Arterial, thence South 21°19'35" West a distance of 26± feet to the true Point of Beginning, said point being 166.12 feet left of and at right angles to station U 36+44.86 of the hereinafter described 2012 Survey Baseline; thence South 68°30'40" East through the property now or formerly owned by the City of Rochester, a distance of 7.96 feet to a point, said point being 158.18 feet left of and at right angles to Station U 36+45.45 of said Baseline; thence South 21°19'45" West continuing through said City of Rochester property, a distance of 198.88 feet to a point, said point being 142.93 feet left of and at right angles to Station U 34+47.16 of said Baseline; thence South 68°30'42" East continuing through said City of Rochester property, a distance of 88.10 feet to a point, said point being 55.07 feet left of and at right angles to Station U 34+53.67 of said Baseline; thence South 21°58'15" West continuing through said City of Rochester property, a distance of 50.03 feet to a point, said point being 51.79 feet left of and at right angles to Station U 34+03.75 of said Baseline; thence North 68°35'01" West continuing through said City of Rochester property, a distance of 87.52 feet to a point, said point being 139.07 feet left of and at right angles to Station U 33+97.17 of said Baseline; thence South 21°19'42" West continuing through said City of Rochester property, a distance of 455.01 feet to a point on the new northerly Street Boundary of Howell Street, said point being 124.32 feet left

of and at right angles to Station U 29+62.65 of said Baseline; thence southwesterly along said northerly Street Boundary along a non-tangent curve to the left, said curve having a radius of 301.50 feet, a distance of 17.32 feet to a point, said point being 140.80 feet left of and at right angles to Station U 29+57.50 of said Baseline; thence North 21°19'39" East through said City of Rochester property, a distance of 268.33 feet to a point on the former westerly Street Boundary of Pitkin Street, said point being 140.15 feet left of and at right angles to Station U 32+03.22 of said Baseline; thence North 26°00'17" East continuing along said former westerly Street Boundary, a distance of 98.01 feet to a point, said point being 139.67 feet left of and at right angles to Station U 33+01.23 of said Baseline; thence North 21°19'35" East continuing along said westerly Street Boundary, a distance of 344.65 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 12,537 +/- square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U 23+70.62; thence N 16°08'40" E to Station U 30+73.24; thence N 25°43'35" E to Station U 39+44.15.

Howell Street
Abandonment Map 6
Abandonment 1

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Howell Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Highway Boundary of Monroe Avenue (N.Y.S. Route 31) and the easterly Street Boundary of Howell Street, thence North 52°47'05" West a distance of 96.33 feet to a point on the new portion of the northerly Highway Boundary of Monroe Avenue (N.Y.S. Route 31) and the true Point of Beginning, said point being 124.36 feet right of and at right angles to station P 11+13.72 of the hereinafter described 2012 Survey Baseline; thence North 52°47'05" West along said new northerly Highway Boundary a distance of 4.99 feet to a point of curvature, said point being 120.87 feet right of and at right angles to Station P 11+10.15 of said Baseline; thence northeasterly along new southerly Street Boundary of Howell Street along a tangent curve to the right, said curve having a radius of 14.00 feet, and a distance of 31.21 feet to a point of compound curvature, said point being 96.99 feet right of and at right angles to Station P 11+18.00 of said Baseline; thence northeasterly along said southerly Street Boundary along a tangent curve to the right, said curve having a radius of 965.50

feet, and a distance of 11.46 feet to a point on the former easterly Street Boundary of former Manhattan Street, said point being 95.48 feet right of and at right angles to Station P 11+29.36 of said Baseline; thence South 21°17'58" West along said former Street Boundary a distance of 32.84 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 350± square feet and being commonly known as a portion of the right of way limits of Howell Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station P 10+00.00; thence N 82°51'44" E to Station P 13+90.92.

Howell Street
Abandonment Map 6
Abandonment 2

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Howell Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the former southerly Street Boundary of Howell Street and the westerly Street Boundary of Savannah Street, thence North 21°19'35" East a distance of 8.30 to a point on the New Street Boundary of Savannah Street and the true Point of Beginning, said point being 187.01 feet right of and at right angles to station P 13+43.71 of the hereinafter described 2012 Survey Baseline; thence North 52°47'05" West through the property now or formerly owned by the City of Rochester, a distance of 31.93 feet to a point, said point being 164.69 feet right of and at right angles to Station P 13+20.88 of said Baseline; thence South 37°12'55" West continuing through said property of the City of Rochester, a distance of 7.99 feet to a point on the former southerly Street Boundary of Howell Street, said point being 170.40 feet right of and at right angles to Station P 13+15.30 of said Baseline; thence North 52°51'19" West through the property now or formerly owned by the City of Rochester, a distance of 118.07 feet to a point on the new southerly Street Boundary of Howell Street, said point being 87.96 feet right of and at right angles to Station P 12+30.77 of said Baseline; thence northeasterly along said new southerly Street Boundary along a tangent curve to the right, said curve having a radius of 965.50 feet, and a distance of 22.69 feet to a point, said point being 87.75 feet right of and at right angles to Station P 12+53.45 of said Baseline; thence South 52°49'50" East through the property now or formerly owned by the City of Rochester, a distance of 2.76 feet to a point, said point being 89.68 feet right of and at right angles to Station P 12+55.43 of said Baseline; thence North 21°19'35" East continuing through said property of the City of Rochester, a distance of

2.18 feet to a point on the new southerly Street Boundary of Howell Street, said point being 87.76 feet right of and at right angles to Station P 12+56.47 of said Baseline; thence northeasterly along said new southerly Street Boundary along a tangent curve to the right, said curve having a radius of 965.50 feet, and a distance of 16.84 feet to a point of tangency, said point being 88.00 feet right of and at right angles to Station P 12+73.31 of said Baseline; thence North 84°10'03" East continuing along said new southerly Street Boundary, a distance of 1.22 feet to a point, said point being 88.02 feet right of and at right angles to Station P 12+74.53 of said Baseline; thence South 21°19'35" West through the property now or formerly owned by the City of Rochester, a distance of 15.10 feet to a point, said point being 101.29 feet right of and at right angles to Station P 12+67.33 of said Baseline; thence South 52°49'50" East continuing through said property of the City of Rochester, a distance of 112.26 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 2,143± square feet and being commonly known as a portion of the right of way limits of Howell Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U 23+70.62; thence N 16°08'40" E to Station U 30+73.24.

Howell Street
Abandonment Map 7

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Howell Street, and being more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Street Boundary of Howell Street and the westerly Street Boundary of Savannah Street, said point being 194.31 feet right of and at right angles to station P13+39.75 of the hereinafter described 2012 Survey Baseline; thence North 21°19'35" East along the new westerly Street Boundary of Savannah Street a distance of 8.30 feet to a point, said point being 187.01 feet right of and at right angles to Station P 13+43.71 of said Baseline; thence North 52°47'05" West through the lands now or formerly owned by the City of Rochester, a distance of 31.93 feet to a point, said point being 164.69 feet right of and at right angles to Station P 13+20.88 of said Baseline; thence South 37°12'55" West continuing through said lands of the City of Rochester, a distance of 7.99 feet to a point on the existing southerly Street boundary of Howell Street, said point being 170.40 feet right of and at right angles to Station P 13+15.30 of said Baseline; thence South 52°47'05" East along said southerly Street Boundary, a distance of 34.20 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 264± square feet and being commonly known as a portion of the right of way limits of Howell Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station P 10+00.00; thence N 82°51'44" E to Station P 13+90.92.

Savannah Street
Abandonment Map 8

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Savannah Street, and being more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Street Boundary of Savannah Street and the newly created westerly division line of lands now or formerly owned by the City of Rochester per City of Rochester Subdivision Map 4 Parcel 1, said point being 1.15 feet left of and at right angles to station P 23+37.81 of the hereinafter described 2012 Survey Baseline; thence South 21°19'35" West along the newly created Street Boundary of Savannah Street per City of Rochester Subdivision Map 4 Parcel 1, a distance of 30.95 feet to an angle point in said Street Boundary, said point being 1.11 feet left of and at right angles to Station P 23+06.86 of said Baseline; thence North 68°30'40" West through the existing right of way of Savannah Street, a distance of 115.49 feet to a point, said point being 116.59 feet left of and at right angles to Station P 23+07.02 of said Baseline; thence North 21°19'35" East continuing through the existing right of way of Savannah Street, a distance of 30.95 feet to a point on the existing northerly Street Boundary of Savannah Street, said point being 116.64 feet left of and at right angles to Station P 23+37.97 of said Baseline; thence South 68°30'40" East along said existing northerly street boundary of Savannah Street a distance of 115.49 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 3,574± square feet and being commonly known as a portion of the right of way limits of Savannah Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station P 18+70.29; thence N 21°24'28" E to Station P 26+07.16.

Broad Street
Abandonment Map 9

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being a portion of Broad Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the newly created southerly and westerly Street Boundaries of Broad Street per the City of Rochester Subdivision Map 4 Parcel 1, thence South $21^{\circ}19'35''$ West along the said westerly Street Boundary of Broad Street a distance of 4.07 feet to the true Point of Beginning, said point being 178.64 feet left of and at right angles to station U 41+35.56 of the hereinafter described 2012 Survey Baseline; thence South $21^{\circ}19'35''$ West continuing along said newly created westerly Street Boundary of Broad Street a distance of 34.42 feet to a point of curvature on the existing southerly Street Boundary of Broad Street, said point being 180.48 feet left of and at right angles to station U 41+01.19 of said Baseline; thence northwesterly along said existing southerly Street Boundary of Broad Street along a non-tangency curve to the left, said curve having a radius of 35.00 feet, and a distance of 54.39 feet to a point of tangency, said point being 212.98 feet left of and at right angles to Station U 41+37.97 of said Baseline; thence South $67^{\circ}42'42''$ East through the existing right of way of Broad Street, a distance of 34.42 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 253± square feet and being commonly known as a portion of the right of way limits of Broad Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U39+44.15; thence N $18^{\circ}16'19''$ E to Station U45+78.91.

All bearings refer to True North at the $78^{\circ}-35'-00''$ MERIDIAN OF WEST LONGITUDE (N.Y.S.P.C.S. NAD 1983 Datum).

Section 2. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating to street purposes the following 7 described land parcels subject to permanent easements that were acquired as part of the Inner Loop East Transformation Project and by adding said dedications to their respective adjoining streets. The 7 parcels are more particularly described below and are depicted in maps on file with the City Clerk.

Map 1, Parcel 1
Portion of S.B.L # 121.41-2-6

All that piece or parcel of property designated as Parcel No. 1, as shown Map 1 and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Monroe Avenue

(N.Y.S Route 31) and the westerly Highway Boundary of South Union Street, said point being 59± feet left of and at right angles to station 24+60± of the hereinafter described 2012 Survey Baseline; thence northwesterly along said northerly Highway Boundary of Monroe Avenue (N.Y.S Route 31) a distance of 10± feet to a point, said point being 69± feet left of and at right angles to Station 24+64± of said Baseline; thence N $74^{\circ}08'10''$ E through the lands now or formerly owned by 109 South Union Street, a New York Partnership, a distance of 12± feet to a point on the westerly Highway Boundary of South Union Street, said point being 58± feet left of and at right angles to Station 24+70± of said Baseline; thence southwesterly along said westerly Highway Boundary of South Union Street a distance of 10± feet to the POINT OF BEGINNING.

The above described parcel contains 48± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as shown on a map and plan on file in the City of Rochester Highway Department and described as follows: Beginning at Station U17+29.58; thence S $52^{\circ}49'59''$ E to Station U23+70.62, thence N $16^{\circ}08'40''$ E to Station U30+73.24.

Map 2, Parcel 1
Portion of S.B.L # 121.41-2-2

All that piece or parcel of property designated as Parcel No. 1, as shown on Map 2 and described as follows:

Beginning at the point of intersection of the westerly Highway Boundary of South Union Street and the Boundary line of lands now or formerly owned by 109 South Union St., LLC a New York General Partnership, tax map number 121.41-2-2 to the north and lands now or formerly owned by 109 South Union St., LLC a New York General Partnership, tax map number 121.41-2-3 to the south, said point being 35± foot left of and at right angles to station 27+38± of the hereinafter described 2012 Survey Baseline; thence northwesterly along said boundary line a distance of 6± feet to a point, said point being 41± feet left of and at right angles to Station 27+39± of said Baseline; thence N $21^{\circ}03'25''$ E through the lands now or formerly owned by 109 South Union St., LLC a New York General Partnership a distance of 140± feet to a point on the westerly Highway Boundary of said South Union St., said point being 29± feet left of and at right angles to Station 28+78± of said Baseline; thence southerly along said westerly Highway Boundary of South Union Street a distance of 12± feet to an angle point, said point being 24± feet left of and at right angles to Station 28+68± of said Baseline; thence continuing southerly along said westerly Highway Boundary of South Union Street a distance of 130± feet to the POINT OF BEGINNING.

The above described parcel contains 810± sq. ft. or 0.019± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as shown on a map and plan on file in the City of Rochester Maps and Survey Office and described as follows: Beginning at Station U23+70.62; thence N 16°08'40"E to Station U30+73.24.

Map 3, Parcel 1
Portion of S.B.L. #121.33-1-9.3

All that piece or parcel of property designated as Parcel No. 1, as shown Map 3 and described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of South Union Street and the westerly Highway Boundary of Dryer Alley, said point being 12± feet right of and at right angles to station 40+64± of the hereinafter described 2012 Survey Baseline; thence southeasterly along said northerly Highway Boundary of Dryer Alley a distance of 269± feet to the point of intersection of the northerly Highway Boundary of Dryer Alley and the westerly Highway Boundary of Anson Place, said point being 281± feet right of and at right angles to Station 40+55± of said Baseline; thence northeasterly along said northerly Highway Boundary of Anson Place a distance of 10± feet to a point, said point being 281± feet right of and at right angles to Station 40+65± of said Baseline; thence N69°53'20"W through the lands now or formerly owned by Bethel Christian Fellowship, Inc., a distance of 269± feet to a point on the said easterly Highway Boundary of South Union Street, said point being 12± feet right of and at right angles to Station 40+74± of said Baseline; thence southwesterly along said easterly Highway Boundary of South Union Street a distance of 10± feet to the POINT OF BEGINNING.

The above described parcel contains 2,690± sq. ft. or 0.062± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as shown on a map and plan on file in the City of Rochester Highway Department and described as follows: Beginning at Station U39+44.15; thence N 18°16'19" E to Station U45+78.91.

Map 3, Parcel 2
Portion of S.B.L. #121.33-1-9.3

All that piece or parcel of property designated as Parcel No. 2, as shown Map 3 and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of East Avenue (N.Y.S Route 96) and the easterly Highway Boundary of South Union Street, said point being 45± feet right of and at right angles to station 45+74± of the hereinafter described 2012 Survey Baseline; thence southwesterly along said easterly Highway Boundary of South Union Street a

distance of 18± feet to a point, said point being 44± feet right of and at right angles to Station 45+56± of said Baseline; thence northeasterly through the lands now or formerly owned by Bethel Christian Fellowship, Inc. along a non-tangent arc to the right, said arc having a radius of 26± feet, and a distance of 13± feet to the point of compound curvature, said point being 48.28 feet right of and at right angles to station 45+68.23 of the hereinafter described 2012 Survey Baseline; thence continuing through said lands now or formerly owned by Bethel Christian Fellowship, Inc. along a non-tangent arc to the right, said arc having a radius of 15± feet, and a distance of 11± feet to a point on the said southerly Highway Boundary of East Avenue (N.Y.S Route 96), said point being 57± feet right of and at right angles to Station 45+74± of said Baseline; thence northwesterly along said southerly Highway Boundary of South Union Street a distance of 13± feet to the POINT OF BEGINNING.

The above described parcel contains 59± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as shown on a map and plan on file in the City of Rochester Highway Department and described as follows: Beginning at Station U39+44.15; thence N 18°16'19" E to Station U45+78.91, thence N 24°55'38" E to Station U52+40.97.

Map 4, Parcel 1
Portion of S.B.L. #121.25-1-42

All that piece or parcel of property designated as Parcel No. 1, as shown on Map 4 and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of East Avenue (N.Y.S Route 96) and the easterly Highway Boundary of North Union Street, said point being 34± feet right of and at right angles to station 46+45± of the hereinafter described 2012 Survey Baseline; thence southeasterly along said northerly Highway Boundary of East Avenue a distance of 11± feet to a point, said point being 45± feet right of and at right angles to Station 46+46± of said Baseline; thence N38°03'59"W through the lands now or formerly owned by Bethel Christian Fellowship, Inc. a distance of 13± feet to a point on the said easterly Highway Boundary of North Union Street, said point being 34± feet right of and at right angles to Station 46+52± of said Baseline; thence southwesterly along said easterly Highway Boundary of North Union Street a distance of 7± feet to the POINT OF BEGINNING.

The above described parcel contains 38± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as

shown on a map and plan on file in the City of Rochester Highway Department and described as follows: Beginning at Station U39+44.15; thence N 18°16'19" E to Station U45+78.91, thence N 24°55'38" E to Station U52+40.97.

Map 7, Parcel 1
Portion of S.B.L. #121.33-1-5.1

All that piece or Parcel of property designated as Parcel No. 1, as shown Map 7 and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Pitkin Street and the easterly Highway Boundary of Chestnut Street, said point being 4± feet left of and at right angles to station 9+95± of the hereinafter described 2012 Survey Baseline; thence N 84°10'03" E through the lands now or formerly owned by Margaret Woodbury Strong Museum a distance of 338± feet to a point on the said northerly Highway Boundary of Pitkin Street, said point being 3± feet right of and at right angles to Station 13+33± of said Baseline; thence westerly along said northerly Highway Boundary of Pitkin Street a distance of 339± feet to the POINT OF BEGINNING.

The above described parcel contains 1.384± sq. ft. or 0.032± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as shown on a map and plan on file in the City of Rochester Maps and Survey Office and described as follows: Beginning at Station P9+50.00; thence N 82°51'44" to Station P13+90.92.

Map 7, Parcel 2
Portion of S.B.L. #121.33-1-5.1

All that piece or parcel of property designated as Parcel No. 2, as shown on Map 7 and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of Savannah Street and the westerly Highway Boundary of Pitkin Street, said point being 1± foot left of and at right angles to station 22+78± of the hereinafter described 2012 Survey Baseline; thence northwesterly along said southerly Highway Boundary of Savannah Street a distance of 166± feet to an angle point in said Highway Boundary of Savannah Street, said point also being the northwesterly boundary corner of lands now or formerly owned by Margaret Woodbury Strong Museum, said point being 167± feet left of and at right angles to Station 22+78± of said Baseline; thence southwesterly along said boundary line of lands now or formerly owned by Margaret Woodbury Strong Museum a distance of 26± feet to a point, said point being 167± feet left of and at right angles to Station 22+52± of said Baseline; thence S68°40'25"E through the lands now or formerly owned by Margaret Woodbury Strong Museum

a distance of 166± feet to a point on the westerly Highway Boundary of said Pitkin Street, said point being 1± feet left of and at right angles to Station 22+52± of said Baseline; thence north-easterly along westerly Highway Boundary of Pitkin Street a distance of 26± feet to the POINT OF BEGINNING.

The above described parcel contains 4,307± sq. ft. or 0.099± acre.

The above mentioned survey baseline is a portion of the 2012 Survey Baseline for the reconstruction of a portion of South Union Street as shown on a map and plan on file in the City of Rochester Maps and Survey Office and described as follows: Beginning at Station P10+00.00; thence N 82°51'44" to Station P13+90.92; thence N 47°51'18" to Station P18+70.29; thence N 21°24'28" E to Station P26+07.16.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-44
Re: Agreement - Cornerstone Training,
LLC, Rochester Environmental Job
Training Program

Council Priorities: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$111,400 as maximum compensation for an agreement with Cornerstone Training, LLC, Rochester, New York, to provide training services as part of the City's Rochester Environmental Job Training Program (REJob). The cost of the agreement will be financed with \$111,400 from the US Environmental Protection Agency's Environmental Workforce Development and Job Training (EPA EWDJT) grant funds, which were previously appropriated by City Council on October 18, 2016 (Ord. No. 2016-350). The agreement will have an initial term of three years with the provision for a one year extension.

REJob is a multi-partner effort designed to lead to sustainable, long-term environmental employment and intended to ensure that City residents share in the economic benefits derived from environmental site cleanup and construction. Recruitment for REJob will specifically target dislocated workers; severely underemployed individuals; and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education. The content of the training has been designed based on substantial input of environmental employers canvassed through survey, the Workforce Advisory Council, and consultation with

other communities that have had successful EPA EWDJT grant funded programs. Successful applicants to the REJob program will not be required to pay any tuition for the training.

The objectives of REJob are to recruit and train a minimum of 60 unemployed or underemployed City residents in core occupational and environmental areas that provide certifications toward work in the asbestos abatement, hazardous waste remediation, and environmental cleanup fields, and to place successful students in full-time employment in these environmental fields. Cornerstone Training, LLC will provide core training to all students as well as additional training for certifications for high achieving students after the core training is completed. Core training will be provided in the spring of 2017 and the spring of 2018, with the potential for a third core training session in 2019, if approved by the EPA and funding allows.

Cornerstone Training, LLC was selected through a request for proposals (RFP) process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-22

Ordinance No. 2017-44
(Int. No. 46)

Authorizing an agreement with Cornerstone Training, LLC for the Rochester Environmental Job Training Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement for a maximum compensation of \$111,400 with Cornerstone Training, LLC to provide occupational health and safety training services for the Rochester Environmental Job (ReJob) Training Program. The agreement shall be funded from United States Environmental Protection Agency grant funds previously appropriated in Ordinance No. 2016-350. The term of the agreement shall be three years with one optional one-year extension

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember McFadden abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-45
Re: Agreement - United States Army
Corps of Engineers, Port of Rochester
Harbor Dredging

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$125,000 as maximum compensation for an agreement with the United States Army Corps of Engineers (USACOE) for maintenance dredging of the Genesee River related to the Port of Rochester. The agreement will be funded from the 2016-17 Budget of the Department of Environmental Services and the term will be for one year.

The City of Rochester owns the Port of Rochester riverfront facilities that periodically require near-shore dredging to provide adequate access from the Genesee River. The facilities are the Port terminal dock wall, the Public Boat Launch, and the River Street Marina. Use of the Port terminal dock wall and the River Street Marina is dependent on water depths that provide adequate draft for docking boats and ships. In the past, the City has entered into funding agreements with the USACOE to have its contractors dredge City Port facilities in order to take advantage of the competitive volume related pricing in the USACOE dredge contracts. The most recent dredging agreement between the City and the USACOE for the Port Terminal dock wall, boat launch area, and River Street Marina was authorized by City Council in March 2008 (Ord. No. 2008-96). It has been eight years since the last dredging of these City facilities and new maintenance dredging is required.

The USACOE has scheduled dredging of the Genesee River federal navigation channel for the spring of 2017. Under the proposed agreement, the USACOE would dredge permitted areas outside the federal navigation channel at the City's facilities. The cost of the dredging is based on the estimated sediment volume to be removed to achieve permitted depths, the USACOE's recent experience with bid pricing for its dredging contracts, and contingency. The proposed agreement obligates the City to secure and provide required New York State and federal permits, and to pay the estimated dredging cost in advance. Upon completion, the USACOE is obligated to return to the City any funds not expended for the dredging.

It is anticipated that the proposed facility maintenance dredging will be complete by June 30, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-45
(Int. No. 47)

Authorizing an agreement for dredging services in the Genesee River

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 Army Corps of Engineers to provide dredging services in the Genesee River for a maximum compensation of \$125,000. Said amount shall be funded from the 2016-17 Budget of the Department of Environmental Services. The term of the agreement shall be one year.

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. 2017-46
Re: Budget Amendment - Establishment of Dog Park at Cobbs Hill Park

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the establishment of the City's first dog park and the allocation of \$40,000 to develop the facility, which will be funded by amending the 2016-17 Budget by transferring \$40,000 from Contingency to the Department of Environmental Services to support the work.

The Parks Code was amended in March 2016 via Ordinance No. 2016-83 to allow unleashed dogs within authorized and enclosed areas at City parks, as designated and approved by City Council for that purpose, and in accordance with rules and regulations to be promulgated for the orderly functioning of dog parks.

The proposed dog park will have a pilot period of six months and will be located on approximately three-quarters of an acre at the Northeast portion of Cobbs Hill Park. The proposed site has been vetted publicly through a series of informational meetings, and the design concept has been adjusted to reflect community input. Upon completion of the pilot period, the dog park's use, operation and impacts will be evaluated.

The dog park will be developed through a combination of work by City staff and contractors, in an effort to secure both quality improvements and financial efficiencies.

Respectfully submitted,
Lovely A. Warren
Mayor

Matt Haag
Councilmember-at-Large

Chair, Parks & Public Works Committee

Attachment No. AQ-23

Ordinance No. 2017-46
(Int. No. 48)

Amending the Budget and authorizing a dog park at Cobbs Hill Park

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

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, is hereby amended by transferring \$40,000 from Contingency to the Budget of Department of Environmental Services. The Council hereby appropriates that amount, or so much thereof as is necessary, to develop a dog park facility.

Section 2. Pursuant to Section 79-8 of the Municipal Code, the Council hereby designates an approximately three-quarter acre area located in the northeast portion of Cobbs Hill Park for establishing a dog park for a pilot period of six months. The dog park shall be operated in accordance with rules and regulations promulgated by the Commissioner of the Department of Recreation and Youth Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-47
Re: Bond Authorization - 2017 Water Main Cleaning and Lining Project of the Distribution System Water Main Renewal Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,000,000 and appropriating the proceeds thereof to fund a portion of the 2017 Water Main Cleaning and Lining Project of the Distribution System Water Main Renewal Program. The total cost of the project is estimated to be \$1,800,000, the balance of which (\$800,000) will be financed from 2016-17 Cash Capital.

The project will rehabilitate approximately 6.5 miles of City water mains. This rehabilitation method consists of mechanically cleaning the interior of the existing water mains and installing a corrosion-resistant cement lining to restore hydraulic capacity, improve available fire flows and water quality and to extend the useful life of the mains. The cost to rehabilitate a water main by cement lining is approximately 20% of the cost required to replace a water main.

A list of the affected streets and a map of the area are attached. Construction is scheduled to begin this

spring and be completed by the fall. Project inspection will be performed by Water Bureau personnel.

This project results in the creation and/or retention of the equivalent of 18 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-24

Ordinance No. 2017-47
(Int. No. 49)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,000,000 Bonds of said City to finance a portion of the City's 2017 Water Main Cleaning and Lining Project of the Distribution System Water Main Renewal Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of rehabilitating, mechanically cleaning and installing an anti-corrosion lining for approximately 6.5 miles of deteriorated water mains through the City's 2017 Water Main Cleaning and Lining Project of the Distribution System Water Main Renewal Program, including portions of those streets designated on the attached Schedule A (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 \$1,800,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,000,000 bonds of the City to finance said appropriation, \$800,000 of the Department of Environmental Services Cash Capital Allocation (Water Fund) 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 \$1,000,000 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 \$1,000,000. 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 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. 2017-48
Re: Bond Authorization - 2017 Water Main Cured In Place Pipe Project of the Distribution System Water Main Renewal Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$850,000 and appropriating the proceeds thereof to fund a portion of the 2017 Cured In Place Pipe (CIPP) Project of the Distribution System Water Main Renewal Program. The total cost of this project is estimated to be \$1,900,000. Council previously authorized the appropriation of \$490,000 in debt (Ord. No. 2016-50), and the balance of funding, \$560,000, will be financed from 2012-13, 2013-14, and 2014-15 Cash Capital.

The CIPP project will structurally rehabilitate 1.4 miles of deteriorated water mains. This is a trenchless rehabilitation process whereby a certified installer inserts a felt tube impregnated with a polymer resin into the existing water main. After the material has cured, it forms a fully structural close fitting liner pipe within the existing water main, thus extending its useful life.

A list of affected streets and a map of the area are attached. Construction is scheduled to begin this spring and be completed by the fall. Project inspection will be performed by Water Bureau personnel.

This project results in the creation and/or retention of the equivalent of 20 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-25

Ordinance No. 2017-48
(Int. No. 50)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$850,000 Bonds of said City to finance a portion of the City's 2017 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of structural

rehabilitation of approximately 1.4 miles of deteriorated water mains through the City's 2017 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program, including designated portions of those streets indicated on the attached Schedule A (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 \$1,900,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$850,000 bonds of the City, application of the proceeds of the City's \$490,000 bonds appropriated under Ordinance No. 2016-050, \$560,000 from the 2012-13, 2013-14 and 2014-15 Department of Environmental Services Cash Capital Allocation (Water Fund) 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 \$850,000 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 \$850,000. 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 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 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. 2017-49
Re: Bond Authorization - 2017 Water Main Extensions and Improvements Project of the Distribution System Water Main Renewal Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$200,000 and appropriating the proceeds thereof to fund a portion of the 2017 Water Main Extensions and Improvements (E&I) Project of the Distribution System Water Main Renewal Program. The total cost of the project is estimated to be \$1,000,000. Council previously authorized the appropriation of \$510,000 in debt for the Portland Avenue and Carter Street water mains (Ord. No. 2016-52) and the balance of the funding, \$290,000 will be financed from 2015-16 Cash Capital.

The E&I project will replace 3,550 feet of City water mains, and provides for the scheduled replacement of deteriorated and deficient water mains. Of the approximately 600 miles of water mains within the City's distribution system, 378 miles are over 75 years of age, which is the expected useful life of water mains.

This project will replace water mains on the following streets:

Street Name	Limits	Replacement Reason
Portland Avenue	North St. - 500 ft south of Draper St.	7 water main breaks Years: 1983 - 2008
Carter Street	Norton St. - Delamaine Dr.	4 water main breaks Years: 2003 - 2013
Hague Street	Masseth St. to Lyell Ave.	4 water main breaks Years: 1987 - 2013

Construction is scheduled to begin this spring and be completed by the fall. Project inspection will be performed by Water Bureau personnel.

This project results in the creation and/or retention of the equivalent of 10 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-26

Ordinance No. 2017-49
(Int. No. 51)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$200,000 Bonds of said City to finance water main extensions for the City's 2017 Water Main Extensions and Improvements Project of the Distribution System Water Main Renewal Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacing approximately 3,550 of City water main and lines along certain portions of Portland Avenue (from North Street to 500' south of Draper Street), Carter Street (between Norton and Delamaine Streets) and Hague Street (from Masseth Street to Lyell Avenue) related to the City's 2017 Water Main Extensions and Improvements Project of the Distribution System Water Main Renewal Program (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 \$1,000,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$200,000 bonds of the City, application of \$510,000 authorized under Ordinance No. 2016-052 and \$290,000 appropriated from 2015-16 Department of Environmental Services Cash Capital Allocation (Water Fund) and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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

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

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. c. 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-50,
Ordinance No. 2017-51 and
Ordinance No. 2017-52

Re: Amendatory Agreement - Stantec
Consulting Services Inc., Resident
Project Representation Services, Main
Street Streetscape and Pedestrian
Wayfinding Enhancement Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion related to the Main Street Streetscape and Pe-
destrian Wayfinding Enhancement project. This
legislation will:

1. Establish \$790,000 as maximum compensa-
tion for an amendatory agreement with Stan-
tec Consulting Services Inc., Rochester, New
York, for resident project representation
(RPR) services for the project, bringing total
maximum compensation to \$1,358,000; and
2. Authorize the issuance of bonds totaling
\$745,000 and appropriating the proceeds
thereof to partially finance the construction of
and RPR for the project.

This amendatory amendment will be funded with
\$6,900 from 2015-16 Private Contributions (Ord.
No. 2015-196); \$170,400 from 2016-17 Federal
Transportation Alternatives Program grant (Ord.
2016-374); and \$612,700 from bonds appropriated
herein.

This federal and state aid project will result in
streetscape enhancements along Main Street be-
tween St. Paul Street and South Avenue, and Frank-
lin Street and East Avenue, including the Liberty
Pole Plaza. The pedestrian wayfinding signage will
extend the length of Main Street from Ford Street to
University Avenue.

Stantec Consulting Services Inc was selected
through a request for proposals process that solic-
ited for design and RPR. The original agreement,
for design only, was authorized in June 2015 (Ord.
No. 2015-196) for maximum compensation of
\$318,000. An amendatory design agreement for
\$250,000 was authorized in December 2016 (Ord.
No. 2016-410), increasing total maximum compen-
sation to \$568,000.

The term of the original design only agreement ex-
tended for a term of six months after completion and
acceptance of the project. With the inclusion of
RPR, the term of the contract will be modified to
extend until three months after completion and ac-
ceptance of a two-year guarantee inspection of the
project.

Design of the project is underway. Construction is
anticipated to begin in spring 2017 with completion
in fall 2017. The additional RPR phase funds of this
project will result in the creation and/or retention of

the equivalent of 8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-27

Ordinance No. 2017-50
(Int. No. 55)

**Authorizing amendatory agreement for the
Main Street Streetscape and Pedestrian Way-
finding Enhancement Project**

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

Section 1. The Mayor is hereby authorized to en-
ter into an amendatory professional services agree-
ment with Stantec Consulting Services Inc. for con-
struction inspection services for the Main Street
Streetscape and Pedestrian Wayfinding Enhance-
ment Project. The amendatory agreement shall in-
crease the maximum compensation for the original
agreement, which was authorized in Ordinance No.
2015-196 and amended in Ordinance No. 2016-410,
by \$790,000 to a new total of \$1,358,000. The in-
crease in compensation shall be funded by \$6,900
in private contributions appropriated in Ordinance
No. 2015-196, \$170,400 in anticipated reimburse-
ments from the Federal Highway Administration
appropriated in Ordinance No. 2016-374, and
\$612,700 from a portion of the \$745,000 in addi-
tional City bonds to be authorized and appropriated
for the Project. The term of the amendatory agree-
ment may extend until 3 months after completion of
a two-year guarantee inspection of said Project.

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

Section 3. This ordinance shall take effect im-
mediately.

Passed unanimously.

Ordinance No. 2017-51
(Int. No. 55A, as amended)

Bond Ordinance of the City of Rochester, New York amending Ordinance No. 2016-410 and authorizing the issuance of ~~\$745,000~~ \$1,299,000 Additional Bonds of said City to finance cost increases in construction inspection services for the City's Main Street Streetscape and Pedestrian Wayfinding Enhancement 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 amends Ordinance No. 2015-197 and authorizes the issuance of ~~\$745,000~~ \$1,299,000 bonds of the City to finance additional costs of construction and inspection services for streetscape improvements along Main Street between St. Paul/South Avenue and Franklin Street/East Avenue, including Liberty Pole Plaza (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 ~~\$4,527,600~~ \$4,581,281. The plan of financing includes the issuance of ~~\$745,000~~ \$1,299,000 bonds of the City, which are hereby appropriated to finance a portion of said costs, application of ~~\$1,551,000~~ \$1,345,400 in funds from the Federal Highway Administration which were authorized, ~~adjusted and appropriated in Ordinance Nos. 2015-196, 2016-164 and 2016-374, \$125,600~~ \$93,500 from Private Contributions authorized in Ordinance Nos. 2015-196 and 2016-164, ~~\$106,000 in bonds authorized and appropriated by Ordinance No. 2015-197, \$2,000,000~~ \$1,756,600 in reimbursements from the Dormitory Authority of the State of New York authorized in Ordinance No. 2016-374, ~~\$86,781 in 2014-15 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 ~~\$745,000~~ \$1,299,000 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 ~~\$745,000~~ \$1,299,000. 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. 20. 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-52
(Int. No. 55B)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$355,000 Bonds of said City to finance the cost of relocation of water hydrants and water service curb stops for the City's Main Street Streetscape and Pedestrian Wayfinding Enhancement 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 \$355,000 bonds of the City to finance the costs of design and construction for relocating water hydrants and water service curb stops to accommodate curb line adjustments and recessed parking areas in the City's Main Street Streetscape Pedestrian Wayfinding Enhancement Project (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 \$621,712. The plan of financing includes the issuance of \$355,000 bonds of the City which are hereby appropriated for the Project, \$266,712 in reimbursements from Rochester Pure Water District appropriated in Ordinance 2016-376, 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 \$355,000 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 \$355,000. 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.

Passed unanimously.

By Councilmember McFadden
February 21, 2017

Lovely A. Warren
Mayor

Ordinance No. 2017-53
(Int. No. 52)

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 52 - Amending and authorizing agreements with Baden Street Settlement of Rochester, Inc.

Int. No. 53 - Authorizing funding and an agreement for expanding adult sport leagues

Respectfully submitted,
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott

PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-53
Re: Agreements - Baden Street Settlement of Rochester, Inc.

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation amending an existing agreement and authorizing a new agreement with Baden Street Settlement of Rochester, Inc. (Baden St. Settlement) for the operation of the Clinton-Baden Community Center and swimming pool. The amendatory agreement will extend the term of the existing agreement (Ord. No. 2012-50) through June 30, 2017 to coincide with the City's fiscal year. The City will reimburse Baden St. Settlement \$4,800 per month for the two month extension, from May 1 to June 30, 2017, and the cost will be funded from the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS).

The new agreement establishes \$50,000 as maximum compensation for Baden St. Settlement to operate the Community Center and pool. The term of the agreement will be for one year, commencing July 1, 2017, with four one-year renewal options. The cost of the agreement will be funded from the 2017-18 and subsequent budgets of DRYS, contingent upon the approval of said budgets.

Baden St. Settlement has operated this City-owned facility since 1977. They provide a full service recreation and aquatics program including all staffing, supplies, and custodial services six-days per week.

Respectfully submitted,

Amending and authorizing agreements with Baden Street Settlement of Rochester, Inc.

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 Baden Street Settlement of Rochester, Inc. (Baden St. Settlement) for the continued operation of the Clinton-Baden Community Center recreation and aquatic program (Program). The amendatory agreement shall extend the term of the existing agreement, authorized by Ordinance No. 2012-50, to June 30, 2017 and, for the months of May and June, 2017, obligate the City to reimburse Baden St. Settlement amounts not to exceed \$4,800 per month. Those amounts shall be funded from the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS).

Section 2. The Mayor is hereby authorized to enter into an agreement with the Baden Street Settlement of Rochester, Inc. for the continued operation of the Program for a term of one year commencing July 1, 2017, with four one-year renewal options. The agreement shall obligate the City to reimburse Baden St. Settlement a sum not to exceed \$50,000 annually. Said amount shall be funded from the 2017-18 Budget of DRYS for the first year, and from subsequent fiscal year budgets of DRYS for subsequent years, if any, contingent upon the approval of said budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-54
Re: Agreement - RocSports, LLC, Operation of Adult Sports Leagues

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to adult sports leagues. This legislation will:

1. Amend the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS) by \$61,000 to reflect additional revenue and expense due to the expansion of adult sports leagues; and

- 2. Establish \$175,000 as maximum compensation for an agreement with RocSports, LLC, Spencerport, New York, for the operation of adult sports leagues and the maintenance of associated fields. The agreement will be for one year with an option to extend for four additional one-year terms; the cost will be funded from the 2016-17 Budget of DRYS, and subsequent budgets contingent upon their approval.

The City has run an adult softball program for over 40 years. In response to the increasing interest in other sports and fitness, the City issued a request for proposals which included primarily the softball program but also expanded the menu of possible offerings to include sports such as kickball and basketball. A summary of the selection process is attached.

RocSports, LLC will administer the adult sports leagues by coordinating and managing the program in accordance with the policies and procedures established by the Bureau of Recreation; hiring and scheduling all umpires; preparing and maintaining nine fields for use by adult and interscholastic league teams, and other users; and will be responsible for all expenses related to operations and maintenance.

This agreement is cost neutral to the City. During the first year, RocSports, LLC will be reimbursed 85% of the net proceeds (after subtracting City authorized reimbursable expenses, as specified in the contract, from the gross revenue). The fees associated with the programs cover all City expenses. In the first year, it is anticipated that the City's share of net proceeds from the programs will be approximately \$16,000. This fee may be adjusted in subsequent years.

The proposed agreement will continue to provide for direct control by the City of all receipts and disbursements.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-54
(Int. No. 53)

Authorizing funding and an agreement for expanding adult sport leagues

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

Section 1. Ordinance No. 2016-180, the 2016-17 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 Youth Services (DRYS) by the sum of \$61,000, which is the anticipated increase in participant fee revenue due to an expansion of the City's existing recreational adult softball league program into other sports.

Section 2. The Mayor is hereby authorized to enter into an agreement with RocSports, LLC to operate a program of recreational adult sports leagues for a maximum annual compensation of \$175,000. The term of the agreement shall extend for one year, with an option to extend for up to 4 additional terms of one year each. The annual compensation, or so much thereof as may be necessary, shall be funded from the 2016-17 Budget of DRYS for the first year and from subsequent Budgets of DRYS for subsequent years of the agreement, if any, contingent upon approval of the subsequent Budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaul
February 21, 2017

To the Council:

The Arts & Culture in the Center City Committee recommends for adoption the following entitled legislation:

Int. No. 54 - Authorizing an agreement with Eskay Concerts, Inc. for event production

Respectfully submitted,
Elaine M. Spaul
Jacklyn Ortiz
Dana Miller
Loretta C. Scott

ARTS & CULTURE IN THE CENTER CITY COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-55
Re: Agreement - Eskay Concerts, Inc.
d/b/a Up All Night, Event Promotion,
Centennial Anniversary of Women's
Suffrage in New York State

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum compensation for Eskay Concerts, Inc. d/b/a Up All Night (principal: Gerard Fisher) for the centennial anniversary celebration of women's suffrage in New York State. The term of the agreement is for one year and the cost will be financed from the Rochester Events Network Trust Fund.

Up All Night will be responsible for booking national and regional artists for a July 2017 event cel-

celebrating the centennial anniversary of women’s suffrage in New York State. Up All Night will provide artists for all opening and headlining acts. They will also be responsible for providing the stage, lights, and sound; a production manager and hospitality for the artists; internal event security; and vendors. The agreement will contain a revenue sharing component, providing Up All Night with exclusive rights to food and beverage vending in exchange for set rates of food and beverage by the volume sold. The City will retain all ticket revenue.

A request for proposals process was not completed due to the limited amount of time before the event. The City needs a producer to search for and book a national recording artist as soon as possible, and Up All Night was selected because of the time constraint and the existing relationship with the promoter for Party in the Park and Bands on the Bricks. If a woman-centered music festival becomes an ongoing event, a request for proposals will be issued for the selection of a promoter.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-28

Ordinance No. 2017-55
(Int. No. 54)

Authorizing an agreement with Eskay Concerts, Inc. for event production

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 in the maximum amount of \$150,000 with Eskay Concerts, Inc. (d/b/a Up All Night) to book artists and produce a July 2017 concert. The agreement shall have a term of one year.

Section 2. The cost of the agreement shall be funded by appropriating \$150,000 from the Rochester Events Network Trust Fund. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the 2016-17 Budget of the Bureau of Communications by said amount.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By President Scott
February 21, 2017

To the Council:

The Committee Of The Whole recommends for adoption the following entitled legislation:

Int. No. 59 - Resolution affirming that Rochester is a Sanctuary City committed to equal rights for all

Respectfully submitted,
Molly Clifford
Carolee A. Conklin
Matt Haag
Jacklyn Ortiz
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
COMMITTEE OF THE WHOLE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-5
Re: Resolution Affirming that Rochester is a Sanctuary City

Council Priorities: Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is a resolution reaffirming that Rochester is one community that is united and strengthened by our diversity and committed to upholding and protecting the civil and human rights of all individuals that come within its borders, including immigrants and refugees and, therefore, is a Sanctuary City.

On January 19, 2017, the New York State Attorney General, in anticipation of potential changes in federal immigration enforcement practices and priorities, provided local governments and law enforcement agencies with guidance for improving public safety by protecting vulnerable immigrant communities. A policy that assures immigrants and refugees that they can contact the police and other City agencies without fear of adverse immigration consequences will enhance public safety and neighborhood conditions for all citizens.

Officials across the state, including the Mayors of Albany, Kingston, White Plains, and Syracuse, have declared their appreciation for the Attorney General’s guidance and support and affirmed their continued commitment to welcoming and protecting the rights of immigrant communities in their cities.

As the Council is aware, Rochester, the home of Frederick Douglass and Susan B. Anthony, has a long tradition of support for equal rights for all, including immigrants and refugees. In 1986, this Council passed a resolution declaring Rochester as a “City of Sanctuaries” (Resolution No. 86-29)

which stated in part that “[t]he City of Rochester wishes to continue supporting its citizens in their efforts to maintain and further human rights for its citizens and for all who come within its borders.” As this Council in the 1986 resolution resolved, and the United States Supreme Court has since confirmed, immigration and refugee policy is a matter of federal jurisdiction. Thus, federal agencies, not local governments, are responsible for implementation and enforcement of such policies.

Furthermore, Chapter 63 of the Rochester City Code requires the City to provide equal access to public services and prohibits discrimination in City services on the basis of age, race, creed, color, national origin, gender identity or expression, sexual orientation, disability or marital status, and existing Rochester Police Department General Orders prohibit bias-based profiling in traffic contacts, field contacts, investigations, or asset seizure and forfeiture efforts. Bias-based profiling is defined to be “[t]he targeting or stopping of an individual based solely on a common trait of the individual, including but not limited to: age, race, creed, color, religion, national origin, gender, sexual orientation, disability, marital status, limited English proficiency, or economic status.”

The 1986 resolution recognized that the Rochester Sanctuary Committee had developed a local effort to involve local religious communities in considering offering sanctuary to refugees and that those local communities within Rochester providing shelter to those who were fleeing general conditions of persecution in their homelands had led Rochester to become a “City of Sanctuaries.” Thus, the City’s long-standing history, policies and the practices of its local religious communities are consistent with sanctuary policies and the 1986 resolution should be updated to reflect current language usage by officially declaring that Rochester is a Sanctuary City.

This proposed resolution also states that City resources will not be used to create a registry based on a person’s national origin, race, religion, or otherwise, and consistent with the 1986 resolution, that City personnel shall not inquire or request proof of immigration status or citizenship when providing services or benefits, unless specifically required to do so by law.

On January 25, 2017, President Trump issued an Executive Order that directs the Attorney General to review the actions of cities that adopt sanctuary policies to determine whether those policies violate federal law and whether federal funds should therefore be withheld. The federal law most relevant is 8 USC § 1373 (a) which says that a local government: “...may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.” The law also prohibits local policies that restrict the exchange of information regarding immigration status or maintaining such information.

This resolution does not conflict with that federal

law. It does not prohibit City employees from communications with federal immigration agencies regarding citizenship or immigration status. However, the law does not require local governments to collect such information or to engage in immigration enforcement. Therefore, this resolution contains language that states that the proposed policies to be adopted by the City are subject to federal, state and local laws and the Constitutions of the United States and the State of New York. This language avoids any conflict between the City’s policies and applicable law, while preserving the City’s right to control the use of its funds and personnel, and to protect our residents’ constitutional rights of equal protection and due process.

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott
Council President

Dana K. Miller
Council Vice President

Adam C. McFadden
Councilmember

Carolee A Conklin
Councilmember

Elaine M. Spaul
Councilmember

Matt Haag
Councilmember

Jacklyn Ortiz
Councilmember

Michael A. Patterson
Councilmember

Molly Clifford
Councilmember

Attachment No. AQ-29

Resolution No. 2017-5
(Int. No. 59, as amended)

Resolution affirming that Rochester is a Sanctuary City committed to equal rights for all

WHEREAS, The City of Rochester, the home of Frederick Douglass and Susan B. Anthony, has a long tradition of support for equal rights for all people, including immigrants and refugees, as exemplified by City Council Resolution No. 86-29 recognizing Rochester as a City of Sanctuaries;

WHEREAS, Chapter 63 of the City Code requires that the City provide equal access to public services and prohibits discrimination in City services on the basis of age, race, creed, color, national origin, gender identity or expression, sexual orientation, disability or marital status;

WHEREAS, federal immigration enforcement is the responsibility of federal enforcement agencies, not local government agencies;

WHEREAS, federal law does not require local law enforcement or other local service providers to inquire into an individual's immigration status;

WHEREAS, in response to changes in federal immigration enforcement practices and priorities, Cities across the United States have reaffirmed their support for the principle of sanctuary for persons fleeing persecution and on January 19, 2017, the New York State Attorney General provided local governments and law enforcement agencies with guidance for improving public safety by protecting vulnerable immigrant communities; and

WHEREAS, the City of Rochester wishes to join these cities and to reaffirm its continued support to its residents in their efforts to maintain and further human rights for all who come within its borders, including immigrants and refugees; and WHEREAS, a policy that assures immigrants and refugees that they can contact the police and other City agencies without fear of adverse immigration consequences will enhance public safety for all citizens; and

WHEREAS, the Council finds that it is in the public interest for Rochester to adopt "Sanctuary City" policies.

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

1. That the Mayor and City Council reaffirm the City of Rochester's commitment that it is one community; that is welcoming and inclusive of all, is united and strengthened by our diversity and committed to upholding and protecting the civil and human rights of all individuals that come within its borders, including immigrants and refugees;
2. The City Council hereby requests that the Mayor and the City administration implement policies that further the City's role as a Sanctuary City to ensure compliance with the objectives herein, subject to Federal, state and local laws and the Constitutions of the United States of America and the State of New York;
3. The Police Department shall not engage in certain activities solely for the purpose of enforcing federal immigration laws, including not inquiring about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity ~~by that individual~~, and shall not stop, question, interrogate, investigate, or arrest an individual based solely on actual or suspected immigration or citizenship status;
4. That City personnel shall not inquire about or

request proof of immigration status or citizenship when providing services or benefits, except where the receipt of such services or benefits are contingent upon one's immigration or citizenship status or where inquiries are otherwise lawfully required by federal, state, or local laws, or where such information is needed for a criminal investigation;

5. That the City shall not use its funds or personnel to enforce or to assist in the enforcement of Federal immigration policies or participate in any program requiring registration of individuals on the basis of religion, race, gender, gender identity or expression, sexual orientation, ethnicity, or national origin, except to the extent specifically required by law and subject to the principles embodied in the Constitutions of the United States and the State of New York.
6. This resolution shall take effect thirty days after the date it is adopted.

Strikeout indicates deleted text, new text is underlined

Adopted unanimously.

The meeting was adjourned at 8:00 p.m.

HAZEL L. WASHINGTON
City Clerk

TUESDAY, MARCH 28, 2017

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REGULAR MEETING
MARCH 28, 2017

Present - Vice President Miller, Councilmembers Clifford, Conklin, Haag, McFadden, Ortiz, Patterson, Spaul
- 8.

Absent - President Scott - 1.

The Council Vice President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremonies

Service on Boards and Commissions:

Zoning Board of Appeals
Eric Van Dusen

Retirement:

Emergency Communications

*Tina Marie Carson

*Vicki Vanhalle

Environmental Services

*Daniel A. Fallon

Library

*Barbara L. Nichols

Neighborhood & Business Development

*Gregory P. Cutt

*Jon Rimmel

Fire Department

*Jeffery T. McQuay

*John J. Whitehair

Police Department

*Edmond D. Bernabei

*Jennifer L. Morales

**Did not attend meeting*

APPROVAL OF THE MINUTES

By Vice President Miller

RESOLVED, that the minutes of the Regular Meeting of February 21, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges March 2017 - 4254-17

Quarterly Report - Grant Administration -4255-17

The Council submits Disclosure of Interest Forms from Vice President Miller on Int. No. 65 and Int. No. 82.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Patterson presented a petition with 980 signatures in support of Visionary Square Petition No. 1735

Councilmember Spaul presented a petition with 318 signatures in support of banning EPS-AKA Styrofoam Petition No. 1736

PUBLIC HEARINGS

Pursuant to law, public hearing will now be had on the following matter:

Amending 2005-06, 2006-07, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17 Consolidated Community Development Plans and authorizing appropriations of Community Development Block Grant funds to infrastructure and playground improvements

Int. No. 72

3 speakers: Eva Frontier, Laura Morton, Emily Snickles

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
March 28, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 60 - Authorizing cancellation of taxes and charges

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-56
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$26,156.51.

The owner of 23 Greig Street is the Cornhill Village Homeowners Association. Due to a clerical error regarding when the property was subdivided during the 2013-14 fiscal year, the property was put into the adjacent property owner's name: Clarissa Santiago Homeowners Association. Although not owned by the Clarissa Santiago Homeowners Association, they inadvertently paid the tax bill. An omitted tax bill for the applicable years will be sent to the Cornhill Village Homeowners Association.

The owner of the property located at 1 Woodbury Boulevard had filed an application with the New York State Attorney General's office to split the property into four condominium units. All the information was provided to the City's Bureau of Assessment; the property was split and four tax account numbers were created. However, the Condominium Declaration was never filed at the Monroe County Clerk's Office, which made the subdivision null and void. Therefore, the property is being restored to the original account number.

If these cancellations are approved, total cancellations thus far for the 2016-17 fiscal year will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	15	\$164,171.86
Administrative	44	14,960.18
Total	59	\$179,132.04

These cancellations represent 0.07% of the tax receivables as of July 1, 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Int. No. 61 - Authorizing an agreement for the 2017 Rochester Flower City Challenge

Int. No. 62 - Authorizing an agreement for ticket sales and box office management of City-produced events

Int. No. 63 - Authorizing a parking lease with Eastman Kodak Company

Int. No. 78 - Authorizing an amendatory professional services agreement for expert witness services for the Law Department

Int. No. 79 - Resolution approving an appointment to the Board of Ethics

Int. No. 83 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$15,625,000 Bonds of said City to finance the costs of improvements to specified City School District schools

Respectfully submitted,
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

Ordinance No. 2017-56
(Int. No. 60)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The owner of the 23 Greig Street is Cornhill Village Homeowners Association. Due to an error when the property was subdivided for the 2013-14 fiscal year, the property was put into the adjacent property owner's name, Clarissa Santiago Homeowners Association. The Clarissa Santiago HOA mistakenly paid the tax bill even though it did not own the property. An omitted tax bill for the applicable years will be sent to Cornhill Village Homeowners Association.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
121.54-1-32.27	N	23 Greig Street	2015	\$2,001.20	\$2,001.20
			2016	\$2,021.07	\$2,021.07
			2017	\$2,021.66	\$2,021.66

(B) The owner of the property located at 1 Woodbury Boulevard had filed an application with the New York State Attorney General's office to split the property into four condominium units. All the information was provided to the Bureau of Assessment and the property was split and four tax account numbers were created. However, the Condominium Declaration was never filed at the Monroe County Clerk's office which made the subdivision null and void and the property is being restored to the original account number.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
121.32-1-13.2/101	N	1 Woodbury Blvd UN101	2017	\$7,590.36	\$7,590.36
121.32-1-13.2/102	N	1 Woodbury Blvd UN102	2017	\$3,081.46	3,081.46
121.32-1-13.2/200	N	1 Woodbury Blvd UN200	2017	\$4,720.38	4,720.38
121.32-1-13.2/300	N	1 Woodbury Blvd UN300	2017	\$4,720.38	4,720.38

Grand Total \$26,156.51

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-57
Re: Agreement - YellowJacket
Racing, LLC, Rochester Flower
City Challenge

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with YellowJacket Racing, LLC (Principals: David Boutillier and Ellen Brenner) for production of the Rochester Flower City Challenge. The cost of this agreement will be funded from the 2016-17 Budget of the Bureau of Communications and have a term of one year.

The Rochester Flower City Challenge is a half marathon running event and other sports events planned

for April 29 and 30, 2017. This will be the eighth year of the event and will include the Rochester River Challenge Duathlon/ Paddle Triathlon on Saturday, April 29, and the Rochester Flower City Half Marathon and a Family 5K run on Sunday, April 30. The Duathlon is a 5K run, followed by a 20 mile bicycle race, and finishing with a second 5K run. The Paddle Triathlon is a 5K run, followed by a 20 mile bicycle race, and a three mile canoe/kayak segment. These two events will be based at the Genesee Waterways Center in Genesee Valley Park. Yellow-Jacket Racing provides free training workshops and programs leading up to the races.

The Half Marathon and Family 5K run will be based at the Blue Cross Arena at the War Memorial with the course showcasing the city's historic neighborhoods, river and canal. This is the only half marathon distance running event in the Rochester area in the spring. It is marketed regionally to draw entrants from a 600-mile radius area. In 2016, there were 26

states represented (including New York) and participation from Canada and Great Britain.

The 2016 Duathlon and Triathlon totaled 384 finishers. The 2016 Half Marathon and 5K race had 3,531 registrants, including 176 children who participated in quarter mile, half mile and mile races. In addition to the participants, more than 2,000 spectators lined the course. During the half marathon, participating neighborhoods host a spirit contest. Neighborhoods that are voted "most enthusiastic" by the runners receive donations from YellowJacket Racing. In 2016, a combined \$1,250 was donated to the Highland Park Neighborhood (1st place) and Susan B. Anthony Neighborhood (2nd place).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-30

Ordinance No. 2017-57
(Int. No. 61)

Authorizing an agreement for the 2017 Rochester Flower City Challenge

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 YellowJacket Racing, LLC to produce the 2017 Rochester Flower City Challenge. The maximum compensation for the agreement shall be \$40,000, which shall be funded from the 2016-17 Budget of the Bureau of Communications.

Section 2. The agreement shall have a term of one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-58
Re: Agreement – SMG/Blue Cross
Arena at the War Memorial,
City-Produced Events Box Office
and Ticket Sales Management Services

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$17,800 as maximum compensation for an agreement with SMG/Blue Cross Arena at the War Memorial (Jeff Calkins, Manager) for box office management services, on-site ticket sales

during City-produced events, and charges for City events hosted at the Blue Cross Arena at the War Memorial. The cost of this agreement will be funded from the 2016-17 Budget of the Bureau of Communications and the term will be for one year.

SMG will provide on-site ticket sales and dedicated, licensed security personnel for such sales during City-produced events like Windstream Party in the Park, ROC the Park, a concert celebrating the centennial anniversary of women's suffrage in New York State, and other City events if needed. Services will include printing tickets, setting up an online Ticketmaster outlet for their purchase, staffing, handling cash on-site, managing the box office, producing weekly reports, and providing the City with the revenue from the ticket sales. The Blue Cross Arena at the War Memorial will also be the location of the Mayor's Distinguished Gentleman event; a networking event that connects young men with local role models in various career fields.

A similar agreement with SMG was authorized in March 2016 (Ord. No. 2016-60) at a cost of \$17,800.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-31

Ordinance No. 2017-58
(Int. No. 62)

Authorizing an agreement for ticket sales and box office management of City-produced events

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 SMG/Blue Cross Arena at the War Memorial to provide ticket sales and box office management services for the Windstream Party in the Park, ROC the Park, and other City-produced events if needed. The maximum compensation for the agreement shall be \$17,800, which shall be funded from the 2016-17 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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. 2017-59
Re: Lease Agreement –Eastman
Kodak Company, Parking Lot

Transmitted herewith for your approval is legislation authorizing a lease agreement with Eastman Kodak Company for the City's use of 50 parking spaces on the surface parking lot located at 343 State Street. This agreement will have a term of three years, beginning on June 1, 2017 and expiring on May 31, 2020, and the cost will be funded from the 2017-18 and subsequent budgets of the Department of Finance (Parking Fund), contingent upon approval of future budgets.

The City will pay Eastman Kodak Company \$2,250 per month (\$45 per space) for the first year of the three-year term. The remaining two years will have a rate of \$2,500 per month (\$50 per space). The spaces will be made available for public rental at a rate of \$20 less than the monthly rate charged at the High Falls Parking Garage (currently \$72).

The agreement will include a provision allowing the City to increase or decrease the total number of spaces being rented from Eastman Kodak in blocks of 10, three times a year, up to a maximum of 100 spaces, such that maximum compensation would be \$5,000 per month (as dependent upon the number of spaces leased). This arrangement is designed to provide a net increase in available parking spaces in the High Falls business district.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-32

Ordinance No. 2017-59
(Int. No. 63)

Authorizing a parking lease with Eastman Kodak Company

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with Eastman Kodak Company for the City's use of 50 parking spaces in the parking lot owned by Kodak at 343 State Street. The agreement shall give the City an option to increase or decrease the number of spaces leased up to a maximum of 100 parking spaces. This agreement shall have a term of 3 years, beginning on June 1, 2017 and expiring on May 31, 2020. The monthly lease rate shall be \$45 per space for the first year and \$50 per space for the second and third years of the agreement.

Section 2. The cost of the agreement for the first year in the maximum amount of \$54,000 shall be funded from the 2017-18 Budget of the Department of Finance (Parking Fund). The cost for the second and third years of the agreement in the maximum annual amounts of \$60,000 shall be funded from future budgets of the Department of Finance (Parking Fund), contingent upon approval of those budgets.

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

be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-60
Re: Agreement - Crash Data
Specialists LLC, Expert
Witness Services

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an amendatory agreement with Crash Data Specialists LLC (Principal: Jon Northrup) for the continued provision of expert accident reconstruction services. The amendatory agreement increases the total maximum cost of this service from \$10,000, as originally executed in October 2016, to \$20,000. The cost of the amendatory agreement will be funded from the 2016-17 Budget of the Law Department and the term may extend until completion of the cases for which the consultant's services are requested.

Each year the City of Rochester is named as a defendant in various lawsuits that require the services of an expert in forensic accident reconstruction. These services may involve file review, physical inspection of the accident scene, accessing and analyzing stored vehicle data or other information which may be available from the involved vehicles, the preparation of reports, and other activities necessary to assist the Law Department to assess and defend against claims arising from vehicle collisions. If a case proceeds to trial, the expert may also assist with trial preparation and/or provide testimony at trial.

In 2015, the Law Department found that the City needed an expert on short notice to defend the Rochester Police Department (RPD) in the *Hills* case involving a police car collision. Jon Northrup of Crash Data Specialists satisfied this need using his expertise derived from 27 years of experience with the RPD as a road patrol officer and then accident reconstructionist. After his retirement from the RPD, Mr. Northrup offered his services as a private expert consultant for others. His value to the City is enhanced by his ready availability on short notice (because he lives and works in the area), and by his reasonable hourly fee, which is presently \$150. The cost of his consultancy for the *Hills* case accrued to approximately \$3,500.

The Law Department has since engaged Mr. Northrup for several additional cases by means of additional agreements and has been satisfied with the quality of his work. A justification statement for not issuing a request for proposals for this service is attached.

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AQ-32

Ordinance No. 2017-60
(Int. No. 78)

Authorizing an amendatory professional services agreement for expert witness services for the Law Department

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 Crash Data Specialists LLC to provide expert witness services in conjunction with pending and future litigation.

Section 2. The amendatory agreement shall increase the maximum cost of the prior agreement entered into in October, 2016, by \$10,000 to a total of \$20,000, which cost shall be funded from the 2016-17 Budget of the Law Department. The term of the agreement may extend until completion of the cases for which the consultant's services are requested.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-6
Re: Appointments - Board of Ethics

Transmitted herewith for your approval is legislation to approve the appointment of Daniel Karin, 191 Highland Parkway, Rochester, New York 14620 to the Board of Ethics.

Mr. Karin is being appointed to fill the vacant seat that was previously held by the late Christopher Lindley. Mr. Karin's term will expire January 2018.

Mr. Karin's resume is on file with the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2017-6
(Int. No. 79)

Resolution approving an appointment to the Board of Ethics

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

Section 1. The Council hereby approves the appointment of Daniel Karin, 191 Highland Parkway, Rochester, NY 14620, to the Board of Ethics for a

term which shall expire on January 31, 2018.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-61
Re: Capital Improvement Program -
Rochester City School District

Council Priority: Deficit Reduction and Long-Term Financial Stability; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Capital Improvement Program (CIP) of the Rochester City School District (RCSD). This legislation will:

1. Authorize \$15,625,000 as debt to be authorized for the 2016-17 fiscal year for the RCSD; and
2. Authorize the issuance of bonds for \$15,625,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the RCSD.

Per City Council policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year (Res. No. 81-4). During fiscal year 2016-17 the RCSD will liquidate \$18,880,999 in principal. *Attachment A* is a projection of RCSD debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the New York State (NYS) Constitutional Debt Limit is established at 9.0% of the five-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the RCSD. This split provides the RCSD with a remaining borrowing capacity of \$54,235,331 (*Attachment B*).

In accordance with the City Council policy adopted April 20, 2016 (Res. No. 2016-8), bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program unless for reasons of health and safety; the RCSD will use cash capital as defined by NYS Finance law.

Attachment C is a letter from the RCSD detailing the planned uses of the new bonds and the use of cash capital. A copy of the Board of Education Resolution approving the capital plan is forthcoming.

In addition, Resolution No. 2016-8 requires the City of Rochester's Bureau of Engineering and Architecture staff to review the RCSD's request and for the RCSD to provide school closings.

Attachment D is a memorandum from the Assistant

City Engineer confirming said Bureau of Engineering and Architecture review. *Attachment E* is a letter from the RCSD regarding school closure.

The NYS Education Department, by letter dated November 2, 2016, has confirmed that the RCSD has met the Maintenance of Effort (MOE) requirement for 2016-17. When the City issues this debt, the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-33

Ordinance No. 2017-61
(Int. No. 83)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$15,625,000 Bonds of said City to finance the costs of improvements to specified City School District schools

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 \$15,625,000 of the costs of the City School District 2016-2017 Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (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 \$15,625,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$15,625,000 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 \$15,625,000 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 \$15,625,000. 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(a)(1) 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 pub-

lished 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
2016-17 CONSTRUCTION PROJECTS**

School Name	Project Description	Amount
No. 3 - Adams Street Recreation Center	Locker room renovations, pool improvements, ventilation upgrades, upgrade audio systems, PA, clocks, fire alarm, cameras and locks.	\$2,110,000
No. 8 - Roberto Clemente	Replace chilled water and heating system pumps, chiller, water heater, valves and pumps, return air fans and remove concrete walkway, install railings and provide access to gym roof.	818,000
No. 9 - Dr. Martin Luther King Jr./ Clinton/Baden Rec. Center	Toilet room reconstruction, hybrid kitchen installation, masonry and concrete reconstruction, replace VAT flooring in cafeteria and provide acoustical control, replace pneumatic damper actuators and network controller, replace cabinet unit heaters	1,293,000
No. 34 - Dr. Louis A. Cerulli	Remove abandoned chimney, masonry reconstruction, re-key building and provide classroom lockdown hardware, window and wardrobe door replacement, toilet room reconstruction. Construct security entrance.	1,357,000
No. 42 - Abelard Reynolds	Hot water pump replacement, VSD pump upgrades, replace pneumatic control valves, damper actuators, VAT flooring in classrooms, toilet room renovations, masonry reconstruction and install Lockdown hardware in the classrooms.	1,249,000
No. 46 - Charles Carroll	Reconstruct slate roofing and gym wood windows, replace fire alarm system, install a walk draw gym curtain and abate asbestos ceiling at structural connections.	577,000
No. 52 - Frank Fowler Dow	Toilet room renovations, replace pneumatic control valves and damper actuators.	862,000
Jefferson Educational campus	Remove chimney, provide masonry reconstruction, window replacement, roofing rehabilitation, penthouse on roof for mechanical equipment, complete gym ceiling from AHU work and paint, install ductless split system to two data closets, add split system to computer lab.	2,137,000
Marshall Educational Campus	Provide natatorium to locker room HC accessibility, pool drain replacement, provide handicapped access to pool, replace pool pak and provide enclosure, replace piping and fittings, fire alarm upgrade, reconstruct water damaged areas in classrooms and stair towers, replace gym roofing and construct access to pool roof.	2,531,000
107 N. Clinton - Early Childhood Education Center	Construct large motor skills room, construct toilet rooms in pre-K classrooms, replace roof, reconstruct corridor walls, waterproof exterior walls, provide outdoor play area, replace elevator and reconstruct building entry and stair exits.	1,896,000
Ryan Center Gymnasium	Air conditioning	795,000
Total		\$15,625,000

Passed unanimously.

By Councilmember Ortiz
March 28, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 64 - Authorizing the sale of real estate

Int. No. 65 - Authorizing the acquisition of real estate

Int. No. 66 - Authorizing an agreement for property management services

Int. No. 69 - Authorizing an agreement with the Community Design Center Rochester, Inc. for services related to a Charlotte community charrette process

Int. No. 70 - Authorizing appropriation and agreement for the Targeted Housing Repair Program

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation

Int. No. 68 - Amending the Zoning Map for 50, 54, 60, 64 and 68 Herald Street

The following entitled legislation is being held in Committee:

Int. No. 67 - Amending the Zoning Map for 618 Upper Falls Boulevard and 379 and 387 Hudson Avenue

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Dana K. Miller
Loretta C. Scott

NEIGHBORHOOD & COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-62
 Re: Sale of Real Estate

Council Priority: Rebuilding and
 Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of 20 properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with delinquent taxes, open code violations, have not been in contempt of court or fined as a result of an appearance ticket or unsatisfied judgments during the past five years.

The first four properties are buildable vacant lots sold by negotiated sales to the adjacent owners. The purchasers will combine the lots with their existing properties and utilize them as green space.

The next ten properties are buildable vacant lots sold by negotiated sale to Habitat for Humanity, Inc., who will construct single family homes on the lots which will be offered for sale to owner occupant, first time home buyers who meet income requirements.

The last six properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these 20 properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$9,192.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-34

Ordinance No. 2017-62
 (Int. No. 64)

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 with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
26 Concord St	106.49-2-29.1	80 x 100	8,013	\$525	Renewal of Life N Church of God in Christ, Inc.
75 Glendale Pk	105.34-2-30	46 x 121	5,543	450	Michael R. Nock, II
17 Pomeroy St	091.68-3-2	40 x 114	4,560	425	Sharla White
24 Seward St	121.53-1-85.1	117 x 50	5,881	450	Michael & Marisol Grisby
205 Campbell St	120.27-1-56	50 x 128	6,469	475	Flower City Habitat for Humanity
225 Campbell St	120.27-1-61.1	50 x 128	6,404	475	Flower City Habitat for Humanity
454 Child St	105.74-2-46.1	76 x 130	8,141	525	Flower City Habitat for Humanity
470-472 Child St	105.74-2-50.1	80 x 88	4,885	*	Flower City Habitat for Humanity
19 Eddy St	120.43-1-4.1	66 x 102	6,732	475	Flower City Habitat for Humanity
93-97 Lime St	105.74-2-16.4	87 x 77	4,868	550	Flower City Habitat for Humanity
87 Silver St	120.35-2-77-1	49 x 165	8,167	525	Flower City Habitat for Humanity
91 Silver St	120.35-2-76.2	49 x 165	8,167	525	Flower City Habitat for Humanity
179 Whitney St	105.82-1-55	40 x 86	3,452	475	Flower City Habitat for Humanity
185 Whitney St	105.82-1-54	38 x 86	3,268	**	Flower City Habitat for Humanity

*Combination pending: included in sale price of 93-97 Lime St
 **Combination pending: included in sale price of 179 Whitney St

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
87 Conkey Av	106.29-4-22	40 x 95	3,807	Richard Lochner
75-77 Dr. Samuel McCree Way	121.53-1-5	50 x 88	4,400	Michael & Marisol Grisby
48 Felix St	105.50-2-47	36 x 117	4,119	Wayne T. Lorraine, Jr
25 Melville St	107.53-3-9.2	22 x 83	1,942	Thomas Madden & Edith Hugye
27 Melville St	107.53-3-10	45 x 83	3,846	Thomas Madden & Edith Hugye
43 Seabrook St	106.23-2-46	38 x 74	2,721	Terriano L. Coley

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. 2017-63
 Re: Real Estate Acquisitions and
 Donations- Rochester Land
 Bank Corporation

Council Priority: Rebuilding and
 Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acquisitions and donations of certain real properties from the owner, Rochester Land Bank Corporation (RLBC). The RLBC acquired the properties by purchase at the City of Rochester Tax Foreclosure Auction on November 10, 2016. Council authorization is needed to accept the following properties:

<u>Address</u>	<u>Purpose</u>
5 Harlow Park 14608	Homeownership program/demo or Auction Sale
31 Pollard Avenue 14612	Homeownership program/demo or Auction Sale
132 Seventh Street 14605	Homeownership program/demo or Auction Sale
396-398 Ames Street 14611	Campbell Street Recreation Center Project
16 Beechwood Street 14609	Vacant lot sale to adjoining owner for green space

City Council authorized the Home Ownership Pilot Program for Vacant Houses on October 18, 2016 via Ordinance No. 2016-336. The first three houses were identified as single family homes, located on a residential street, having at least three bedrooms, one full bathroom and off street parking. If any or all of these identified homes will not be included in the program, they will be added to the City's inventory and offered for sale via the Surplus Auction or demolished and the vacant lots will be offered for sale. The City will acquire these properties for an amount not to exceed \$25,000, which will be funded from the appropriation in Ordinance No. 2016-336, mentioned above.

The last two properties were structures that were acquired by the RLBC and demolished as part of the Strategic Blight Removal Initiative. 396-398 Ames Street will be included in the Campbell Street Recreation Center renovation project, and 16 Beechwood Street will be offered to the adjoining owner to expand their yard. These properties are being donated to the City.

The purpose of the RLBC is to acquire, hold and dispose of real property that is vacant, abandoned or underutilized for purposes of returning those properties to productive use.

Upon acquisition by the City, any taxes or charges levied after the date of closing shall be canceled. The property is to be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-35

Ordinance No. 2017-63
(Int. No. 65)

Authorizing the acquisition of real estate

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

Section 1. The Council hereby approves the acquisition from the Rochester Land Bank Corporation of the parcels described below. The acquisition costs, including the appraised valued and closing costs, shall not exceed \$25,000, and shall be paid from the funds appropriated to the Home Ownership Pilot Program for Vacant Houses in Ordinance No. 2016-336.

Address	S.B.L.#	Lot Size
5 Harlow Pk	121.61-2-69	27 x 74
31 Pollard Av	047.69-2-52	66 x 165
132 Seventh St	106.52-2-45	40 x 120

Section 2. The Council hereby authorizes the acceptance of the donation of two parcels of real estate from the Rochester Land Bank Corporation as follows:

Address	S.B.L.#	Lot Size
396-398 Ames St	105.81-3-37	55 x 188
16 Beechwood St	107.69-1-61	40 x 62

Section 3. City taxes and other taxes or charges levied against said parcels after the date of closing shall be canceled. The properties shall be conveyed to the City with no other outstanding liens or encumbrances.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes - Councilmembers Clifford, Conklin, Haag, McFadden, Ortiz, Patterson, Spaull - 7.

Nays - None - 0.

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-64
Re: Agreement - Atlantic Property Management Inc., Property Management Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$146,000 as maximum compensation for an agreement with Atlantic Property Management Inc. to provide property management services for City-owned real estate acquired through City and County tax foreclosure sales. The term of the agreement will be for two years, with the option

for a one-year renewal, and will be funded by the 2016-17 (\$15,000), 2017-18 (\$50,000), 2018-19 (\$50,000) and 2019-20 (\$31,000) Budgets of the Department of Neighborhood and Business Development for a total of \$146,000, contingent upon the approval of future years' budgets and decision to renew the agreement.

Services will include responding to emergency/afterhours maintenance calls, performing emergency repairs, conducting periodic inspections of the occupied units and collecting rents.

A request for proposals was issued in May 2016 and yielded submissions from four property management firms. Atlantic Property Management Inc. is recommended based on the range of services provided, fee schedule and experience in dealing with city properties. A summary of the selection process is attached.

Respectfully submitted,
Lovely A. Warren
Mayor.

Attachment No. AQ-36

Ordinance No. 2017-64
(Int. No. 66)

Authorizing an agreement for property management 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 Atlantic Property Management Inc. to provide property management services for real estate that the City has acquired through City and County tax foreclosure sales.

Section 2. The term of the agreement shall be two years, with the option to extend for one additional term of up to 1 year. The maximum cost of the agreement shall be \$146,000 and shall be funded from the Budgets of the Department of Neighborhood and Business Development (NBD) as follows: no more than \$15,000 from the 2016-17 Budget of NBD, no more than \$50,000 from each of the 2017-18 and 2018-19 Budgets of NBD, and no more than \$31,000 from the 2019-20 Budget of NBD, contingent upon the adoption of the future budgets of NBD and upon the parties' election to extend the term for a third year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-65
Re: Zoning Map Amendment -
50, 54, 60, 64, and 68
Herald Street

Transmitted herewith for your approval is legislation amending the Zoning Map by rezoning the properties located at 50, 54, 60, 64, and 68 Herald Street from R-1 Low Density Residential District to M-1 Industrial District. The rezoning is being requested by the owner, Quality Vision International (QVI), so these properties can be combined with their main campus located at 850 Hudson Avenue for a possible expansion of their facilities.

The current legal uses for the properties are listed below:

- 50 Herald Street Vacant land; single family demolished in 2015
- 54 Herald Street Permit to demolish single family issued 2017
- 60 Herald Street Permit to demolish single family issued 2017
- 64 Herald Street Permit to demolish single family issued 2017
- 68 Herald Street Permit to demolish single family issued 2017

The City Planning Commission held an informational meeting on the proposed rezoning on Monday, February 6, 2017; meeting minutes are attached. The applicant spoke in support of the rezoning; no one spoke in opposition. By a vote of 6-0, the Planning Commission recommended Approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-37

Ordinance No. 2017-65
(Int. No. 68)

Amending the Zoning Map for 50, 54, 60, 64 and 68 Herald Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by modifying the Zoning Map incorporated in Section 120-5 to change from R-1 Low Density Residential to M-1 Industrial the zoning classification of the following properties:

<u>Address</u>	<u>SBL #</u>
50 Herald Street	091.81-3-50
54 Herald Street	091.81-3-49
60 Herald Street	091.81-3-48
64 Herald Street	091.81-3-47
68 Herald Street	091.81-3-46

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-66
Re: Agreement - Community
Design Center Rochester, Inc.,
Charlotte Community Charrette

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with the Community Design Center Rochester, Inc. (CDCR) for services related to a Charlotte community charrette process. The agreement will have a term of one year and be funded from the 2016-17 Budget of the Department of Neighborhood and Business Development.

CDCR was identified by the Charlotte community as an independent party to assist in their neighborhood charrette/visioning work. The entire project consists of a two-step process. The community charrette process is the first of these steps, for which the Charlotte community has requested City funding to partially cover CDCR's fee. The community charrette process has an estimated timeframe of seven months and generally includes: inventory/analysis of existing conditions; review of existing plan related documents; identification of key community stakeholders; multiple steering committee meetings; pre-charrette preparation; charrette event; and, post-charrette final report.

The second step includes the completion of a vision plan for the Charlotte community. CDCR would help create the vision plan based on the materials

and findings generated during the charrette process. The Charlotte community is currently seeking additional funds for this step.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-38

Ordinance No. 2017-66
(Int. No. 69)

Authorizing an agreement with the Community Design Center Rochester, Inc. for services related to a Charlotte community charrette process

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 not to exceed a maximum compensation of \$20,000 with Community Design Center Rochester, Inc. for services related to a Charlotte community charrette process. The agreement shall be funded from the 2016-17 Budget of the Department of Neighborhood and Business Development. The agreement shall have a term of one year.

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. 2017-67
Re: Targeted Housing Repair Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the City's Targeted Housing Repair Program. This legislation will:

1. Appropriate \$550,000 from the 2016-17 Community Development Block Grant, Targeted Housing Repair Program allocation of the Housing Development Fund for the City's use to operate the program; and
2. Establish \$18,000 as maximum compensation for an agreement with Environmental Testing & Consulting, Inc. The agreement will be funded from the appropriation made above and the term will be for one-year or as long as funding for the project remains.

The Targeted Housing Repair Program is designed to offer assistance to residential property owners that are located in and around neighborhoods where the City has made significant investments. The City attempts to offer the program each year through a round-robin approach to ensure that each quadrant of the City is represented. The last Targeted Housing Repair Program was approved by City Council in November 2016 for the EMMA neighborhood, located in the southeast quadrant. This year's program is proposed for the northwest quadrant.

The proposed Targeted Housing Repair Program will operate around the Holy Rosary Apartment project bounded by the following streets: Lake View Park (north), Glenwood Avenue (south), Lark /Linnet Streets (west) and Brooklyn/Pierpont Streets (east). This area has been selected to reinforce and support the \$15 million investment that has taken place at the Holy Rosary campus. The Holy Rosary affordable housing project was completed in July of 2013 and included the conversion of the Holy Rosary campus to 35 affordable rental units and the development of 25 single-family homes in and around the campus. This investment is in addition to the significant resources invested in the area through the Dewey/Driving Park Focused Investment Strategy.

Assistance will be provided to eligible owners of single-family or two-family owner-occupied properties to control lead-based paint hazards and other environmental health hazards, correct code violations, replace roofs, and perform other repairs as approved by the City. The remediation of health hazards will include, but not be limited to: mold and moisture remediation, pest control, attic insulation, duct cleaning, electrical repairs, correction of trip hazards, installation of carbon monoxide detectors and smoke alarms, furnace maintenance and replacement, new hot water tanks, and safety controls to prevent break-ins. The program is expected to serve 22 property owners at an average cost of \$24,000 per property.

Environmental Testing & Consulting, Inc. was selected for lead hazard evaluation services based upon a request for proposals completed in 2015 whereby Environmental Testing & Consulting, Inc., Rochester NeighborWorks and UNYSE were selected as vendors for the Lead Hazard Control Program. Thus far, Environmental Testing & Consulting, Inc. has performed the best. The cost for their services is \$675 for single-family and \$875 for two-family properties.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-39

Ordinance No. 2017-67
(Int. No. 70)

Authorizing appropriation and agreement for the Targeted Housing Repair Program

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

Section 1. The sum of \$550,000 from the Targeted Housing Repair Program allocation of the Housing Development Fund in the 2016-17 Community Development Block Grant is hereby appropriated to the Targeted Housing Repair Program to fund housing repair targeted toward the City's Northwest quadrant (Program).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Environmental Testing & Consulting, Inc. to provide lead hazard evaluation services for the Program. The maximum compensation for the agreement shall be \$18,000, which shall be funded from the appropriation authorized in Section 1 herein. The term of the agreement shall be for 1 year with the option to extend for up to one additional year if funds remain from the amount allocated herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 67
Re: Zoning Map Amendment -
618 Upper Falls Boulevard and
379 and 387 Hudson Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map by rezoning the properties located at 618 Upper Falls Boulevard from R-1 Low Density Residential District to C-2 Community Center District, and 379 and 387 Hudson Avenue from C-1 Neighborhood Center District to C-2 Community Center District. The owner of these properties, Muhammad Khan, is requesting the rezoning because he would like to combine the properties and possibly redevelop them as a convenience store with gas sales. (Gas sales are not permitted in the R-1 and C-1 Districts, and require Special Permits in C-2.)

The current legal uses for the properties are listed below.

618 Upper Falls Boulevard-Last Certificate of Occupancy -Auto and Truck Repair, vacant since 2009

379 Hudson Avenue -Vacant land- two family dwelling demolished in 1980

387 Hudson Avenue-Vacant land- two commercial buildings demolished in 1982

The City Planning Commission held an informational meeting on the proposed rezoning on Monday, February 6, 2017; meeting minutes are attached. The owner's representatives and two others spoke in support of the rezoning; no one spoke in

opposition. By a vote of 4-2, the Planning Commission recommended Approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-54

Introductory No. 67

AMENDING THE ZONING MAP FOR 618 UPPER FALLS BOULEVARD AND 379 AND 387 HUDSON AVENUE

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by modifying the Zoning Map incorporated in Section 120-5 to change from R-1 Low Density Residential to C-2 Community Center the zoning classification of the following property:

<u>Address</u>	<u>SBL #</u>
618 Upper Falls Boulevard	106.48-1-7.1

and the area extending from that parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by modifying the Zoning Map incorporated in Section 120-5 to change from C-1 Neighborhood Center to C-2 Community Center the zoning classifications of the following properties:

<u>Address</u>	<u>SBL #</u>
379 Hudson Avenue	106.48-1-11.1
387 Hudson Avenue	106.48-1-10.2

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 3. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
March 28, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 71 - Authorizing an agreement with CHA Consulting, Inc. for resident project representation services related to the 2017 Preventive Maintenance

Group 5 Project

Int. No. 73 - Authorizing an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

Int. No. 75 - Authorizing agreements for materials testing services

Int. No. 76 - Appropriating funds for the Driving Park Bridge Preventive Maintenance Project

Int. No. 80 - Bond Ordinance of the City of Rochester, New York amending Ordinance No. 2016-21 and authorizing the issuance of \$400,000 Bonds of said City to finance additional costs of the 2016 Broad Street Bridge Preventative Maintenance Project

Int. No. 81 - Amending Chapters 13A and 69 of the Municipal Code with regard to penalties for littering

Int. No. 82 - Authorizing funding to acquire real estate.

The Parks & Public Works Committee recommends for consideration the following entitled legislation

Int. No. 72 - Amending 2005-06, 2006-07, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17 Consolidated Community Development Plans and authorizing appropriations of Community Development Block Grant funds to infrastructure and playground improvements

The following entitled legislation is being held in Committee:

Int. No. 74 - Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Ridgeway Avenue Transportation Improvement Project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-68
Re: Agreement - CHA Consulting, Inc.,
Resident Project Representation
Services, 2017 Preventive
Maintenance Group 5 Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$398,000 as maximum compensation for an agreement with CHA Consulting, Inc. for resident project representation (RPR) services for the 2017 Preventive Maintenance Group 5 Project (Arnett Boulevard / Genesee Park Boulevard / Webster Avenue). The agreement will be funded with anticipated reimbursements from the Federal Highway Administration (FHWA) (Ord. No. 2017-33) (\$303,039), anticipated reimbursements from Marchiselli Aid (Ord. No. 2017-33) (\$47,820), 2013-14 Cash Capital (\$201) and Bonds (\$46,940) appropriated in February 2017 (Ord. No. 2017-34), and the term shall extend three months after the two-year guarantee inspection that follows project completion.

The 2017 Preventive Maintenance Group 5 Project was designed by engineering consultant, C & S Engineers, Inc., Rochester, New York, and is intended to address minor pavement distresses, drainage concerns, hazardous sidewalks, and upgrade accessible curb ramps to meet the newest Americans with Disabilities Act (ADA) requirements.

Prior Council actions related to this project include: Design services agreement in December 2014 (Ord. No. 2014-396), with an amendatory agreement in October 2015 for Marchiselli Aid (Ord. No. 2015-333) and in May 2016, an amendatory agreement for right of way professional services, acquisition authorization and official map amendment (OMA) (Ord. No. 2016-157); geometric changes in November 2016 (Ord. No. 2016-370); anticipated FHWA and Marchiselli Aid reimbursements in February 2017 (Ord. 2017-33) and bond authorization in February 2017 (Ord. 2017-34).

The project includes milling and resurfacing three arterial streets; installation of bump-outs for traffic calming and pedestrian safety at three intersections along Arnett Boulevard; adjustments to catch basin frames and grates, water valves and sewer castings; spot street base and sidewalk repair; installation of truncated domes at sidewalk ramps; installation of new pavement markings; replacement of traffic loops; and topsoil and seed of lawn areas disturbed by construction.

CHA Consulting, Inc. was selected for RPR services through a request for proposal process, which is described in the attached summary.

Construction is anticipated to commence in the spring of 2017 and be complete by fall of 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-40

Ordinance No. 2017-68
(Int. No. 71)

Authorizing an agreement with CHA Consulting, Inc. for resident project representation services related to the 2017 Preventive Maintenance Group 5 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 not to exceed a maximum compensation of \$398,000 with CHA Consulting, Inc. for resident project representation services related to the 2017 Preventive Maintenance Group 5 project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue. The agreement shall be funded with \$303,039 from Federal Aid and \$47,820 from Marchiselli Aid, which were appropriated in Ordinance No. 2017-33, and with \$201 from 2013-14 Cash Capital and \$46,940 from Bonds, which were appropriated in Ordinance No. 2017-34. The term of the agreement shall extend until 3 months after the two-year guarantee inspection that follows project completion.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to amend Int. No. 72.

Councilmember Spauld seconded the motion.

Motion adopted unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-69
Re: Consolidated Community
Development Plan Amendments
and Appropriation- Community
Development Block Grant Funds
for Infrastructure and
Playground Improvements

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to Consolidated Community Development Plan (Con Plan) amendments. This legislation will:

1. Amend the 2005-06, 2006-07, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 and 2016-17 Con Plan, Annual Action Plan to transfer and re-allocate \$1,345,535.89 of Community Development Block Grant (CDBG) funds from the above mentioned years' Con Plan funds, according to chart below, to the Infrastructure Improvements allocation of the General Community Needs fund.

Fund	Year	Amount	Prior Program
Promote Economic Stability	2005-06	\$63,769.54	Targeted Facade
Improve the Housing Stock and General Property Conditions	2006-07	\$344.74	NBD Program Delivery (Staff)
General Community Needs	2008-09	\$761.08	Family Roundtable
Promote Economic Stability	2008-09	\$8,735.14	Neighborhood Community Assistance Program
Neighborhood and Asset Based Planning Fund	2008-09	\$26,393.00	Neighborhood Asset Based Plan
General Community Needs	2009-10	\$9,922.96	Job Creation/Youth Develop
Neighborhood and Asset Based Planning Fund	2009-10	\$2,883.21	Neighborhood Asset Based Plan
Promote Economic Stability	2010-11	\$4,000.00	Economic Development Financial Assistance Loan & Grant
Housing Development Fund	2010-11	\$1,154.84	Housing Development Fund
Promote Economic Stability	2010-11	\$207.74	Neighborhood Community Assistance Program
Promote Economic Stability	2011-12	\$61,797.62	Neighborhood Community Assistance Program
General Community Needs	2012-13	\$0.21	Employment Opportunity Job Training Support
General Community Needs	2012-13	\$255.36	Fire Dept Small Equipment
Promote Economic Stability	2012-13	\$15,000.00	NBD Project Assistance Fund
Promote Economic Stability	2012-13	\$46,972.47	Neighborhood Community Assistance Program
Neighborhood and Asset Based Planning Fund	2013-14	\$150.00	Community Plan & Leadership
General Community Needs	2013-14	\$37,275.49	Employment Opportunity Job Training Support
Promote Economic Stability	2013-14	\$116,413.88	Neighborhood Community Assistance Program
General Community Needs	2013-14	\$30,000.00	SW Youth
Housing Development Fund	2013-14	\$0.46	Tenant Services
Neighborhood and Asset Based Planning Fund	2014-15	\$55,540.00	Community Plan & Leadership
Housing Development Fund	2014-15	\$155.27	Demolition
Promote Economic Stability	2014-15	\$135,255.40	Economic Development Financial Assistance Loan & Grant
General Community Needs	2014-15	\$35,833.67	Employment Opportunity Job Training Support
Improve the Housing Stock and General Property Conditions	2014-15	\$750.54	Foreclosure Prevention
General Community Needs	2014-15	\$66,672.74	Job Creation/Youth Development
Promote Economic Stability	2014-15	\$124,641.16	Neighborhood Community Assistance Program
General Community Needs	2015-16	\$42,068.04	Job Creation/Youth Development
Promote Economic Stability	2015-16	\$242,537.45	Neighborhood Community Assistance Program
Neighborhood and Asset Based Planning Fund	2015-16	\$15,403.27	Planning Staff
General Community Needs	2015-16	\$640.61	Youth Leader & Civic Engagement
Promote Economic Stability	2016-17	\$200,000.00	Manufacturing Job Training Incentive

- 2 Appropriate \$2,525,451.98 of CDBG funds from the Infrastructure Improvements allocation of the General Community Needs fund of the following years' Con Plans: 2005-06, 2006-07, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 and 2016-17.

Fund	Program Year	Amount	Allocation
General Community Needs	2005-06	\$63,769.54	Infrastructure Improvements
General Community Needs	2006-07	\$344.74	Infrastructure Improvements
General Community Needs	2008-09	\$35,889.22	Infrastructure Improvements
General Community Needs	2009-10	\$12,806.17	Infrastructure Improvements
General Community Needs	2010-11	\$5,362.58	Infrastructure Improvements
General Community Needs	2011-12	\$62,502.07	Infrastructure Improvements
General Community Needs	2012-13	\$62,228.04	Infrastructure Improvements
General Community Needs	2013-14	\$214,336.47	Infrastructure Improvements
General Community Needs	2014-15	\$1,567,563.78	Infrastructure Improvements
General Community Needs	2015-16	\$300,649.37	Infrastructure Improvements
General Community Needs	2016-17	\$200,000.00	Infrastructure Improvements

The appropriation will fund infrastructure and playground improvements at various locations including, but not limited, to the Berlin Street Group Street Rehabilitation Project (Berlin/ Bradford/Jacobs Streets), the Alpha Street Group Rehabilitation Project (Alpha/ Braddock/ Meridian/ Wilder Streets), and a concession stand and playground at Genesee Valley Park. Construction of the improvements will begin in summer 2017 with planned completion in summer 2018.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-69
(Int. No. 72, as amended)

Amending 2005-06, 2006-07, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17 Consolidated Community Development Plans and authorizing appropriations of Community Development Block Grant funds to infrastructure and playground improvements

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

Section 1. The Council hereby approves amending the Consolidated Community Development Plan - Annual Action Plans (Con Plan) for each of the following program years to transfer and re-allocate \$1,345,535.89 of Community Development Block Grant (CDBG) funds to the Infrastructure Improvements allocation of the General Community Needs fund for each respective year as follows

Year	Prior Fund	Prior Allocation	Amount
2005-06	Promote Economic Stability	Targeted Facade	\$63,769.54
2006-07	Improve the Housing Stock & General Property Conditions	NBD Prog Delivery (Staff)	\$344.74
2008-09	General Community Needs	Family Roundtable	\$761.08

2008-09	Promote Economic Stability	Neigh Comm Assist Prog	\$8,735.14
2008-09	Neighborhood and Asset Based Planning Fund	Neigh Asset Based Plan	\$26,393.00
2009-10	General Community Needs	Job Creation/Youth Develop	\$9,922.96
2009-10	Neighborhood and Asset Based Planning Fund	Neigh Asset Based Plan	\$2,883.21
2010-11	Promote Economic Stability	Ed Fin Asst Loan & Grant	\$4,000.00
2010-11	Housing Development Fund	Hous'g Development Fund	\$1,154.84
2010-11	Promote Economic Stability	Neigh Comm Assist Prog	\$207.74
2011-12	Promote Economic Stability	Neigh Comm Assist Prog	\$61,797.62
2012-13	General Community Needs	Employ Oppor Job Train Sup	\$0.21
2012-13	General Community Needs	Fire Dept Small Equipment	\$255.36
2012-13	Promote Economic Stability	NBD Project Asst Fund	\$15,000.00
2012-13	Promote Economic Stability	Neigh Comm Assist Prog	\$46,972.47
2013-14	Neighborhood and Asset	Comm Plan and Leadership Based Planning Fund	\$150.00
2013-14	General Community Needs	Employ Oppor Job Train Sup	\$37,275.49
2013-14	Promote Economic Stability	Neigh Comm Assist Prog	\$116,413.88
2013-14	General Community Needs	SW Youth	\$30,000.00
2013-14	Housing Development Fund	Tenant Service	\$0.46
2014-15	Neighborhood and Asset	Comm Plan and Leadership Based Planning Fund	\$55,540.00
2014-15	Housing Development Fund	Demolition	\$155.27
2014-15	Promote Economic Stability	Ed Fin Asst Loan & Grant	\$135,255.40
2014-15	General Community Needs	Employ Oppor Job Train Sup	\$35,833.67
2014-15	Improve the Housing Stock & General Property Conditions	Foreclosure Prevention	\$750.54
2014-15	General Community Needs	Job Creation/Youth Develop	\$66,672.74
2014-15	Promote Economic Stability	Neigh Comm Assist Prog	\$124,641.16
2015-16	General Community Needs	Job Creation/Youth Develop	\$42,068.04
2015-16	Promote Economic Stability	Neigh Comm Assist Prog	\$242,537.45
2015-16	Neighborhood and Asset Based Planning Fund	Planning Staff	\$15,403.27
2015-16	General Community Needs	Youth Leader & Civic Engagement	\$640.61
2016-17	Promote Economic Stability	Manufact Job Train Incent	\$200,000.00

Section 2. The Council hereby appropriates \$2,525,451.98 of CDBG funds from the Infrastructure Improvements allocation of the General Community Needs Fund of the Con Plans for various program years, as amended

under Section 1 above, to infrastructure and playground improvements infrastructure and playground improvements at various locations including but not limited to the Berlin Street Group Street Rehabilitation Project, the ~~Alpha Street Group Rehabilitation Project~~, and a concession stand and playground at Genesee Valley Park, as follows:

Year	Fund	Allocation	Amount
2005-06	General Community Needs	Infrastructure Improvements	\$63,769.54
2006-07	General Community Needs	Infrastructure Improvements	\$344.74
2008-09	General Community Needs	Infrastructure Improvements	\$35,889.22
2009-10	General Community Needs	Infrastructure Improvements	\$12,806.17
2010-11	General Community Needs	Infrastructure Improvements	\$5,362.58
2011-12	General Community Needs	Infrastructure Improvements	\$62,502.07
2012-13	General Community Needs	Infrastructure Improvements	\$62,228.04
2013-14	General Community Needs	Infrastructure Improvements	\$214,336.47
2014-15	General Community Needs	Infrastructure Improvements	\$1,567,563.78
2015-16	General Community Needs	Infrastructure Improvements	\$300,649.37
2016-17	General Community Needs	Infrastructure Improvements	\$200,000.00

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. 2017-70
Re: Amendatory Agreement -
Bergmann Associates, Dewey
Avenue / Driving Park Avenue
Intersection Realignment Project

Council Priority: Rebuilding and
Strengthening Neighborhood and Housing

Transmitted herewith for your approval is legislation establishing \$42,000 as maximum compensation for an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann Associates), Rochester, New York, for additional water main and areaway design, and right of way acquisition for the Dewey Avenue / Driving Park Avenue Intersection Realignment Project. The original agreement with Bergmann for \$433,600 was authorized in March 2014 (Ord. No. 2014-16). An amendatory agreement for \$90,000 was authorized on April 21, 2016 (Ord. No. 2016-112). The proposed amendment will increase maximum compensation by \$42,000 for a total of \$565,600. The cost of the agreement will be funded from 2014-15 Cash Capital (\$42,000) and the term may extend until six months after completion and acceptance of the construction of the project.

The realignment of the intersection of Dewey Ave-

nue and Driving Park Avenue is a locally administered federal aid project that will improve safety, mobility for all users, and meet the community's goals. Bergmann Associates will provide additional coordination and design involving the replacement of a water main along Driving Park Avenue, design of an areaway abandonment located at 343 Driving Park Avenue, additional right of way coordination and updates to current cost estimates.

It is anticipated that construction will begin in the summer of 2017, with completion scheduled by the end of 2018, pending receipt of funding for the construction phase design, construction, and resident project representative tasks/phases.

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-70
(Int. No. 73)

Authorizing an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for the Dewey Avenue/Driving Park Avenue Intersection Realignment 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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for additional water main and areaway design, and right of way acquisition for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project (Project). The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2014-16 and amended in Ordinance No. 2016-112 by \$42,000 to a new total of \$565,600. The increase in compensation shall be funded with 2014-15 Cash Capital. The term of the amendatory agreement may extend until 6 months after completion and acceptance of the construction of the Project.

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. 2017-71
Re: Agreements - Materials
Testing Services

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to the testing and analysis of various construction materials:

<u>Company</u>	<u>Address</u>
Apex Environmental Group LLC	Rochester, NY 14618
Asbestos & Environmental Consulting Corporation	Rochester, NY 14604
Atlantic Testing Laboratories, Limited	Henrietta, NY 14623
Barton & Loguidice, D.P.C.	Rochester, NY 14614
CME Associates, Inc.	Rochester, NY 14606
Fisher Associates, P.E., L.S., L.A., D.P.C.	Henrietta, NY 14623
LaBella Associates, D.P.C.	Rochester, NY 14614
Lozier Environmental Consulting, Inc.	Rochester, NY 14609
Nothnagle Drilling, Inc.	Wheatland, NY 14546
Paradigm Environmental Services, Inc.	Rochester, NY 14608
Professional Service Industries Engineering, PLLC	N. Tonawanda, NY 14120

SJB Services, Inc. Henrietta, NY 14467

Terracon Consultants - NY, Inc. Hilton, NY 14468

The agreements will have a term of two years and any adjustment to the specified unit prices during the second year will be subject to approval by the City Engineer. The cost of testing will be funded from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services, or from the capital funds appropriated for specific construction projects, contingent upon the approval of said budgets.

Testing services include: sampling and testing of soils, asbestos, asphalt, concrete, masonry, structural steel and road base materials and exploratory drilling. Such tests are routinely required by the Bureau of Architecture and Engineering for street, bridges, and building renovation projects.

The previous agreements for testing services were authorized by the City Council in March 2015 via Ordinance No. 2015-72. In anticipation of the expiration of these agreements, the Department of Environmental Services solicited proposals on the City's website; 13 firms responded. All responding firms were recommended. A vendor/consultant selection process summary is attached.

When tests are necessary, one or more of these companies will be utilized. The selection of a specific company will depend upon the type of test required, the company's special skills, and its ability to accommodate the City's schedule. The volume of tests will depend upon the number of construction projects that are authorized. The cost of the tests will be based on the unit prices specified in the company's proposal.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-41

Ordinance No. 2017-71
(Int. No. 75)

Authorizing agreements for materials testing services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for the testing of various construction materials as required by the City:

<u>Company</u>	<u>Address</u>
Asbestos & Environmental Consulting Corporation	Rochester, NY 14604
Apex Environmental Group LLC	Rochester, NY 14618

Atlantic Testing Laboratories, Limited Rochester, NY 14623

Barton & Loguidice, D.P.C. Rochester, NY 14614

CME Associates, Inc. Rochester, NY 14606

Fisher Associates, P.E., L.S., L.A., D.P.C. Henrietta, NY 14623

LaBella Associates, D.P.C. Rochester, NY 14614

Lozier Environmental Consulting, Inc. Rochester, NY 14609

Nothnagle Drilling, Inc. Wheatland, NY 14546

Paradigm Environmental Services, Inc. Rochester, NY 14608

Professional Service Industries Engineering, PLLC N. Tonawanda, NY 14120

SJB Services, Inc. Henrietta, NY 14467

Terracon Consultants - NY, Inc. Gates, NY 14624

Section 2. Each agreement shall have a term of two years. Each agreement shall provide for a test to be performed on an as needed basis and shall establish a unit price to be paid for a particular test. The unit price may be adjusted during the second year with the approval of the City Engineer. The cost of said agreements shall be funded from the annual budgets of the Department of Environmental Services and of the departments using the services, or from the capital funds appropriated for specific construction projects, contingent upon adoption thereof.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-72
Re: Appropriations- Driving Park Bridge Preventive Maintenance Project

Council Priority: Deficit Reduction and Long -Term Financial Stability

Transmitted herewith for your approval is legislation related to the Driving Park Bridge Preventive Maintenance Project. This legislation will:

- 1. Appropriate \$27,810 in anticipated reimburse-

ments from the Federal Highway Administration to partially finance the federal share of the construction, inspection services and administrative costs for the project; and,

- 2. Appropriate \$5,364 in anticipated reimbursements from the New York State Marchiselli Program to partially finance the State share of the construction, inspection services and administrative costs for the project.

Appropriations of State and federal funds reflect the difference between previous appropriations (Ord. Nos. 2015-43 and 2016-273) and what is currently approved and available in the latest New York State Transportation Improvement Plan. This legislation appropriates and maximizes the State and federal funds available for the Driving Park Bridge Preventive Maintenance Project.

It is anticipated that construction will begin in April 2017 with scheduled completion in late fall 2018. The project results in the creation and/or retention of the equivalent of 61 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-42

Ordinance No. 2017-72
(Int. No. 76)

Appropriating funds for the Driving Park Bridge Preventive Maintenance Project

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

Section 1. The sum of \$27,810 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the Driving Park Bridge Preventive Maintenance Project (Project). In addition, the Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of \$5,364 in anticipated reimbursements from the Marchiselli Aid Program, which amount also is hereby appropriated to fund Project construction and inspection.

Section 2. The agreement authorized herein 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. 2017-73
Re: Bond Authorization- Broad Street Bridge Preventative

Maintenance Project

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety; Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$400,000 and appropriating the proceeds thereof to partially finance construction of the Broad Street Bridge Preventative Maintenance Project.

On March 29, 2016, the City awarded a low bid public works contract to Crane Hogan Structural Systems, Inc. to undertake preventative maintenance repairs to the Broad Street Bridge. The contract amount was \$4,311,410.80, which was financed through a combination of federal (\$2,205,680), State (\$1,300,000) and local bond (\$805,730.80) funds. A notice to proceed was issued on April 25, 2016.

On August 5, 2016, a localized section of the north sidewalk and concrete parapet wall collapsed while Crane Hogan Structural Systems, Inc. was working on concrete removals in and around the area. They were removing deteriorated concrete and exposing reinforcement bars as detailed in plans prepared by TY Lin International, Inc.

During the collapse, no workers were injured and the area was immediately secured to protect the public. The collapse included three individually placed 22 foot long composite sections. The damaged sections were immediately removed. The cause of the collapse appears to be directly related to the severing of primary reinforcement bars holding the cantilevered section of sidewalk in-place and the corresponding removal of the top 4" of concrete that served to engage the primary reinforcement steel. A third party engineering consultant (LaBella Associates) was retained by the City of Rochester to provide an independent analysis of the collapse and to ascertain the probable failure mode.

Following the collapse, clean-up efforts uncovered several serious and unforeseen conditions. The general condition of the north side upper arch wall supporting the collapsed sidewalk/parapet section had deteriorated to the point that substantial disintegration of the harden cement paste was occurring. The wall was previously covered with the façade stones and hence not visually seen. Previous inspection reports rated these components as in good shape and functioning as intended, however after the collapse exposed the upper arch wall, it was found to be severely compromised, as evidenced by the lack of integrity and soundness of the harden cement paste. This situation required immediate attention and resources.

The total cost for overruns due to both the collapse, unforeseen conditions and field changes is estimated to be \$874,550. A significant amount of these expenditures are directly related to strengthening the structure and repairing unforeseen conditions.

Costs directly attributed to the collapse itself are estimated to be \$407,000, and include items related to: clean-up, stone arch repairs, structural concrete removals, structural steel support systems, cantilevered shoring, work platforms and concrete restoration of the collapsed section.

The remaining costs for repairs to unforeseen conditions and field changes are estimated to be \$378,000 and include, but are not limited to, items related to shoring, placement of struts, sidewalk removal, scupper repairs, drainage modifications, lighting alterations, concrete removal, arch repairs, reinforcement bar exposure and the placement of self-consolidating concrete.

To date, the combined costs associated with the collapse, arch wall deterioration and various field change items are summarized as follows:

Collapse and Restoration Costs	\$407,000
Arch/Wall Deterioration Repairs	217,550
Various Field Changes	250,000
Projected Costs Overruns:	<u>\$874,550</u>

Use of underruns within the project will be used to offset the previously noted damage and unforeseen conditions and help alleviate the budgetary burden. Underruns are expected to yield \$349,130 in savings. After maximizing previously authorized State and federal aid (\$125,420), the remaining unfunded share will be \$400,000, for which the City is seeking bond authorization.

The City of Rochester will be negotiating a settlement with the project design team (TY Lin International, Inc.) based on an errors and omission claim. Restitution from this negotiated claim will be used as revenue to partially offset repayment of the bond. The negotiated amount of this claim will not be known until the project is substantially complete and final costs are established. The project is scheduled to be completed in fall 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-43

Ordinance No. 2017-73
(Int. No. 80)

Bond Ordinance of the City of Rochester, New York amending Ordinance No. 2016-21 and authorizing the issuance of \$400,000 Bonds of said City to finance additional costs of the 2016 Broad Street Bridge Preventative Maintenance 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 additional repair costs incidental to the collapse of a portion of the northerly sidewalk and concrete parapet wall during structural rehabilitation of the Broad Street Bridge crossing the Genesee River as part of

the 2016 Broad Street Bridge Preventative Maintenance Project (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$874,550, and said amount is hereby appropriated therefor. The plan of financing includes issuance of \$400,000 bonds of the City authorized herein, application of \$349,130 in cost savings from the 2016 Broad Street Bridge Preventative Maintenance Project (Ordinance No. 2016-21), application of \$79,015 from the Federal Highway Authority and application of \$46,405 from the New York State PIT Bridge Initiative 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. Ordinance No. 2016-21 is hereby amended to apply \$349,130 of said appropriated sum to costs of the Project.

Section 2. Bonds of the City in the principal amount of \$400,000 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 \$400,000. 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. 10. 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-74
Re: Code Amendment - Municipal
Code Violations Bureau,
Penalties for Offenses

Council Priority: Creating and Sustaining
a Culture of Vibrancy; Public Safety;
Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation increasing fines for littering contained in the Municipal Code, Section 13A-11(A). The proposed increases are in line with the City’s “Keep Rochester Beautiful” initiative, which is affiliated with the national nonprofit Keep America Beautiful; Clean Sweep; and the City’s anti-litter campaign. Increasing the fine for littering will help deter this activity and emphasize the City’s commitment to beautifying the cityscape and protecting the environment.

The proposed increases to penalties for littering are as follows:

<u>Section 13A-11(A)</u>	<u>Initial Penalty</u>	<u>Penalty Upon Default</u>
First offense	from \$25 to \$100	from \$50 to \$150
Second offense	from \$35 to \$200	from \$70 to \$250
Third and Subsequent Offenses	from \$65 to \$400	from \$130 to \$500

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-74
(Int. No. 81)

Amending Chapters 13A and 69 of the Municipal Code with regard to penalties for littering

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

Section 1. Chapter 13A of the Municipal Code, Municipal Code Violations Bureau, as amended, is hereby further amended by amending Subsection A of Section 13A-11, Penalties for offenses, to read in its entirety as follows:

A. General and littering offenses.

1. General. Except as otherwise provided herein and in §§ 27-6 and 30-40 of the Municipal Code, the following penalties shall apply to violations referred to the Municipal Code Violations Bureau:

	<u>Initial Penalty</u>	<u>Penalty Upon Default</u>
First offense	\$25	\$50
Second offense	\$35	\$70
Third and subsequent offenses	\$65	\$130

2. Littering. The penalties for violations of §§ 20-16 (by individuals), 20-26, and 20-43B and C of Chapter 20, Refuse Code; §§ 69-3, 69-4, 69-5, 69-6, and 69-7 of Chapter 69, Littering and Smoking; § 79-4A, B, C, and D of Chapter 79, Parks that are referred to the Municipal Code Violations Bureau shall be as follows:

	<u>Initial Penalty</u>	<u>Penalty Upon Default</u>
First offense	\$100	\$150
Second offense	\$200	\$250
Third and subsequent offenses	\$400	\$500

provided, however, that the cost of cleanup and disposal shall be added to the penalties for individuals who violate § 20-16 and that the penalties for businesses violating § 20-16 shall be the same as those set forth in §13A-11F(1).

Section 2. Chapter 13A of the Municipal Code, Municipal Code Violations Bureau, as amended, is hereby

further amended by amending Subsections F(1) and (2) of Section 13A-11, Penalties for offenses, to read in their entirety as follows:

F. The fines and penalties for any violation of Chapter 20, the Refuse Code, shall be as follows:

(1) For violations of any provision of Chapter 20, Article II, the fines shall be the same as those set forth in § 13A-11A(2) and shall apply to offenses occurring by a person within any two-year period, except that the penalties for businesses that violate violations of § 20-16 of the Municipal Code shall be as follows:

(a) For individuals:

Offense	Fine
First offense	\$100, plus cost of cleanup and disposal
Second offense	\$200, plus cost of cleanup and disposal
Third and subsequent offenses	\$300, plus cost of cleanup and disposal

(b) For businesses:

Offense	Fine
First offense	\$1,000, plus cost of cleanup and disposal
Second offense	\$2,500, plus cost of cleanup and disposal
Third and subsequent offenses	\$5,000, plus cost of cleanup and disposal

(2) ~~Except for violations of §§ 20-43B and C, which shall be penalized in accordance with § 13A-11A(2), the fines for~~ For violations of any provisions of Chapter 20, Article III, the fines shall be the same as those set forth in § 13A-11B and shall apply to offenses occurring by a person within any five-year period.

Section 3. Chapter 69 of the Municipal Code, Littering and Smoking, as amended, is hereby further amended with regard to the definition of Litter contained in Section 69-2, to read as follows:

LITTER Garbage, refuse and rubbish as defined herein ~~and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare or tends to create blight which is thrown, deposited or discarded in or on a public place, park, or private premises or from a vehicle.~~

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-75
Re: Grant to Rochester Land Bank
Corporation for Purchase 935 and
951 East Main Street

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation authorizing a grant of up to \$195,347.92 to the Rochester Land Bank Corporation (RLBC) to enable its purchase of 935 and 951 East Main Street (the "Properties") from the current owner, 951 East Main St LLC. The purchase is part of a transaction that will effectuate a New York State (NYS)-funded environmental cleanup of the former Staub's Cleaners plant site and a privately funded re-development of the Properties to expand an existing business. The grant will be financed from 2016-17 Cash Capital.

The Properties comprise the former Staub's Cleaners facility, which operated as a dry cleaning plant from 1927 to 2005, and has been vacant since 2007. The Properties are in tax foreclosure with the City: total real estate taxes of \$195,347.92 were due as of March 1, 2017.

The site is a NYS Inactive Hazardous Waste Disposal (Superfund) Site with extensive soil and groundwater contamination that has been determined by the NYS Department of Environmental Conservation (NYSDEC) to pose a significant threat to public health and the environment. A multi-million dollar environmental cleanup of soil and groundwater contamination will be necessary.

The City intends to advertise the Properties for sale at a tax foreclosure auction to be conducted on March 30, 2017 with four weekly advertisements commencing March 8, 2017. If approved, the RLBC would acquire title at the tax foreclosure auction through a single member limited liability company formed by RLBC under Section 1607(21) of the Land Bank Act and convey the property to Circle Street Development LLC after the statutory waiting period of seven days.

The site has been a priority for City brownfields cleanup and redevelopment due to its prominent location on East Main Street between the Public Market and the Neighborhood of the Arts, and concerns about contamination from the historical operations on the site and State Superfund status. The approach the City is taking to the transfer and cleanup of the site is based on a model developed and implemented by an internal brownfields team and coordinated with the NYSDEC. The City's Department of Environmental Services, Department of Neighborhood and Business Development, Law Department and the NYSDEC have worked together on a way to achieve transfer of ownership, cleanup, and a viable reuse of this tax delinquent Superfund site.

The NYSDEC, in consultation with the New York State Department of Health (NYSDOH), established then formalized the cleanup plan in the site Record of Decision (ROD), which was issued on February 28, 2017. The ROD identifies the technical approach and estimated costs required to remediate contaminated soils in order to meet the remedial action objectives for the protection of public health and the environment.

Prior to, and as a condition of proceeding with the auction, the NYSDEC and Circle Street Development LLC (Circle Street) will have executed an order of consent defining short and long term responsibilities for the cleanup and operation of the site, including covenants not to sue. The purchaser's obligations under the consent order will be triggered upon acquisition of the property from the RLBC.

The RLBC has authorized the execution of a Land Disposition Agreement (LDA) between RLBC and Circle Street. The LDA specifically requires the purchaser to have entered into the consent order with the NYSDEC. The consent order requires that Circle Street abate the asbestos in the property and demolish, at its expense, all the structures down to the slab to allow the NYSDEC to have full access to perform the soil and groundwater cleanup required under the ROD. Circle Street will construct a temporary parking lot on site under the oversight and approval of the NYSDEC. Circle Street will be able to use the lot for parking while the NYSDEC conducts design-phase investigations and cleanup activities. It is anticipated that the NYSDEC cleanup-related treatment and monitoring facilities will occupy a small portion of the site.

The public benefits to the City of Rochester for proceeding with this transaction include:

- An abandoned, vacant, tax delinquent site will be transferred to an established City business for expanded operations;
- Circle Street and the Pike Companies will be able to expand the existing corporate campus by acquiring 935 and 951 East Main Street, resulting in the relocation of 100 jobs from other company facilities outside of the City to this location;
- Circle Street and the Pike Companies will invest over \$5 million in renovations and improvements to their current facility and expect to create 50 new jobs over the next three years;
- NYS Superfund resources are projected to be in excess of \$2 million and will be used to remediate the site beginning in 2017, thereby eliminating public health and environmental threats to a City neighborhood. The NYSDEC is committing scarce cleanup funding and personnel resources to this site due to the RLBC's planned transfer of the properties to a viable new owner and the purchaser's commitment to perform supporting asbestos abatement and demolition. In the absence of this transfer, the site would likely sit vacant for an extended period of time;
- The City avoids the potentially high expenses often associated with abandoned commercial structures, including City-funded board-up, public safety responses and demolition costs; and
- Improved property maintenance and security would begin immediately upon transfer of the property.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law, and Chapter 48 of the City Code, a SEQR environmental review of the proposed actions has been completed and a negative declaration determination issued.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-75
(Int. No. 82)

Authorizing funding to acquire real estate

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

Section 1. The Council hereby appropriates \$195,347.92, or so much thereof as may be necessary, from 2016-17 Cash Capital to fund the Rochester Land Bank Corporation's (RLBC) acquisition of the following properties (the Properties) at a tax foreclosure sale in order to effectuate the State-funded environmental cleanup and commercial redevelopment of the former Staub Textile Services dry cleaning facility.

Property Address	SBL #	Area
951 E. Main Street	106.75-1-17	± 1.1 acres
935 E. Main Street	106.75-1-39	± 0.13 acres

Section 2. The funding shall be made contingent upon RLBC's commitment to convey the Properties to Circle Street Development LLC (the Developer), the Developer's entry into a consent order with the New York State Department of Environmental Conservation (NYSDEC) wherein the Developer will abate asbestos and demolish all structures on the Properties at its expense in order to give NYSDEC full access to perform NYSDEC's approved soil and groundwater cleanup, and such additional conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Conklin, Haag, McFadden, Ortiz, Patterson, Spaul - 7.

Nays - None - 0.

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 74
Re: Amendatory Agreement -
Stantec Consulting Services Inc.,
Ridgeway Avenue Transportation
Improvement Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$360,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services Inc., Rochester, New York, for additional construction phase design and resident project representation (RPR) services required for the Ridgeway Avenue Transportation Improvement Project. The original agreement was for \$998,000, as authorized on May 21, 2015 (Ord. No. 2015-129),

which combined with the proposed amendatory agreement brings total maximum compensation to \$1,358,000. The term of the agreement is extended until June 2017, and the cost will be financed as follows:

FHWA (Ord. No. 2015-129)	\$285,601.73
Marchiselli Aid (Ord. No. 2015-129)	53,527.59
Debt (Ord. No. 2015-130)	<u>20,870.68</u>
Total	\$360,000.00

The project will make improvements to Ridgeway Avenue from Ramona Street to Minder Street, and consist of installing new granite curb, new concrete sidewalks and new driveway aprons. Topsoil and seeding will be placed to restore areas impacted by construction. Drainage improvements include new catch basins and lateral connections. Street lighting improvements include new foundations, conduit, pullboxes, poles, luminaires and wiring. Traffic signal improvements at two locations will include new signal poles, controllers, conduit, pullboxes and traffic signal heads; pedestrian signals, loop wires and fiber optic inner-connect cable. A new 12" PVC water main will be installed from east of the CSX Railroad Crossing to Minder Street. New water mains will be installed within the limits of the work area on most of the side streets. Existing services and hydrants will be replaced throughout the project limits. A 16" ductile iron water main will also be replaced at the intersection of Ridgeway and Dewey Avenues.

Stantec Consulting Services will provide additional construction phase design and RPR services due to a project time extension, longer inspection duration, unforeseen conditions, additional overtime and design support.

Construction will begin in April 2017, with completion scheduled for June 2017. The project will result in the creation and/or retention of the equivalent of 3.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 74

AUTHORIZING AN AMENDATORY AGREEMENT WITH STANTEC CONSULTING SERVICES INC. FOR THE RIDGEWAY AVENUE TRANSPORTATION IMPROVEMENT 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. for additional construction phase design and resident project representation services required for the Ridgeway Avenue Transportation Improvement Project. The amendatory agreement shall increase the maximum compensation for the agreement originally authorized in Ordinance No. 2015-129 by \$360,000 to

a new total of \$1,358,000. The increase in compensation shall be funded by \$285,601.73 in Federal Highway Administration appropriations (Ordinance No. 2015-129), \$53,527.59 in Marchiselli Aid (Ordinance No. 2015-129), and \$20,870.68 in bonds (Ordinance No. 2015-130). The term of the amendatory agreement may extend until June 2017.

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.

Held in Committee

By Councilmember McFadden
March 28, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 77 - Authorizing an agreement for a Police Protective Equipment Grant

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott

PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-76
Re: Agreement - New York State
Division of Criminal Justice
Services, Police Protective
Equipment Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$282,180 from a Police Protective Equipment Grant.

This funding will allow the Rochester Police Department to purchase ballistic helmets and advanced ballistic vests, which are worn over the currently issued uniform and vest, to provide additional protection to our police officers in the event of an active shooter event. This grant is part of a statewide effort to enhance protective equipment for our officers when responding to critical incidents that are at an elevated risk level. Ten other police departments in Monroe County have also received this grant as part of this effort.

The term of this grant is January 1, 2017 through December 31, 2017. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-76
(Int. No. 77)

Authorizing an agreement for a Police Protective Equipment Grant

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funds in the amount of \$282,180 from a Police Protective Equipment Grant to purchase ballistic helmets and advanced ballistic vests. The term of the agreement shall be January 1, 2017 through December 31, 2017.

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.

The meeting was adjourned at 7:56 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
APRIL 25, 2017

Present - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Absent - Councilmember Conklin - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony
Retirement:
Emergency Communications
Tina Marie Carson
Vicki VanHalle

APPROVAL OF THE MINUTES
By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of March 28, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges April 2017 - 4256-17
 - Quarterly Report - Delinquent Receivables - 4257-17

The Council submits Disclosure of Interest Forms from President Scott on Int. No. 99, Vice President Miller on Int. No. 97 and Int. No. 99, and Councilmember Haag on Int. No. 123 and Int. No. 124.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Comment cards in regards to the proposed demolition project of sixty lower income senior apartments being replaced with mixed market rate and affordable apartments. 4258-17

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-7
Re: Resolution - Authorizing an Investigation of a Citizen Complaint

Council Priority: Public Safety

Transmitted herewith for Council approval is a resolution authorizing an investigation of a citizen complaint involving the Rochester Police Department.

The City Charter grants City Council the authority to investigate all City departments including the right to review records and papers and additionally authorizes the Council President to issue a subpoena for that purpose. After extensive community dialogue regarding the Civilian Review Process and the incident involving Rickey Bryant on August 8, 2016, the City Council is electing to engage in an independent investigation.

This investigation will be done in compliance with New York State laws requiring the confidentiality of personnel records for police officers. This means that the information and material collected will be reviewed only by Councilmembers as per the authority granted to them in the City Charter.

Respectfully submitted,
Loretta C. Scott
President
At-Large Councilmember

Adam C. McFadden
Chair, Public Safety, Youth & Recreation
Committee
South District Representative

Resolution No. 2017-7
(Int. No. 142)

Resolution authorizing an investigation of a citizen complaint involving the Rochester Police Department

WHEREAS, Rickey L. Bryant, Jr. has filed a complaint with the Rochester Police Department (RPD) and a lawsuit in Federal District Court alleging that RPD officers subjected him to an illegal search and seizure and excessive force in violation of his constitutional rights during an incident that occurred at or near 100 Remington Street on August 8, 2016 (the Incident);

WHEREAS, after the RPD's Professional Standards Section completed an investigation of the Incident, and after review of Mr. Bryant's allegations by the Civilian Review Board and by the RPD, the Chief of Police has notified Mr. Bryant that the RPD has sustained some of the allegations as entailing police misconduct or misjudgment, has found others to have been proven not to occurred, and has found that others are unfounded or unprovable due to insufficient evidence;

WHEREAS, the investigations and reviews conducted to date raise issues regarding the Incident that bear on important issues of civil rights and public safety; and

WHEREAS, Section 5-21(G) of the City Charter grants this Council the power to investigate all City departments, bureaus and officers, including the right to review their records and papers and to compel the attendance of witnesses with their books, papers or other evidence at Council meetings, and authorizes the Council President to issue subpoenas for that purpose.

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

1. Pursuant to Section 5-21(G) of the City Charter, the City Council hereby authorizes an investigation and review of the August 8, 2016 Incident and the Rochester Police Department's process for investigation and review of the complaint filed on behalf of Rickey L. Bryant, Jr. The Council President may issue such subpoenas to the Rochester Police Department, its bureaus, sections and officers, for records, papers and other evidence and for the attendance of a witness or witnesses as are appropriate for investigating the Incident. The investigation and review of records shall be conducted in compliance with applicable law including New York State laws regarding confidentiality of personnel records of police officers.
2. The authorization for the investigation herein

shall expire six months after the approval of this Resolution unless the authority is extended or modified by a subsequent resolution of Council.

3. This resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember McFadden
April 25, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 84 - Authorizing the bulk sale of delinquent tax liens

Int. No. 85 - Resolution approving reappointments to the Board of Trustees of the Rochester Public Library

Int. No. 89 - Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts

Int. No. 90 - Authorizing an agreement for the 2017 Rochester Twilight Criterion

Int. No. 91 - Authorizing an agreement for fire-works displays

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-77
Re: Agreement - American Tax Funding, LLC, Bulk Sale of Delinquent Tax Liens

Council Priority: Deficit Reduction and Long-Term Financial Stability; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the sale of 2015-16 and prior year delinquent tax liens, in bulk to American Tax Funding, LLC (ATF). Local Law No. 8 of 2008 amended the City Charter to allow the City to conduct bulk sales of delinquent tax liens. Council Ordinance No. 2008-379 authorized three lien sales with the option for two subsequent sales. The table below summarizes the results of the sales relating to the original contract term:

Int. No. 92 - Authorizing an agreement with Children's Institute, Inc. for GROW Rochester

Int. No. 143 - Authorizing an agreement with Blue Hill Data Services for support of the City's mainframe computer

Int. No. 140 - Authorizing an amendatory professional services agreement with David Hochstein Memorial Music School, Inc.

The following entitled legislation is being held in Committee:

Int. No. 86 - Authorizing an agreement for the 2017 Corn Hill Arts Festival

Int. No. 87 - Authorizing an agreement for the 2017 Park Ave Summer Art Fest

Int. No. 88 - Authorizing an agreement for the 2017 Puerto Rican Festival

Int. No. 141 - Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc

Respectfully submitted,
Molly Clifford
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, Filed and Published

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
Feb 2009	5,675	3,327	\$13,976,777	\$6,036,829	43.19
Sept 2009	5,444	4,864	\$11,443,795	\$4,981,986	43.53
Dec 2010	5,249	4,780	\$10,999,275	\$5,342,778	48.57
Feb 2012	4,580	4,274	\$10,336,100	\$4,578,407	44.30

Feb 2013	4,616	4,405	\$9,966,089	\$4,524,150	45.40
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Ordinance No. 2013-398 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2014	2,033	1,977	\$4,396,376	\$2,531,023	57.57

Ordinance No. 2015-3 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2015	2,041	1,837	\$3,659,724	\$2,172,334	59.36

Ordinance No. 2016-62 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
May 2016	1,372	1,272	\$2,682,810	\$1,863,732	69.47

The City classifies liens into one of three categories, as follows:

- New Liens - Liens on properties for which ATF has not previously purchased any liens.
- Unsettled Liens - Liens on properties for which ATF had previously purchased liens that are unpaid.
- Settled Liens - New liens on properties for which any previous liens sold to ATF have been paid.

Under the previous agreements, ATF was granted a right of first refusal through the 2017 delinquent tax year, on New and Unsettled Liens; ATF does not have a right of first refusal on Settled Liens.

In 2013, ATF began assigning some of its liens purchased from the City to Cheswold LLC. On January 26, 2016, Cheswold was purchased by Alterna Tax Asset Group. Cheswold is now a wholly owned subsidiary of Alterna. The liens owned by Cheswold will be serviced by MTAG Servicer, LLC, and those liens retained by ATF will be serviced by ATF. Further, ATF has recently finalized the assignment of additional liens to Ebury Street Capital LLC., located in Rye, New York.

In order to increase delinquent tax collection revenue; enhance re-development efforts; reduce the presence of blighted property; and, offer flexibility to homeowners, the City is proposing to remove certain properties from the lien sale based on community input and review by the Department of Neighborhood and Business Development. The City will sell high value liens and liens on owner-occupied property to ATF. Properties removed are subject to foreclosure and collection efforts, with potential future ownership by the Rochester Land Bank Corporation.

For this year, based on a bulk lien sale list having an aggregate lien amount of \$4,856,449, ATF has proposed to purchase a pool of high value Unsettled Liens having a value of \$2,109,893 at a price of \$1,326,734, representing 62.88% of the original lien amount. ATF has also proposed to purchase a pool of high value New Liens having a value of \$2,309,417, at a price of \$1,937,821 representing 83.91% of the original lien amount. Lastly, ATF has proposed to purchase a pool of high value Settled Liens having a value of \$437,138 at a price of \$307,060, representing 70.24% of the original lien amount.

In the aggregate, ATF is offering \$3,571,615 or 73.54% of the original lien amount of \$4,856,449 for these three lien categories.

The City would retain approximately \$3.2 million of low valued liens that ATF doesn't want to purchase. The City would also retain liens on approximately 1,300 properties requested by the City's Department of Neighborhood and Business Development. Both categories of retained liens will be included in the City's 2017 foreclosure auction. The foreclosure action is scheduled to commence in spring 2017 and culminate with a fall 2017 foreclosure auction.

As required by Ordinance No. 2008-379, the Administration will file a list of the properties with liens to be sold to ATF, the properties with liens removed from the sale, and a map showing both categories.

This legislation approves the sale of this year's delinquent tax liens to ATF based upon this initial estimated dollar value and percentage amounts. The final sale dollar amount and percentage will reflect changes to the delinquent tax liens finally sold.

This agreement will have a term of one year. Subsequent tax lien sales are subject to City Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-45

Ordinance No. 2017-77
(Int. No. 84)

Authorizing the bulk sale of delinquent tax liens

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 American Tax Funding, LLC (ATF) for the bulk sale of delinquent tax liens. The Council hereby approves the bulk sale of 2015-2016 and prior years' tax liens.

Section 2. The agreement shall have a term of one year, and shall obligate ATF to pay to the City an amount based upon the ATF offer of \$1,326,734, for high value unsettled liens, \$1,937,821 for high value new liens, and \$307,060 for high value settled liens.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Spaul - 7.

Nays - Councilmember Patterson - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-8
Re: Reappointments - Rochester Public Library Board of Trustees

Transmitted herewith for your approval is legislation confirming the following reappointments to the Rochester Public Library (RPL) Board of Trustees:

Judith I. Hall
49 Menlo Place
Rochester, New York 14620

George T. Wolf
28 Potter Place
Fairport, New York 14450

The RPL Board voted unanimously to recommend that Ms. Hall and Mr. Wolf be reappointed. Ms. Hall

has served two terms as the RPL Board's unanimously elected president and is the official voting representative on the Rochester Regional Library Council's Board. Mr. Wolf was unanimously nominated by the Monroe County Library System Board of Trustees to serve as its official voting representative to the RPL Board. He has also been elected by the RPL Board to serve as its representative on the Friends and Foundation of RPL's Board.

Both nominees have excellent attendance records and have taken on significant responsibilities in service to the RPL Board of Trustees. Their resumes are available for review in the City Clerk's Office and their attendance records are attached. Ms. Hall and Mr. Wolf will serve a five-year term which will expire on December 31, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-46

Resolution No. 2017-8
(Int. No. 85)

Resolution approving reappointments to the Board of Trustees of the Rochester Public Library

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

Section 1. The Council hereby approves the reappointment of Judith I. Hall to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2021.

Section 2. The Council hereby approves the reappointment of George T. Wolf to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2021.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-78
Re: Agreement - Rochester Philharmonic Orchestra, Music Performances

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an agreement with the Rochester Philharmonic Orchestra (RPO), Rochester, New York, for music performances. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

The RPO will provide seven free concerts. One full orchestra concert will take place on Main Street during the City's 2016 July 4 celebration. In addition, the RPO will present six concerts in the "Around the Town" concert series during the 2017 summer months. Two will take place in City R-Centers and four additional ensemble concerts will be scheduled outdoors; one in each quadrant of the city. All of these concerts will be free of charge.

A similar agreement for the same amount was authorized via Ordinance No. 2016-88 in April 2016.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-47

Ordinance No. 2017-78
(Int. No. 89)

Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts

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 in the maximum amount of \$70,000 with the Rochester Philharmonic Orchestra to provide public concerts. Said amount shall be funded by the 2017-18 Budget of the Bureau of Communications, contingent upon the adoption thereof. The agreement shall have a term of one year.

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. 2017-79
Re: Agreement - Full Moon Vista
Productions, Rochester Twilight
Criterium

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Full Moon Vista Productions (Principal: Scott Page), Rochester, New York, to support the 2017 Rochester Twilight Criterium and related competitive bicycling activities. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

The 2017 Twilight Criterium will take place in downtown Rochester on Saturday, August 19. This event has been approved by USA Cycling and is part of the U.S. National Criterium Calendar for 2017. The Rochester Twilight Criterium is one of only 16 events in the U.S. with competition at this level. Hundreds of athletes from all over the world will be in Rochester the week of the event with most staying in downtown hotels.

In addition to the cycling, and new this year, is the "Rochester Mile", a men's and women's amateur race and men's and women's elite race that will take place in between the pro bicycle races. All the athletes who register for the one-mile races are required to submit a qualifying time to be eligible to enter. Athletes will compete from all over the northeast and Canada.

Races are free and open to the public and will occur throughout the afternoon and night, with the men's professional race taking place under the street lights of downtown. Last year, organizers projected that more than 20,000 spectators attended the event.

Professional athletes from around the globe attend the event, including Olympians, world and national champions from Argentina, Australia, Canada, Germany, Italy, Ireland, France, New Zealand, Russia, Uruguay, England and the United States.

The Twilight Criterium is a unique event that aligns well with the City's dedication to become a world-class bicycling community.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-48

Ordinance No. 2017-79
(Int. No. 79)

Authorizing an agreement for the 2017 Rochester Twilight Criterium

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 in the maximum amount of \$30,000 with Full Moon Vista Productions, Inc. for the 2017 Rochester Twilight Criterium. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon the adoption thereof. The agreement shall have a term

of one year.

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. 2017-80
Re: Agreement - Young Explosives Corp.,
Fireworks Displays

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$52,000 as maximum compensation for an agreement with Young Explosives Corp., Brighton, New York, to provide fireworks displays. The term of the agreement is one year, and the cost will be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon adoption of said budget.

The firm will provide large aerial fireworks displays for multiple City events, like the City's July 4th celebration, the City's New Year's Eve celebration, and smaller fireworks displays at the season opening of Martin Luther King, Jr. Park ice skating rink and the Lakeside Winter Celebration at Ontario Beach Park.

Young Explosives will be responsible for obtaining the necessary permits from the Fire Department and for acquiring the necessary liability insurance. To be licensed in the United States, all fireworks manufacturers and dealers must meet state and federal regulations stating that no persons under the age of 18 are employed; Young Explosives does not employ any persons below the age of 18. The company also has assured us that their domestic purchases come solely from licensed vendors.

The most recent agreement for similar services was authorized in March 2016 (Ord. No. 2016-61).

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-49

Ordinance No. 2017-80
(Int. No. 91)

Authorizing an agreement for fireworks displays

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 in the maximum amount of \$52,000 with Young Explosives Corp. for fireworks displays. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon adoption of said budget. The term of the agreement shall be one year.

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. 2017-81
Re: Agreement - Children's Institute, Inc.,
GROW Rochester

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Children's Institute, Inc., Rochester, New York, for the administration of the GROW Rochester program. The cost of the agreement will be funded from the 2016-17 Budget of Undistributed Expenses, and term will be for one year with the option to renew for an additional year. The optional renewal would be funded from the 2017-18 Budget of Undistributed Expenses for an amount not to exceed \$50,000, contingent upon approval of the future budget.

GROW Rochester is a collaborative of various early childhood agencies created to conduct comprehensive health and developmental screenings of three-year old children in Rochester. The screenings will cover the following areas: vision, hearing, language, speech, social, emotional, dental and general health. The aim of this project is to develop a system whereby child-serving professionals conduct such screenings, provide referrals to the appropriate health system, and monitor and measure associated outcomes.

Participation in GROW Rochester is a key part of the Mayor's Early Childhood Education Initiative to ensure that all children are ready to learn as they enter Pre-K. Through this agreement, the City will contribute \$50,000 of the \$301,763 approximate total of the second-year budget of the GROW Rochester program. The remaining funds will be provided by the Greater Rochester Health Foundation, the United Way of Greater Rochester, and the Rochester Area Community Foundation.

The Children's Institute will have ultimate programmatic and fiscal responsibility for the day-to-day management of this project. They will provide training to the child-serving professionals (ABVI, Rochester Hearing and Speech, Head Start, Early Childhood Development Initiative, Child Care Council,

Perinatal Network, Eastman Dental, and the Mt. Hope Family Center) on how to conduct standardized screenings and to appropriately communicate screening results with parents. The Children’s Institute will track referrals and record the various screening outcomes; provide reminders, communicate results to parents and professionals involved; conduct a program evaluation; and, provide various reports to funders and decision-makers.

The Children’s Institute is a 501(c)(3) organization that has served communities for 55 years with the mission “to equip and support those who work with children to ensure the success of every child.” They have successfully managed numerous community-wide initiatives. The organization’s staff and faculty work with schools, early education and Head Start providers, other non-profit organizations, government agencies, policymakers, and providers across the country to improve the lives of children.

Authorizing an agreement with Children’s Institute, Inc. for GROW Rochester

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 not to exceed a maximum annual compensation of \$50,000 with Children’s Institute, Inc. for the administration of the GROW Rochester program. The term of said agreement shall be one year, with the option to renew for one additional year. The agreement shall be funded from the 2016-

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-82
Re: Agreement – Computer Technologies
U.S.A., LLC, d/b/a/ Blue Hill Data
Services, Mainframe Transition and
Support

Transmitted herewith for your approval is legislation establishing \$1,869,600 as total maximum compensation for a five and a half year agreement with Computer Technologies U.S.A., LLC, d/b/a/ Blue Hill Data Services, Pearl River, New York, for systems administration, disaster recovery, and mainframe hardware support while the mainframe computer located at the Public Safety Building is decommissioned.

Blue Hill Data Services will provide systems administration and disaster recovery for the mainframe for approximately four to five months prior to the transition of housing the mainframe at their site. Following the transition, the consultant will provide hosting, systems administration support, disaster recovery and operations support. The cost of the agreement is detailed below:

Through sound research and evaluation, the organization develops and promotes effective prevention and early intervention programs, materials, and best practices for children, families, schools and communities.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-50

Ordinance No. 2017-81
(Int. No. 92)

17 Budget for Undistributed Expenses. The funding for the optional renewal shall be funded from the 2017-18 Budget for Undistributed Expenses, contingent upon the approval of said future budget.

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

Funding	2016 / 17	2017 / 18	2018 / 19	2019 / 20	2020 / 21	2021 / 22	2022 / 23
Cash Capital	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0
Information Technology Department (ITD)	\$0	\$280,800	\$356,950	\$356,950	\$356,950	\$356,950	\$146,000
Total of \$1,869,600 →	\$15,000	\$280,800	\$356,950	\$356,950	\$356,950	\$356,950	\$146,000

Blue Hill Data Services will provide the following:

- Support for the City’s Mainframe located at the City’s Data Center for an interim period until the mainframe hardware is transferred to the new location.
- Implementation services for moving the City’s mainframe operating environment and programs
- Monitor and implement periodic upgrades of the City’s mainframe operating system software as required by IBM and other third party vendors.
- Routine, daily administration of the City’s mainframe, including hardware and software troubleshooting and base operational tasks.
- Back-up support for computer operations.

ITD staff will act as a liaison to Blue Hill Data Services to coordinate and monitor all tasks subject to this agreement. All programming and maintenance of applications will remain with City employees.

The vendor was selected through a request for proposals process described in the attached summary.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-51

Ordinance No. 2017-82
 (Int. No. 143)

Authorizing an agreement with Blue Hill Data Services for support of the City’s mainframe computer

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 not to exceed a maximum compensation of \$1,869,600 with Computer Technologies U.S.A. LLC, d/b/a/ Blue Hill Data Services to provide services that include systems administration and disaster recovery for the City’s mainframe computer. The agreement shall have a term of 5 years and six months. The agreement shall be funded from 2016-17 Cash Capital (\$15,000) and the fiscal year budgets of the Information Technology Department in the following amounts, contingent upon the approval of the budgets: 2017-18 (\$280,800), 2018-19 (\$356,950), 2019-20 (\$356,950), 2020-21 (\$356,950), 2021-22 (\$356,950), and 2022-23 (\$146,000).

Section 2. This 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. 2017-83
 Re: Amendatory Agreement - David
 Hochstein Memorial Music School, Inc.,
 ROCmusic

Council Priority: Creating and Sustaining a
 Culture of Vibrancy; Support the Creation of
 Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$11,700 as maximum compensation for an amendatory agreement with the David Hochstein Memorial Music School, Inc. to provide a full-time Program Director/Lead Teacher for the ROCmusic program. This amendatory agreement will increase total maximum compensation from \$25,000 to \$36,700 (Ord. No. 2016-319). The term of the amendatory agreement will remain the same (October 1, 2016 to June 30, 2017), and the cost will be funded from the STEAM Engine allocation of the General Community Needs Fund of the 2016-17 Community Development Block Grant (CDBG) which was appropriated in the original agreement for a different organization.

STEAM stands for science, technology, engineering, arts and math, and a portion of the CDBG STEAM Engine Project allocation is used to support the delivery of community-based music instruction through the ROCmusic program at the David F. Gantt R-Center and the Edgerton R-Center. ROCmusic is an after-school and summer music education program that offers tuition-free classical music instruction and instrument lessons to more than 100 Rochester youth in grades one through 12. The CDBG funding will partially fund the salary of the full-time Program Director/Lead Teacher.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-83
(Int. No. 140)

Authorizing an amendatory professional services agreement with David Hochstein Memorial Music School, Inc.

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 David Hochstein Memorial Music School, Inc. to provide a full-time Program Director/Lead Teacher for the ROCmusic program. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2016-319 by \$11,700 to a new total of \$36,700. Said amendatory amount shall be funded from the funds appropriated in Section 1 c. of Ordinance No. 2016-319. The term of the agreement shall be from October 1, 2016 to June 30, 2017.

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.

Councilmember McFadden moved to discharge Int. No. 141 from Committee.

The motion was seconded by Councilmember Haag.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul - 7.

Nays - None - 0.

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-9
Re: Reappointment - ABC Board

Transmitted herewith for your approval is legislation making the following appointment to the Action for a Better Community, Inc. Board of Directors:

Dana K. Miller
265 Melrose Street
Rochester, NY 14619

During his last term on the ABC Board of Directors, Vice President Miller had attended 18 out of 24 meetings (75%).

Vice President Miller's ABC Board term is through May 2020, and a copy of his resume is on file in the office of the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2017-9
(Int. No. 141)

Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc.

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

Section 1. The Council hereby approves the appointment of City Councilmember Dana K. Miller to the Board of Directors of Action for a Better Community, Inc. for a term which shall expire on May 31, 2020.

Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul.

Nays - 0.

Vice President Miller abstained because he is affected by the legislation.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 86
Re: Agreement - Corn Hill Arts Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with the Corn Hill Neighbors Association for the 2017 Corn Hill Arts Festival. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and will have a term of one year.

The Corn Hill Arts Festival began in 1969 by a small group of neighbors interested in creating a forum for the arts and hoping to raise funds for their rebuilding efforts in the old third ward. Their grass roots efforts evolved into the Corn Hill Neighbors Association, which supported the renaissance of this neighborhood. The Corn Hill Arts Festival has become one of Rochester's signature summer festivals.

Now in its 49th year, the annual festival continues to promote the creation of original art, encourages community cohesiveness and raises funds for the

Corn Hill Neighbors Association which in turn funds a wide variety of community initiatives like beautification projects, block parties, and a neighborhood newspaper.

The free weekend-long event welcomes up to 150,000 visitors from across western New York. It allows for space for 350 arts and crafts vendors, 30 food vendors, and four music stages. More than 200 neighbor volunteers spend hundreds of hours preparing for this annual event.

This year's festival will take place July 8 and 9, 2017.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 86

AUTHORIZING AN AGREEMENT FOR THE 2017 CORN HILL ARTS FESTIVAL

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$10,000 with the Corn Hill Neighbors Association, Inc. for the 2017 Corn Hill Arts Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon the approval thereof. The agreement shall have a term of one year.

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

Held in Committee

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 87
Re: Agreement - The Springut Group, Inc., Park Ave Summer Art Fest

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legisla-

tion establishing \$10,000 as maximum compensation for an agreement with The Springut Group, Inc., Rochester, New York, for the 2017 Park Ave Summer Art Fest. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

Started in 1977 as a neighborhood sidewalk arts and craft festival, the Park Ave Summer Art Fest has evolved into the neighborhood's signature summer event. The festival's purpose is two-fold: To host a quality juried arts and craft show, showcasing a variety of local and regional artists with products offered in a range of prices; and to introduce and reinforce the Park Avenue neighborhood as a great place to live, shop and play. The festival is hosted by PARC, an organization that is comprised of the local merchants association and the eight neighborhood associations between Alexander Street and Culver Road. For almost two decades, PARC has contracted with The Springut Group to produce the festival.

The festival showcases 350 artists and exhibitors, 40 food vendors, and three stages of live music featuring 150 performers. Admission to the Park Ave Summer Arts Fest is free. In addition, there is no charge for families to attend the Kids Zone presented by the festival at the Rochester Museum and Science Center. In 2016, an estimated 225,000 people attended the festival.

This year's festival will take place August 5 and 6, 2017.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 87

AUTHORIZING AN AGREEMENT FOR THE 2017 PARK AVE SUMMER ART FEST

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 in the maximum amount of \$10,000 with The Springut Group, Inc. for the 2017 Park Ave Summer Art Fest. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon the approval thereof. The agreement shall have a term of one year.

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

Held in Committee

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 88
Re: Agreement - The Puerto Rican Festival, Inc., Puerto Rican Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$35,000 as maximum compensation for an agreement with The Puerto Rican Festival, Inc., Rochester, New York, for the 2017 Puerto Rican Festival. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

This year's festival will be held July 28-30 at the Frontier Field VIP Parking Lot and usually draws more than 20,000 people of all cultures and ethnic backgrounds to the event. The City's sponsorship will support free admission for the first two hours on Friday and Saturday, as well as several free activities during the festival. It provides free children's activities, a boxing exhibition, free youth participation and performance showcase, and a free agency fair on Saturday.

The Puerto Rican Festival, Inc. sponsors a variety of events year-around, which serve to share and celebrate Puerto Rican culture. The largest event is the Puerto Rican Festival. Now in its 48th year, it is the longest running cultural festival in Monroe County.

The Puerto Rican Festival Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the State.

A similar agreement was authorized by Ordinance No. 2016-89 in April 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 88

AUTHORIZING AN AGREEMENT FOR THE 2017 PUERTO RICAN FESTIVAL

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$35,000 with Puerto Rican Festival, Inc. for the 2017 Puerto Rican Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent on adoption thereof. The term of the agreement shall be one year.

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

Held in Committee

By Vice President Miller
April 25, 2017

To the Council:

The Business & Economic Development Committee recommends for adoption the following entitled legislation:

Int. No. 93 - Local Improvement Ordinance - establishing cost of upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District

Int. No. 94 - Local Improvement Ordinance - establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

The following entitled legislation is being held in Committee:

Int. No. 95 - Authorizing the sale of the Midtown Parcel 2 and Pedestrian Corridor to further the Midtown Urban Renewal Plan

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Received, filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1721
Re: East Avenue/Alexander Street Entertainment District

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation reauthorizing the district and establishing the amount of \$20,800 for special assessments for the East Avenue/Alexander Street Entertainment District.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 to 5:00 am, from April through October, to address trash resulting from the increased activity in the District during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to

the patrons of the establishments (e.g., bars, restaurants and parking lots who profit from the patrons).

In 2017-18 the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and property owners in the district. The total annual charge estimate determined by the Department of Environmental Services.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

Code	Use	Annual Charge
1	Parking lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 10000 Sq Ft or more	\$855
5	Small Sit down Restaurant	\$217
6	Take out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1721
(Int. No. 93)

Local Improvement Ordinance - establishing cost of upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2017-18 budget for the upgrading of street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$20,800 and the charge per the Code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments and shall be assessed and levied on the 2017-18 tax bill in accordance with Local Improvement Ordinance No. 1631 as amended by Local Improvement Ordinance No. 1709.

Code	Use	Annual Charge
1	Parking lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 10000 Sq Ft or more	\$855
5	Small Sit down Restaurant	\$217
6	Take out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

Section 2. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance. No. 1722
Re: High Falls Business
Improvement District

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion related to the High Falls Business Improvement
District (BID) established via Local Law No.1 in
December 2003. This legislation will:

1. Approve the 2017-18 budget totaling \$25,000
submitted by the High Falls BID Board;
2. Establish \$25,000 as the 2017-18 assessment for
the High Falls BID and authorize the ap-
portionment of the cost among the subject
properties; and
3. Authorize an agreement with the High Falls
BID for implementation of the services out-
lined in the BID plan.

The amount of the annual levy is determined by the
budget proposed by the High Falls BID. The
amount assessed to an individual property is deter-
mined by its primary use, which is verified annually.
Funds are used for additional clean-up, beautifica-
tion, landscaping, marketing, advertising, and pro-
motional materials. Funds have also been used for
special purposes such as historic signage and a
lunchtime summer concert series produced in con-
junction with the Hochstein School of Music.

The High Falls BID Plan outlines a description of
the BID boundaries, and the assessment formula
used to determine each building owners' share. The
plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-52

Local Improvement Ordinance. No. 1722
(Int. No. 94)

**Local Improvement Ordinance - establishing
the cost of assessments related to the High Falls
Business Improvement District and authorizing
an agreement**

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

Section 1. The Council hereby approves the con-
tinuation of the High Falls Business Improvement
District. The 2017-18 Budget for the High Falls
Business Improvement District is established at

\$25,000, which amount shall be assessed and levied
in accordance with Local Law No.1 of 2004. The
Mayor is hereby authorized to enter into an agree-
ment with the High Falls Business Improvement
District Management Association, Inc. for imple-
mentation of the services outlined in the District
Plan for the 2017-18 fiscal year.

Section 2. This ordinance shall take effect on
July 1, 2017.

Passed unanimously.

Vice President Miller moved to discharge Int. No.
95 from Committee.

The motion was seconded by Councilmember Pat-
terson.

Adopted unanimously

Vice President Miller moved to amend Int. No. 95.

The motion was seconded by Councilmember
McFadden.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Haag,
McFadden, Miller, Ortiz, Patterson, Spaul - 7.

Nays - Councilmember Clifford -1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-84
Re: Midtown - Parcel 2 and
Pedestrian Corridor

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legisla-
tion related to the sale of two City-owned properties
at 260 East Broad Street ("Parcel 2") and 266 East
Broad Street (the "Pedestrian Corridor") to an entity
to be formed by a joint venture of Buckingham
Properties and Morgan Communities (the "Devel-
oper") with principals Kenneth J. Glazer and Robert
C. Morgan, respectively. This legislation will:

1. Authorize the sale of Parcel 2 to the Developer
for the appraised value of \$650,000;
2. Authorize the sale of the Pedestrian Corridor
to the Developer for the appraised value of
\$110,000; and
3. Authorize the granting and acceptance of a pe-
destrian access easement and a no-build ease-
ment for the Pedestrian Corridor.

The sale prices of Parcel 2 and the Pedestrian Corri-
dor were determined by independent appraisals
completed by Jay J. Loson, MAI of Midland Ap-
praisal Associates, Inc. in July 2014 and May 2017,
respectively.

As part of the City’s continuing efforts to revitalize Center City, a request for proposals (RFP) for the purchase and redevelopment of Parcel 2 was issued on August 28, 2015. An informational meeting was held on September 11, 2015. The purpose of this meeting was to provide developers with the opportunity to discuss the status of the parcel, its redevelopment potential, and answer questions. The RFP was publicized in the Daily Record, posted on the City’s website, and communicated via email to developers. As a result, the City received one proposal which was evaluated by staff from the Department of Neighborhood and Business Development, Department of Environmental Services, Bureau of Assessment, and the Law Department. The Developer was recommended based on its proposed development program and the financial strength of its proposal for Parcel 2.

The selected proposal includes a six-story mixed-use building with 15,965 square feet of first-floor retail space, 19,375 total square feet of Class A office space on the second and third floors, and 35,867 total square feet of residential rental space on floors four through six. The proposed design also includes outdoor space along the Elm Street frontage. The Developer will commence construction upon successfully securing lease agreements and financing for the commercial space. The deed transferring title of Parcel 2 will include a condition that construction must commence within 18 months from the date of transfer. If the condition is not met, the City will reacquire Parcel 2 and return the \$650,000 purchase price.

The estimated sources and uses of funds for Parcel 2 are as follows:

<u>Sources</u>	
Mortgage	\$10,913,748
Pending CFA appl.	2,000,000
Developer Equity	<u>7,042,932</u>
Total	\$19,956,680
<u>Uses</u>	
Land	\$ 650,000
Pre-Development	275,000
Construction	12,501,957
GC Fee	759,348
Contingencies	1,850,000
Tenant Improvements	2,188,600
Closing/Soft Costs	618,375
Financing	<u>1,113,400</u>
Total	\$19,956,680

The Developer will submit a funding application through the New York State (NYS) Consolidated Funding Application process this year if they execute leases in time for the commercial and retail space.

The City’s assistance for Parcel 2 is limited to the sale of the land and the review of a request for a support letter for a payment-in-lieu-of taxes application with the County of Monroe Industrial Development Agency. The support letter will be based on the JobsPlus abatement schedule (a 10-year schedule).

The Developer has agreed to make and demonstrate best efforts to achieve the City’s Minority, Women, Small Disadvantaged Business Enterprise goal of 20%, workforce minority goal of 20%, workforce female goal of 6.9%, and workforce city resident goal of 25%.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, the Mayor, Lead Agency for the environmental review, has determined that the proposed action will not result in any significant environmental effects. A negative declaration is forthcoming, thereby fulfilling the City’s State Environmental Quality Review obligations before City Council action will be taken.

Since the two parcels are located in the Midtown Urban Renewal District, a companion item is being submitted to the Rochester Urban Renewal Agency.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-53

Ordinance No. 2017-84
(Int. No. 95, as amended)

Authorizing the sale of the Midtown Parcel 2 and Pedestrian Corridor to further the Midtown Urban Renewal Plan

WHEREAS, the City of Rochester has received a proposal from a joint venture of Buckingham Properties LLC and Morgan Management, LLC (controlling members Kenneth J. Glazer and Robert C. Morgan, respectively) (collectively, the Developer) to purchase and redevelop a land parcel comprising approximately 0.79 acre located at 260 East Broad Street (Parcel 2) with a six-story building for mixed retail, office and residential uses and a land parcel comprising approximately 0.29 acre located at 266 East Broad Street (Pedestrian Corridor) for maintenance as a pedestrian corridor (collectively, the Project and the Project Properties);

WHEREAS, the Developer submitted the proposal in response to the City’s request for proposals to purchase and utilize the Project Properties so as to continue the redevelopment of the Midtown Urban Renewal District (Midtown District) in accordance with the objectives of the Amended Urban Renewal Plan for the Midtown Urban Renewal Project adopted in Ordinance 2009-390 (Midtown Plan);

WHEREAS, the controlling members of the Developer, Buckingham Properties LLC and Morgan Management, LLC, have been the developers of the Tower 280 property and have recently purchased the Midtown underground parking, all of which are located in the Midtown District;

WHEREAS, the City desires to sell to the Developer Parcel 2 for its appraised fair market value of

\$650,000 and the Pedestrian Corridor for its appraised fair market value of \$110,000, and the sales are to be conducted in accordance with Section 507(2) of the General Municipal Law of the State of New York in order to further the Midtown Plan;

WHEREAS, some additional terms of the proposal provide that the Developer shall:

- construct on Parcel 2 a six-story mixed use building, consisting of approximately 15,965 square feet of first-floor retail space, approximately 19,375 total square feet of Class A office space on the second and third floors, and approximately 35,867 total square feet of residential rental space on floors four through six, as well as establish outdoor space along the parcel's Elm Street frontage;
- be required by a condition in the deed transferring title to Parcel 2 and the Pedestrian Corridor to commence construction of the Project within 18 months from the date of transfer and that, if the condition is not met, to return Parcel 2 and the Pedestrian Corridor to the City in return for its ~~\$650,000~~ their \$760,000 purchase price;
- maintain the Pedestrian Corridor for pedestrian access and commit to the maintenance of same by recording easements that prohibit building on and reserve the right of pedestrian access to the Pedestrian Corridor; and
- make and demonstrate best efforts to achieve the City's Minority Women Small Disadvantaged Business Enterprise goal of 20%, workforce minority goal of 20%, workforce female goal of 6.9%, and workforce city resident goal of 25%.

WHEREAS, by providing for the development and maintenance of the Project Properties, the terms of the Developer's proposal will result in the development of a mixed use building and outdoor space and pedestrian access amenities that are consistent with the Midtown Plan and that will contribute to the redevelopment of the previously blighted Center City Midtown site, thereby generating additional tax revenue and employment; and

WHEREAS, the Developer has been found by the Rochester Urban Renewal Agency and this Council to be a qualified and eligible sponsor to carry on the redevelopment of the Midtown District.

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

Section 1. The Council hereby approves the sale of Parcel 2 and the Pedestrian Parcel to the Developer, or an entity to be formed by its principals, for the sum of \$760,000, subject to the terms set forth herein and to such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Council hereby further approves the granting and acceptance of no-build and pedestrian access easements for the Pedestrian Corridor as

well as any other easements for utilities, ancillary development, and public access to and within the Project Properties, as necessary to effectuate the terms and purposes of the Developer's proposal.

Section 3. The Mayor is hereby authorized to enter the City 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 to be appropriate.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously

By Councilmember Ortiz
April 25, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 96 - Authorizing the sale of real estate

Int. No. 97 - Authorizing the acceptance of real estate by donation

Int. No. 98 - Authorizing a lease agreement with Buckingham Properties LLC for the Office of Public Integrity

Int. No. 99 - Authorizing appropriations and agreement for the Focused Investment Strategy Exterior Security and Rehabilitation Program

Int. No. 101 - Authorizing an agreement for elevator inspection services

Int. No. 102 - Appropriating grant funds and authorizing agreements for the Center City Commercial and Mixed Use Initiative

Int. No. 103 - Resolution approving appointments to the Zoning Board of Appeals and City Planning Commission, as amended

Int. No. 67 - Amending the Zoning Map for 618 Upper Falls Boulevard and 379 and 387 Hudson Avenue

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 104 - Amending the Zoning Map for 26 Concord Street

The following entitled legislation is being held in Committee:

Int. No. 100 - Local Improvement Ordinance - authorizing special work and services related to the

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South Avenue/Alexander Street Open Space District

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

Introductory No. 67 was introduced on March 2, 2017 and appears in its original form with its transmittal letter on page 86 of the current Council Proceedings.

Attachment No. AQ-54

Ordinance No. 2017-85
(Int. No. 67)

Amending the Zoning Map for 618 Upper Falls Boulevard and 379 and 387 Hudson Avenue

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-86
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first property is a vacant lot sold by negotiated sale to the adjacent owners. The purchaser will combine the lot with their existing properties and utilize it as green space.

The next property is a vacant lot sold by negotiated sale and will be combined with the adjoining prop-

erty and used as a parking lot, green space and a patio area for the adjacent building which is being renovated as a restaurant.

The last two properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,335.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-56

Ordinance No. 2017-86
(Int. No. 96)

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 of the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
52 Hollister St	106.42-1-40	40 x 109	4423	\$425	Patricia & Amanda Stanton
34 N. Washington St	121.22-1-68	39 x 100	3900	\$27,000	Row House, LLC

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
62 Friederich Pk	106.24-2-45	46 x 65	2936	Nelson Allen
9 Hixson St	106.40-1-5	34 x 105	3485	Eduardo Rivera

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. 2017-87
Re: Real Estate Donation

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real property from the seller, the Rochester Land Bank Corporation (RLBC). Council authorization is necessary to accept the following parcel:

Address	Purpose
213-219 Conkey Avenue	Inclusion in Affordable Housing Project

The RLBC acquired this mixed-use building at the 2015 City Tax Foreclosure Auction with the intention to sell to a developer who would rehabilitate this blighted property located near the El Camino Trail. The developer expressed interest but has significantly expanded the scope of the project and will not be able to take title until much later in the process.

Properties in the RLBC inventory are subject to holding costs, most notably, insurance premiums. Donating the property to the City Rochester, which is self-insured, eliminates this expense.

The developer has created a partnership and approached the City with a proposal to develop City-owned vacant lots in the area designated as "La Marketa" for affordable housing, and wishes to include the mixed-use building at 213-219 Conkey Avenue in the project.

Accepting this donation will allow the City to continue to manage the disposition of salvageable properties in various neighborhoods. Upon acquisition by the City, any taxes or charges levied after the date of closing will be canceled. The property is to be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-57

Ordinance No. 2017-87
(Int. No. 97)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of a real estate parcel from the Rochester Land Bank Corporation as follows:

Address	SBL No.	Purpose
213-219 Conkey Avenue	106.21-2-15	Affordable Housing

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul - 7.

Nays - None - 0.

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-88
Re: Lease Agreement - Buckingham
Properties LLC, Buckingham Commons
Building/Office of Public Integrity

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$35,588.04 as maximum compensation for a lease agreement with Buckingham Properties a/k/a 85 Allen, LLC for 2,296 square feet of space in the Buckingham Commons building at 85 Allen Street to accommodate the functions of the Office of Public Integrity. The term of the agreement is for one year with two one-year renewal options. The annual cost will be \$15.50 per square foot or \$35,588.04 for the first year, with 3% annual rental increases. The annual cost of this agreement will be financed from the annual Budgets of the Mayor's Office, contingent upon approval of future years' budgets.

The location of the Office of Public Integrity is close to City Hall, while still providing anonymity to City employees and/or private citizens who wish to bring any concerns to the Office of Public Integrity. This last agreement for leasing this property was approved via Ordinance No. 2012-294.

The cost of electricity will be the responsibility of the City. All other utility costs are included in the rental amount.

Respectfully submitted,
Lovely A. Warren
Mayor.

Attachment No. AQ-58

Ordinance No. 2017-88
(Int. No. 98)

Authorizing a lease agreement with Buckingham Properties LLC for the Office of Public Integrity

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 Buckingham Properties LLC, a/k/a 85 Allen, LLC for the lease of space in the Buckingham Commons Building at 85 Allen Street to be used by the Office of Public Integrity. The agreement shall extend for a term of one year, with two one-year renewal options.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$35,588.04 in rent for the first year, with 3% annual increases for subsequent years. Said amounts shall be funded from the annual budgets of the Mayor's Office. The City shall be responsible for electric costs. Heating and cooling costs shall be included in the rent.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-89
Re: Focused Investment Strategy Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation re-appropriating funds and authorizing an agreement related to a proposed final phase of the Focused Investment Strategy, Exterior Security and Rehabilitation Program (FIS ESRP), totaling \$785,907.56, for both owner-occupant and landlord owned properties in the four Focused Investment Strategy areas. Specifically, this legislation will:

1. Re-appropriate a total of \$465,022.75 of Community Development Block Grant (CDBG) funds, as follows, to be used for the program:
 - a. \$64,000 from the FIS Program allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2008-09 CDBG for the City's use to operate the program;
 - b. \$23,396.33 from the FIS Program allocation of the Neighborhood and Asset-Based Planning Fund of the 2011-12 CDBG for the City's use to operate the program;
 - c. \$355,624.90 from the FIS Program allocation of the Neighborhood and Asset-Based Planning Fund of the 2012-13 CDBG for the City's use to operate the program; and
 - d. \$22,001.52 from the FIS Program allocation of the Improve the Housing Stock and

General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2013-14 CDBG for the City's use to operate the program.

2. Establish \$20,000 for an agreement with Environmental Testing & Consulting, Inc. (ETC) for lead hazard evaluation services to be funded from the 2013-14 CDBG appropriation made above. The term of the agreement will be for one year with the option to extend the term for up to one additional year if funds remain from the amount allocated herein.
3. Appropriate \$320,884.81 from 2012-13 Cash Capital allocated to FIS to operate the program.

Through prior phases of the program, FIS ESRP has created substantial changes in the FIS areas. Since 2009, a total of \$10.1 million was invested in 387 units of owner-occupied and rental housing. Substantial work was completed in the identified boundaries of the FIS areas with an emphasis placed on the priority streets. As this work is not finished, a final phase of FIS is being proposed.

The program will provide assistance to approximately 23 owner-occupants and landlords. The goal of the program is to re-visit key properties in the FIS target areas that were not previously served. These property owners were contacted in prior phases of FIS, but for a variety of reasons (delinquent taxes, mortgage foreclosure, disinterest, etc.), assistance could not be provided.

Consistent with the prior phases, the assistance will provide for exterior repairs, security enhancements, and lead hazard control. Properties must conform to the established design standards and receive a lead-based paint clearance at the completion of the project. The program funding will be divided evenly across the four FIS areas. Each property is expected to receive approximately \$33,000. The proposed CDBG appropriation and cash capital funds are unspent FIS funding from prior years' allocations (i.e., unspent funds from Phase 4 of the ESRP). It should be noted that the re-appropriation of the 2008-09 CDBG funds are from a cancelled agreement with Schubert Theater. The agency had proposed to build a parking lot at 143-147 Webster Avenue with a cost estimate of \$70,000. After cost estimates were received, it was determined that there were insufficient funds to cover the project. Schubert Theater was unable to secure the additional funding that was needed so they withdrew from the project.

The City will utilize existing agreements with Path-Stone and Action for a Better Community to provide application intake services for the program. It is being proposed to enter into agreement with ETC for lead hazard evaluation services. A request for proposals was completed for these services in 2015, when ETC, Rochester NeighborWorks and UNYSE were selected as vendors for the Lead Hazard Control Program. To date, ETC has performed the best. ETC will provide lead hazard evaluation services for single-family (\$675) and two-family (\$875) properties.

Landlords will be required to contribute 10% matching funds and owner-occupants will be required to contribute a match amount between \$0- \$500 based on the income table below. Property owners will be required to sign a note and mortgage to secure the City's funds.

<u>% Area Median Income</u>	<u>Amount</u>
0-30	\$50
30-50	\$250
50-80	\$500

It is expected that enrollment will begin by April 1, 2017 with a projected program completion date of December 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-59

Ordinance No. 2017-89
(Int. No. 99)

Authorizing appropriations and agreement for the Focused Investment Strategy Exterior Security and Rehabilitation Program

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

Section 1. The Council hereby appropriates \$465,022.75 to the Exterior Security and Rehabilitation Program for residential properties located in the City's designated Focused Investment Strategy (FIS) areas (the Program) from the following allocations of the Community Development Block Grant (CDBG) funds:

- a. \$64,000 from the FIS allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2008-09 CDBG;
- b. \$23,396.33 from the FIS allocation of the Neighborhood and Asset-Based Planning Fund of the 2011-12 CDBG;
- c. \$355,624.90 from the FIS allocation of the Neighborhood and Asset-Based Planning Fund of the 2012-13 CDBG; and
- d. \$22,001.52 from the FIS allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2013-14 CDBG.

Section 2. The Council hereby appropriates \$320,884.81 in 2012-13 Cash Capital to the Program.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Environmental Testing & Consulting, Inc., to provide lead hazard evaluation services for said Program. The maximum compensation for the agreement

shall be \$20,000, which shall be funded from the appropriation authorized in Subsection 1.d of this Ordinance. The term of the agreement shall be for one year with the option, upon mutual consent of the parties, to extend the term for up to one additional year if funds remain from the amount allocated herein. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. The Mayor is hereby authorized to enter into such other agreements as may be necessary for the implementation of the Program activities funded by the appropriations made herein. The City shall enter into such agreements only with organizations that are in compliance with federal regulations. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this Ordinance.

Section 6. This Ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul - 7.

Nays - None - 0.

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-90
Re: Agreement- National Elevator Inspection Services, Inc., Inspection of City-owned Elevators

Transmitted herewith for your approval is legislation establishing \$18,000 as maximum compensation for an agreement with National Elevator Inspection Services, Inc. (NEIS) for safety inspections of City-owned conveyances. The term of the agreement will be for one year, from May 1, 2017 to April 30, 2018, with an option for three additional one-year extensions; the cost will be funded from the 2016-17 and subsequent budgets of the departments that oversee the conveyances (Environmental Services, Finance, and Neighborhood and Business Development), contingent upon approval of subsequent budgets.

NEIS will provide all necessary labor, tools and equipment required to provide inspections of all City-owned conveyances. They will provide Quality Elevator Inspector certified staff. The inspections will be conducted in compliance with all standards, codes, statutes and ordinances. NEIS also will investigate complaints of improper maintenance and decommission conveyances upon an order to do so.

The consultant was selected through a request for proposals process, the summary of which is attached.

Respectfully submitted,
Lovely A. Warren
Mayor Attachment No. AQ-60

Ordinance No. 2017-90
(Int. No. 101)

Authorizing an agreement for elevator inspection 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 National Elevator Inspection Services, Inc. for the provision of elevator inspection services for City-owned conveyances. The agreement shall be for a

term of one year from May 1, 2017 to April 30, 2018, with the option upon mutual consent to extend the term up to three additional periods of 1 year each.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$18,000 annually for such services, and said amount, or so much thereof as may be necessary, shall be funded from the 2016-17 and subsequent budgets of the Departments overseeing conveyances, contingent upon approval of subsequent budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-91
Re: Restore New York Communities
Initiative Round 4

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related Restore New York Communities Initiative Round 4 (Restore NY Round 4). This legislation will:

1. Appropriate \$2 million in grant funds from the Empire State Development Corporation's Restore NY Round 4 for three projects included in the City of Rochester's Center City Commercial and Mixed Use Initiative; and
2. Establish maximum compensation for agreements with developers and principals (or entities to be formed by the principals) for the three projects as follows:

<u>Developer</u>	<u>Project/Address</u>	<u>Amount</u>
Center City Place LLC (Anthony Cilino/Philip Georges) and REO Holding LLC (Antonio Cilino)	Center City Place, 131-135 and 143-163 State St.	\$ 950,000
Sobrino Property Group, LLC (Douglas Salgado)	Mi Casa Is Su Casa 113 State St.	575,000
Hive Andrews 2 LLC (Dan Morgenstern, Robert Morgan, Buckingham Properties)	Hive@155 Phase II 142-153 St Paul St.	<u>475,000</u>
	Total	\$2,000,000

The Center City Commercial and Mixed Use Initiative provides gap funding to three projects to support the adaptive reuse of seven historic buildings on two key blocks that are the northern gateways for downtown Rochester. These blocks have been significantly vacant and blighted for decades; their rehabilitation is strategically important to downtown's continued revitalization. Total square feet in the seven buildings is 93,057; their rehabilitation will result in the creation of approximately 78 residential rental units and nine new commercial/retail spaces.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-91

(Int. No. 102)

Appropriating grant funds and authorizing agreements for the Center City Commercial and Mixed Use Initiative

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

Section 1. Grant funds from the Empire State Development Corporation (ESDC) awarded through Round 4 of its Restore NY Communities Initiative in the amount of \$2,000,000 are hereby appropriated for three projects to be included in the City of Rochester's Center City Commercial and Mixed Use Initiative.

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

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-10
Re: Board Appointments -
City Planning Commission and
Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of one full-time and one alternate member to the Zoning Board of Appeals (ZBA), and two alternate members to the City Planning Commission (CPC).

Mr. John DeMott, of 1294 Genesee Park Boulevard, Rochester, 14619, will join the ZBA as a full-time member. He is currently an alternate. He will replace Mr. Eric Van Dusen, who recently stepped down from the Board. Mr. DeMott will serve out the remainder of Mr. Van Dusen's term which expires on May 31, 2018.

Mr. Kenneth Joyner, of 779 Genesee Park Boulevard, Rochester, 14619, will join the ZBA as an alternate member. He will replace Mr. DeMott and serve out the remainder of his term. Mr. Joyner is

currently an Assistant Resident Manager at CDS, Monarch. His term as an alternate will also expire on May 31, 2018.

Mr. Richard Mauser, of 91 Pinnacle Road, Rochester, 14620, and Ms. Kaeri Carroll, of 71 Greenleaf Street, Rochester, 14609, will both join the CPC as alternate members. Mr. Mauser is an architect who owns his own firm, and Ms. Carroll is the Director of Information Technology and Marketing for American Portfolios. Both of their terms expire on May 31, 2018.

Resumes for all individuals have been submitted to the City Clerk for your review.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-10
(Int. No. 103, as amended)

Resolution approving appointments to the Zoning Board of Appeals and City Planning Commission

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

Section 1. The Council hereby approves the appointment to the Zoning Board of Appeals of the following person for a term that expires on May 31, 2018:

Name	Address
John Demott	1294 Genesee Park Boulevard
Kenneth Joyner	779 Genesee Park Boulevard

Section 2. ~~The Council hereby approves the appointment to the Zoning Board of Appeals of the following person as an alternate for a term that expires on May 31, 2018:~~

Name	Address
Kenneth Joyner	779 Genesee Park Boulevard

Section 3. The Council hereby approves the appointment to the City Planning Commission of the following persons as alternates for a term that expires on May 31, 2018:

Name	Address
Richard Mauser	91 Pinnacle Road
Kaeri Carroll	71 Greenleaf Street

Section 4.3. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-92
Re: Zoning Map Amendment -
26 Concord Street

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the vacant parcel at 26 Concord Street from R-1 Low Density Residential District to R-3 High Density Residential District. The parcel is currently owned by the City, but a contract to purchase the property is in place between the applicant (Renewal of Life C.O.G.I.C.) and the City of Rochester and is contingent on the combination of 26 Concord Street with the three other properties that the applicant owns (6 Wesley Street, and 93 and 99 Portland Avenue). In order for this combination to occur, the Zoning Districts must be the same for all properties. The applicant is exploring the possibility of expanding the church in the future, but for now, this parcel will remain green space.

The City Planning Commission held an informational meeting on the proposed map amendment on Monday, February 6, 2017. Three people, including the applicant, spoke in favor of the rezoning. No one spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-61

Ordinance No. 2017-92
(Int. No. 104)

Amending the Zoning Map for 26 Concord Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential to R-3 High Density Residential the Zoning Map's classification of the following property:

Address	SBL #
26 Concord Street	106.49-2-29.1

and the area extending from that parcel to the center line of any adjoining public street, alley, or right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 100
Re: South Avenue/Alexander Street
Open Space District

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation establishing \$4,920 for maintenance of the South Avenue/Alexander Street Open Space District to be funded from the balance of prior years' assessments and authorizing a one-year agreement with the South Wedge Area Neighborhood Council, Inc. (SWANC) for the same amount.

Local Improvement Ordinance No. 1537 established the District in 2004 for a term of ten years. This expired on June 30, 2015, and unused funding from prior years' assessments have been used to continue maintenance and spend down the District's balance. In 2018, the City will need to petition the property owners of the local improvement area to re-establish the District.

This agreement provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost of these services is based on estimates provided by the Business Association

of the South Wedge Area (BASWA). The work will be done through an agreement with the SWANC, a not-for-profit associated with the BASWA.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 100

**LOCAL IMPROVEMENT ORDINANCE -
AUTHORIZING SPECIAL WORK AND
SERVICES RELATED TO THE SOUTH AVENUE/
ALEXANDER STREET OPEN SPACE
DISTRICT**

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

Section 1. The cost of the special work and services for the 2017-18 fiscal year for the South Avenue/Alexander Street Open Space District established by Local Improvement Ordinance No. 1537 is hereby set at \$4,920 and said amount, or so much thereof as may be necessary, is hereby appropriated from unused District assessments from prior years.

Section 2. The Mayor is authorized to enter into an agreement with South Wedge Area Neighborhood Council, Inc. to perform the District's special work and services for the 2017-18 fiscal year.

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

Section 4. This ordinance shall take effect immediately.

Held in Committee

By Councilmember Haag
April 25, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 106 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$211,000 Bonds of said City to finance costs of HVAC additions to the North Clinton Firehouse and the Emerson Street Firehouse HVAC Systems Replacement Project

Int. No. 107 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$65,000 Bonds of said City to finance acquisition and installation of the Central Vehicle Maintenance Facility Building 200 heat recovery unit

Int. No. 108 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance certain costs of Center City Hazardous Sidewalk Repairs

Int. No. 109 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of

\$250,000 Bonds of said City to finance costs of the 2017 Holly Pump Station Diesel Engine Replacement Project

Int. No. 110 - Authorizing an agreement with North East Area Development, Inc.

Int. No. 111 - Authorizing an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. related to the Westside Garage Comprehensive Facility Assessment

Int. No. 112 - Authorizing an agreement with North East Area Development, Inc. for a job training program

Int. No. 113 - Authorizing a grant agreement and appropriation for a Climate Smart Communities Climate Vulnerability Assessment

Int. No. 114 - Authorizing grant agreements with the New York State Department of Environmental Conservation

Int. No. 115 - Authorizing an amendatory professional services agreement for legal services in connection with the Vacuum Oil site remediation

Int. No. 116 - Authorizing agreement for the New York State Environmental Facilities Corporation funded Green Infrastructure Gateway Project at the Rochester Museum & Science Center

Int. No. 127 - Authorizing an agreement with the Rochester-Genesee Regional Transportation Authority for the fueling of City vehicles

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 105 - Amending the Official Map by abandonment of Haidt Place

Int. No. 117 - Local Improvement Ordinance - establishing the operating, installation and maintenance costs of street lighting special assessment districts

Int. No. 118 - Continuation of Local Improvement Ordinance No. 1374 relating to the street lighting enhancements on Wilson Boulevard

Int. No. 119 - Continuation of Local Improvement Ordinance No. 1340 relating to the street lighting enhancements for the Lyell Avenue I District

Int. No. 120 - Continuation of Local Improvement Ordinance No. 1377 relating to the street lighting enhancements for the Lyell Avenue II District

Int. No. 121 - Continuation of Local Improvement Ordinance No. 1429 relating to the street lighting enhancements for the Cascade Historic District

Int. No. 123 - Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements

Int. No. 124 - Continuation of Local Improvement Ordinance No. 1430 relating to the Cascade Historic Streetscape District

Int. No. 125 - Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

Int. No. 126 - Local Improvement Ordinance – care and embellishment of street malls for 2017-2018

Int. No. 128 - Amending the Official Map by dedicating Church Street Extension

The following entitled legislation is being held in Committee:

Int. No. 122 - Resolution approving reappointments and appointments to the Downtown Enhancement District Advisory Committee

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-93
Re: Official Map Amendment -
Abandonment of Haidt Place

Transmitted herewith for your approval is legislation amending the Official Map by authorizing the abandonment of Haidt Place. The abandonment has been referred to the necessary agencies for review.

The right-of-way abandonment will provide ownership rights to Volunteers of America (VOA), the owner of the abutting properties, so that VOA may convey an environmental easement to the New York State Department of Environmental Conservation as required under VOA’s agreement to complete and maintain its environmental remediation of Brownfield Cleanup Program Site No. C828126. The abandonment will be contingent upon VOA signing an agreement that releases and indemnifies the City against all claims or costs related to any contamination that may be located on or under Haidt Place.

On February 6, 2017, the City Planning Commission recommended approval of the abandonment by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is an Unlisted Action and has been issued a Negative Declaration of environmental significance.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-62

Ordinance No. 2017-93
(Int. No. 105)

Amending the Official Map by abandonment of Haidt Place

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting Haidt Place, provided that the adjoining owner enters into a binding agreement to release and indemnify the City against all claims or costs related to any contamination that may be located on or under Haidt Place and satisfies such additional conditions as the City Engineer deems to be appropriate:

LEGAL DESCRIPTION OF PROPOSED LANDS TO BE ABANDONED - HAIDT PLACE

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe, and State of New York, Section A of the Jones Tract in Lot 46, 20,000 acre tract, Township 1, Short Range, Mill Seat Tract, Phelps & Gorham Purchase, bounded and described as follows:

Beginning at the point of intersection of the westerly right of way line of Haidt Place (45’ wide) with the northerly right of way line of Ambrose Street (60’ wide), said point being the southeast corner of Parcel “A” as shown on a map entitled “Volunteers of America Subdivision Map”, filed at the Monroe County Clerk’s Office on August 28, 1998, in Liber 297 of Maps, Page 53; thence, North 29°-19’-43” West, on said westerly right of way line, a distance of 115.00 feet to a point on the northerly right of way line of Haidt Place; thence,

North 59°-46’-17” East, on said northerly right of way line, a distance of 45.00 feet to the easterly right of way line of Haidt Place; thence,

South 29°-19’-43” East, on said easterly right of way line, a distance of 115.00 feet to a point on said northerly right of way line of said Ambrose Street; thence,

South 59°-46’-17” West, on said northerly right of way line, a distance of 45.00 feet to the Point of Beginning

INTENDING TO DESCRIBE a parcel of land

which contains 5,175 square feet, as shown on a map entitled "Volunteers of America Resubdivision Map of Lot 'A'", prepared by Bergmann Associates, dated November 23, 1998.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-94
Re: Bond Authorization - North Clinton
and Emerson Street Firehouses,
HVAC System Replacements Project

Transmitted herewith for your approval is legislation authorizing the issuance of \$211,000 in bonds, and the appropriation of the proceeds thereof, to finance the expanded scope of the HVAC System Replacements Project at the North Clinton (Engine 2) and Emerson Street (Engine 3) Firehouses.

The project originally included the design, bid, and construction for the replacement of the basic HVAC systems at both firehouses. Ordinance No. 2016-239 authorized \$680,000 in bonds and an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for engineering design and resident project representation services. It was subsequently decided to include code compliant type 1 kitchen exhaust hoods and fire suppression systems to the project.

Construction will begin in fall 2017 with scheduled completion in fall 2018. The additional project funding will result in the creation and/or retention of the equivalent of two full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-94
(Int. No. 106)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$211,000 Bonds of said City to finance costs of HVAC additions to the North Clinton Firehouse and the Emerson Street Firehouse HVAC Systems 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"), is hereby authorized to finance the costs of HVAC additions, including kitchen exhaust hoods and fire suppression systems, to the North Clinton Firehouse (Engine 2), 1207 N. Clinton Avenue, and the Emerson Street Firehouse (Engine 3), 1051 Emerson Street, HVAC Systems Replacement Project (the "Project"). \$680,000 principal amount of Bonds of the City were authorized under Ordinance No. 2016-239 for the initial Project. The aggregate estimated

maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$891,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$211,000 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 \$211,000 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 \$211,000. 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. 13. of the Law, is ten (10) 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. 2017-95
Re: Bond Authorization - Central
Vehicle Maintenance Facility
Building 200, Heat Recovery
Unit Restoration Project

Transmitted herewith for your approval is legislation authorizing the issuance of \$65,000 in bonds and the appropriation of the proceeds thereof, to partially finance the Central Vehicle Maintenance Facility (CVMF) Building 200 Heat Recovery Unit Restoration project. The total project cost is estimated at \$253,000.

The project includes construction for the restoration of the heat recovery system and ventilation upgrades to the vehicle storage area for code compliance. Modernization will begin in fall 2017 with scheduled completion in fall 2018. The additional project funding will result in the creation and/or retention of the equivalent of 0.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-95
(Int. No. 107)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$65,000 Bonds of said City to finance acquisition and installation of the Central Vehicle Maintenance Facility Building 200 heat recovery unit

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of acquisition and installation of the Central Vehicle Maintenance Facility Building 200 heat recovery unit, including Code compliant heat recovery and ventilation upgrades to the vehicle storage area (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 \$253,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$65,000 bonds of the City and application of \$188,000 of 2015-2016 Cash Capital 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 \$65,000 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 \$65,000. 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. 13. of the Law, is ten (10) 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. 2017-96
Re: Bond Authorization -
Hazardous Sidewalks

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the issuance of \$250,000 in bonds

and the appropriation of the proceeds thereof, to finance the replacement of various hazardous and failing sidewalks located predominantly in Center City.

The project consists of improving existing sidewalk conditions by removing and replacing, or, where possible, repairing sidewalk flags. Bids for construction were received on March 21, 2017.

Construction is anticipated to begin in spring 2017, with substantial completion in the summer 2017. The construction phase of this project will result in the creation and/or retention of the equivalent of 2.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-63

Ordinance No. 2017-96
(Int. No. 108)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance certain costs of Center City Hazardous Sidewalk Repairs

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 Center City, as described in the City's Zoning Ordinance, Hazardous Sidewalk Repairs, including costs of design, repair and replacement of hazardous and failing sidewalks within the Center City limits (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 \$250,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$250,000 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 \$250,000 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 \$250,000. 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. 24. of the Law, is ten (10) 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. 2017-97
Re: Bond Authorization - 2017 Holly Pump
Station Diesel Engine Replacement

Transmitted herewith for your approval is legislation authorizing the issuance of \$250,000 in bonds and appropriating the proceeds thereof to fund a portion of the 2017 Holly Pump Station Diesel Engine Replacement Project. The total cost of the project is estimated to be \$300,000, the balance of which (\$50,000) will be financed from 2013-14 Cash Capital.

The current Holly Pump Station, located at 232 Mill Street, was constructed in 1979 and is used to supply water to the Holly fire protection system. The Holly system includes 21 miles of water mains, 350 fire hydrants, and over 200 building fire services located primarily within the Center City but also in adjacent commercial and industrial areas. Three diesel engines, used to power three high volume pumps, have exceeded their useful life. Maintenance costs for these engines have increased significantly over the past ten years. The replacement of these diesel engines will improve the reliability of the station, reduce maintenance costs and provide modern variable speed engine technology that will reduce operating costs.

The project is anticipated to begin this summer and be completed by fall 2017. In order to keep the station in service during construction, only one engine will be taken out of service at any one time. This project is being designed, inspected and managed by Water Bureau Personnel.

The project results in the creation and/or retention of the equivalent of 3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-97
(Int. No. 109)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance costs of the 2017 Holly Pump Station Diesel Engine 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"), is

hereby authorized to finance the costs of the 2017 Holly Pump Station Diesel Engine Replacement Project, including infrastructure improvements and replacement of the diesel engine at the Holly Pump Station, 232 Mill Street (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 \$300,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$250,000 bonds of the City to finance said appropriation, application of \$50,000 of 2013-2014 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 \$250,000 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 \$250,000. 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-98
Re: Agreement - North East Area
Development, Inc., Pilot Community
Lot Mowing Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$27,000 as maximum compensation for an agreement with North East Area Development, Inc. (NEAD) to partner with the City in the implementation of a pilot community lot mowing program. The term of the agreement will be for one year, from May 1, 2017 through April 30, 2018, with two, one-year optional renewals. The cost of the agreement will be funded from the 2016-17 (\$9,500) and 2017-18 (\$17,500) Budgets of the Department of Environmental Services, contingent upon adoption of future budgets.

NEAD will provide a work force to implement the

“Keep it Green and Clean” program to provide debris cleaning, mowing, trimming of shrubs, pulling of weeds, raking, mulching, pruning and the application of fertilizer to the ground to enhance the growth of grass on City-owned properties. The pilot area is located in the Northeast quadrant, bounded by Goodman Street on the western side, Atlantic Avenue on the south, Culver Road on the east, and Clifford Avenue on the north. The maintenance season will commence at approximately the midpoint of May and conclude by the end of October.

The City will provide performance expectations and reviews of the work performed using the same process used to review its contracted mowing program, which includes visible inspections of each property by a City lot inspector.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-64

Ordinance No. 2017-98
(Int. No. 110)

Authorizing an agreement with North East Area Development, Inc.

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 North East Area Development, Inc. to implement a pilot community landscaping and beautification program on City-owned properties located within the Northeast Quadrant. The term of the agreement shall be one year, extending from May 1, 2017 to April 30, 2018, with the option to extend for up to two additional periods of 1 year each.

Section 2. The maximum annual compensation for the agreement shall be \$27,000. Said amount shall be funded by \$9,500 from the 2016-17 Budget of the Department of Environmental Services (DES) and by \$17,500 from the 2017-18 Budget of DES contingent upon adoption of the latter budget. The funding for the two optional extended terms shall be funded from the 2017-18 and later budgets of DES in the same proportions, contingent upon the approval of said future budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-99
Re: Agreement - Bergmann Associates,
Architects, Engineers, Landscape

Architects & Surveyors, D.P.C.,
West Side Garage Comprehensive
Facility Assessment

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann), Rochester, New York, for architectural and engineering design services related to the Westside Garage Comprehensive Facility Assessment. The cost of the agreement will be funded by 2016-17 Cash Capital and the term is through the completion of the assessment.

The consultant team will perform architectural programming and development of a schematic report and cost estimates for options for replacement and/or renovation of the office and garage spaces for the West Side Garage at Colfax Street. This comprehensive, all-encompassing assessment will include review and analysis of all building systems, including, but not limited to, architecture, site/civil, geotechnical, structural, mechanical, electrical, plumbing, and environmental. The purpose of this analysis is to determine the most efficient, cost effective solution for housing and maintaining operations at this critical City facility for decades to come.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C was selected through a request for proposal process which is described in the attached summary. The assessment is anticipated to begin in spring 2017 with scheduled completion in fall 2017.

The project is estimated to result in the creation and/or retention of the equivalent of 0.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-65

Ordinance No. 2017-99
(Int. No. 111)

Authorizing an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. related to the Westside Garage Comprehensive Facility Assessment

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 not to exceed a maximum compensation of \$60,000 with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for architectural and engineering design services related to the Westside Garage Comprehensive Facility Assessment. The agreement shall be funded from the 2016-17 Cash Capital. The term of the agreement shall extend through the completion and the Department of Environmental Service’s acceptance of the assessment.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-100
Re: Agreement - North East Area
Development, Inc., Job
Training Program

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation establishing \$211,200 as maximum compensation for an agreement with North East Area Development, Inc. (NEAD) to partner with the City in a transitional job training and placement program. The agreement will initially have a term of fourteen months with the option of three one-year renewals, and will be funded from the 2016-17 (\$31,400) and 2017-18 (\$179,800) Budgets of the Department of Environment Services (DES) for the first year (contingent upon approval of the future budget), and from subsequent budgets of DES in an annual amount not to exceed \$190,000, contingent upon approval of subsequent budgets.

NEAD first provided a transitional job training and placement program for the City in May 2015. At that time, NEAD expanded its educational services to include the Test Assessing Secondary Completion (TASC) program, formerly known as GED. The TASC program focuses on city residents (youths and adults) who have challenges finding employment due to the lack of educational attainment. As a result, participants (all of whom are required to live in the City of Rochester) are increasing their math, writing, science, social studies and reading skills; and in a broader sense, they are achieving important educational goals and becoming responsible and dependable assets to the community. Last year, NEAD had seven participants, all of whom successfully completed the program. Two participants acquired a New York State Equivalency Diploma and three participants gained employment after completing the program. NEAD will provide ongoing reports about program results.

In order to help participants develop work skills, NEAD will provide three work crews, each comprised of three people (for a total of nine workers), and supervision for an initial period of 61 weeks, commencing on May 1, 2017 and ending on June 30, 2018. The renewal periods will begin on July 1 of the respective year and end on June 30 the following year. The work crews will perform agreed upon services and assignments as determined by City staff and consisting of litter collection and hand-sweeping, and snow and ice control as needed during the winter. NEAD will provide supervision

of the crews. The City will provide performance expectations and reviews of the work performed. Work quality will be assessed by City staff via ongoing visual inspection of the work sites.

Each of the three people comprising the three work crews will work five hours a day for five days a week. Litter collection and hand-sweeping will occur on city sidewalks, street corners and curb lanes. The following work areas will be assigned solely to NEAD:

North Goodman Street from Garson Avenue to Clifford Avenue; Webster Avenue from North Goodman Street to Bay Street; Bay Street from Webster Avenue to Culver Road; Parsells Avenue from Webster Avenue to Culver Road; and 100 feet along all adjacent cross streets at their intersection in both directions

Lake Avenue from Driving Park Avenue to Brown Street; Lyell Avenue from Hague Street to Lake Avenue; Smith Street from Lake Avenue to St. Paul Street; St. Paul Street from Norton Street to St. Bridget's Street; St. Bridget's Street; North Clinton Avenue from Norton Street to Central Park; and 100 feet along all adjacent cross streets at their intersection in both directions

Chili Avenue from Thurston Road to Jefferson Avenue; Genesee Street from Chili Avenue to Congress Avenue; Congress Avenue from Genesee Street to Custer Street; Jefferson Avenue from Cottage Street to Brown Street; and 100 feet along all adjacent cross streets at their intersection in both directions

Work results from last year's program with NEAD were favorable, with neighborhood businesses, merchants and private citizens giving the program positive reviews. Additionally, the City was pleased with the quality of the work provided by the NEAD work force.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-66

Ordinance No. 2017-100
(Int. No. 112)

Authorizing an agreement with North East Area Development, Inc. for a job training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with North East Area Development, Inc. to partner with the City in a transitional job training and placement program. The term of the agreement shall be fourteen months with three-one-year renewal options. The initial term of the agreement shall have a maximum compensation of \$211,200 and be funded with \$31,400 from 2016-17 Budget of the Department of

Environmental Services (DES) and with \$179,800 from the 2017-18 Budget of DES, contingent upon approval of the latter budget. The maximum annual compensation for the optional renewals shall be \$190,000 and be funded from subsequent annual budgets of DES, contingent upon adoption thereof.

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. 2017-101
Re: Grant Acceptance - New York State
Department of Environmental Conservation,
Climate Smart Communities Program
Climate Vulnerability Assessment

Transmitted herewith for your approval is legislation related to conducting a Climate Vulnerability Assessment for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Department of Environmental Conservation (NYSDEC); and
2. Authorize the receipt of \$40,000 in anticipated grant funds from the NYSDEC to finance the project.

The required 50% match will be funded from 2016-17 Cash Capital (\$35,000) and in-kind technical staff support (\$5,000).

In December 2016, the City was selected to receive \$40,000 through the Climate Smart Communities (CSC) Program administered by the NYSDEC. This grant program is designed to provide communities with the opportunity to conduct a vulnerability assessment to help prepare for the potential impacts of climate change by evaluating the degree to which they are susceptible to its adverse effects, such as warmer summers, increasing storms, warmer waters, colder winters and increasing drought. The deliverable will be a City of Rochester Climate Vulnerability Assessment that will serve as an important resource in the development of climate adaptation actions and projects by the City.

Conducting a Climate Vulnerability Assessment will assist the City in preparing for climate change impacts, help to create a sustainable community,

ready for continued growth and vibrancy. Implementing changes in advance of changing climate conditions positions Rochester to reduce the negative impacts of such changes. Proactive planning for climate change impacts is a more cost effective method than reactively responding to extreme climate events. Increased economic investment is anticipated to occur in communities that are adequately prepared for climate change impacts. This will allow Rochester to differentiate itself from peer communities and to provide a competitive advantage to attract and retain human capital, businesses, and investment. Because the effects of climate change often disproportionately impact the most vulnerable people, including the elderly, children, and those living in poverty, preparation for climate change becomes even more important as the City works to assist those in need.

Once the grant contract with the NYSDEC is in place, a request for proposals will be developed for consulting services to assist in the development of the Climate Vulnerability Assessment. The assessment is expected to be completed by December 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-101
(Int. No. 113)

Authorizing a grant agreement and appropriation for a Climate Smart Communities Climate Vulnerability Assessment

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 Environmental Conservation (NYSDEC) for the receipt and use of Climate Smart Communities Program funds in the amount of \$40,000 for the development of a Climate Vulnerability Assessment. The term of the agreement shall extend to the City's and NYSDEC's acceptance of said Assessment after it is completed.

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. 2017-102
Re: Grant Acceptance – New York State
Department of Environmental
Conservation, 2016 Zero-Emission
Vehicle Clean Vehicle Infrastructure
Municipal Rebate Program Applications

Transmitted herewith for your approval is legislation related to the installation of clean vehicle infrastructure throughout the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into grant agreements with the New York State Department of Environmental Conservation (NYSDEC); and
2. Authorize the receipt of \$96,000 in anticipated reimbursements from NYSDEC to finance the projects.

The City has been awarded funding through the 2016 Zero-Emission Vehicle (ZEV) Clean Vehicle Infrastructure Municipal Rebate Program administered by NYSDEC. The grant program is designed to provide communities with incentives to expand public access to clean vehicle infrastructure and increase ZEVs in municipal fleets.

Under the awarded grants, NYSDEC will provide \$96,000 in funding to the City for the proposed installation of six electric vehicle (EV) charging stations throughout the City, with two charging ports per station for a total of 12 ports. The proposed site locations for installation were determined with input from the City of Rochester’s Architectural Services and Engineering Bureau, Parking Bureau, Department of Recreation and Youth Services, and Rochester Public Library. The proposed locations and project cost information is listed below:

<u>Location Name</u>	<u>Number of EV Charging Station Ports</u>	<u>NYSDEC Rebate Amount</u>	<u>City Cost</u>	<u>Total Cost</u>
Genesee Valley Park Sports Complex	2	\$16,000	\$13,510	\$ 29,510
Rochester Public Market	2	16,000	12,985	28,985
Charlotte Branch Library	2	16,000	13,516	29,516
Cobbs Hill Park Lake Riley Lodge	2	16,000	14,046	30,046
High Falls Garage	4	32,000	14,242	46,242
Total	12	\$96,000	\$68,299	\$164,299

The City’s cost share for these projects will be funded from the Department of Environmental Services’ energy program income fund. The installation of these stations will be completed by the New York Power Authority under the current Energy Efficiency Services Program Agreement authorized by City Council via Ordinance No. 2015-398. Note that a separate grant agreement is required by NYSDEC for each location. The expansion of clean vehicle infrastructure via EV charging stations fulfills goals of both the City’s Community Climate Action Plan and the Rochester Energy Plan by encouraging more fuel-efficient transportation options that will reduce greenhouse gas emissions.

It is anticipated that the installation of the charging stations will be completed by December 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-67

Ordinance No. 2017-102
(Int. No. 114)

Authorizing grant agreements with the New York State Department of Environmental Conservation

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

Section 1. The Mayor is hereby authorized to enter into grant agreements with the New York State Department of Environmental Conservation (NYSDEC) for the receipt of \$96,000 in anticipated reimbursements from the NYSDEC’s 2016 Zero-Emission Vehicle Clean Vehicle Infrastructure Municipal Rebate Program to partially fund six electric vehicle charging stations throughout the City.

Section 2. The agreements authorized herein 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. 2017-103
Re: Agreement - Harter Secrest &
Emery LLP, Legal Services for
Vacuum Oil Site Remediation

Council Priority: Deficit Reduction and
Long-Term Financial Stability; Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an amendatory agreement with Harter Secrest & Emery LLP (HSE), Rochester, New York, for the continuation of legal services related to the investigation, remediation, and redevelopment of brownfield properties, including those located on and near the former Vacuum Oil Site in the City of Rochester. The proposed agreement will be funded from 2012-13 (\$18,000) and 2016-17 (\$52,000) Cash Capital, and the term will be for two years with the option for two one-year renewals.

HSE has been providing legal services to the City in this matter since 2008 under an original agreement in the amount of \$65,000 (Ord. No. 2008-270) and an amendatory agreement for \$49,000 (Ord. No. 2014-252). The amount of the proposed amendatory agreement brings the total cost to \$184,000.

The City has entered the State's Brownfield Cleanup Program (BCP) to conduct a Remedial Investigation on approximately 15.5 acres of City-owned properties located on the footprint of the former Vacuum Oil site located south of Flint Street. Under the proposed amendatory agreement, HSE will continue to assist the City with the environmental investigation and remediation of brownfield sites, including those located on or near the former Vacuum Oil Site. The City's long-term goal is the remediation of contamination at the Vacuum Oil Site to levels that will allow for safe redevelopment of the area consistent with the Vacuum Oil – South Genesee River Corridor Brownfield Opportunity Area (BOA) master plan. HSE's main responsibility under this agreement is to assist the City to meet that goal cost-effectively and in compliance with law, with a primary focus on the recovery of environmental investigation and cleanup costs from Exxon Mobil Corp. ("ExxonMobil"), the corporate successor to the Standard Oil Company of New York (SOCONY) which owned and operated the Vacuum Oil facility until the mid-1930s.

The former Vacuum Oil Site is approximately 40 acres in size and located in the PLEX neighborhood adjacent to the western bank of the Genesee River near Exchange Street and Flint Street.

Since being retained by the City, HSE has been negotiating with ExxonMobil for a commitment to reimburse the City for environmental investigation

costs. To preserve the City's rights in court in the event that ExxonMobil does not consent to reimburse the City adequately, HSE has also negotiated and the City has entered into an agreement with ExxonMobil to toll the running of relevant statutes of limitations for commencing a lawsuit for environmental cost recovery. HSE also has:

- Negotiated an Access Agreement to allow ExxonMobil access to City-owned parcels to perform specified investigations under ExxonMobil's Stipulation with NYSDEC;
- Negotiated access and cooperation agreements with ExxonMobil and with the owners of 5 and 15 Flint Street to allow the City to perform remedial investigations at those properties after the owners refused ExxonMobil direct access;
- Reviewed and commented on various investigation work plans implemented by ExxonMobil and the City;
- Reviewed documents related to the establishment of the BOA;
- Reviewed, analyzed and commented on various court filings and rulings and environmental reports on the Site;
- Assisted the City with preparation of a draft application to enter the Site into the NYS Brownfield Cleanup Program (BCP);
- Reviewed and commented on a scope of work for additional investigation at the Site by the City intended to be performed under the state's BCP with potential partial reimbursement of costs;
- Conducted negotiations seeking ExxonMobil agreement to pay for a portion of the remedial investigation costs to be performed under the State BCP as a partial settlement; and
- Successfully negotiated on behalf of the City an Investigation Phase Contribution Agreement and a Property Access and Sampling Agreement with ExxonMobil whereby ExxonMobil is contributing \$330,000 towards the City's remedial investigation under the BCP. The Property Access and Sampling Agreement established rights and responsibilities between the City and ExxonMobil that allow ExxonMobil to observe the BCP remedial investigation, collect certain samples, and share the data with the City. The proceeds from the Investigation Phase Contribution Agreement were used to retire debt service for costs associated with the Vacuum Oil remedial investigation.

Authorization to continue HSE's legal services is necessary at this time so that they can continue to assist the City in moving the BCP project forward toward remedy selection and remediation without

delay, and to continue the negotiations with ExxonMobil toward an agreement for financial contribution to the City for future Vacuum Oil BCP environmental cleanup costs incurred by the City.

Outside counsel is requested because of HSE's in-depth familiarity with this matter and expertise in environmental contamination cost recovery that extends beyond that of members of the Law Department. HSE was selected because of its specialized legal expertise in brownfield investigations, clean-ups, and cost recovery.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-103
(Int. No. 115)

Authorizing an amendatory professional services agreement for legal services in connection with the Vacuum Oil site remediation

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 Harter Secrest & Emery LLP for legal representation with respect to the investigation, remediation and redevelopment of the Vacuum Oil site and the surrounding area. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2008-270 and amended in Ordinance No. 2014-252 by \$70,000 to a new total of \$184,000. Said amendatory amount shall be funded from 2012-13 Cash Capital in the amount of \$18,000 and from 2016-17 Cash Capital in the amount of \$52,000.

Section 2. The term of the amendatory agreement shall be two years with the options upon mutual consent to extend the term by up to two additional periods of 1 year each.

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

Section 4. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-104
Re: Grant Agreement- Rochester Museum & Science Center, New York State Environmental Facilities Corporation Green Innovation Grant Project

Transmitted herewith for your approval is legislation related to the completion of a Green Infrastructure Gateway Project (Gateway Project) at the Rochester Museum & Science Center (RMSC). This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Environmental Facilities Corporation (NYSEFC); and
2. Authorize the receipt and use of \$1,300,000 in anticipated grant reimbursements from the NYSEFC to finance the project.

In July 2016, in collaboration with and at the request of RMSC, the City applied for and was subsequently awarded grant funding through the Green Innovation Grant Program (GIGP) from the NYSEFC. The grant program is designed to provide communities with funding for projects that will support green infrastructure in New York State. As the City is the property owner of the RMSC site at 657 East Avenue, and an eligible applicant for GIGP funding under the program requirements, the application was submitted by the City in anticipation of use of the funds by RMSC to implement the project.

Under the awarded grant, the NYSEFC will provide \$1,300,000 in funding to the City for the construction of the Gateway Project at the RMSC campus. The proposed site improvements incorporate green infrastructure practices new to the RMSC Campus including: a series of infiltration planters to harvest runoff from the roofs of the existing Strassenburgh Planetarium and the new Gateway Addition building; a new pervious asphalt parking area; pervious flex-pave accents that simulate the Genesee River; a series of rain garden areas populated with native vegetation; native stormwater infiltration trees; and, redirection of roof runoff into the green practices. The Gateway Project will build and expand upon the recently completed Regional Green Infrastructure Showcase at RMSC.

The City of Rochester has a lease agreement with the RMSC that states that the RMSC is solely responsible for the long-term maintenance and operation of the property. The City, as the applicant and awardee of the GIGP funds, will administer the grant. It is anticipated that the City will enter into an agreement with the RMSC to design and manage the project.

While no City funds will be utilized for this project, City staff time will be required to oversee the project and administer the grant. The source of the required 10% local match of \$144,444 will be from in-kind staff time contribution from both the City, in the amount of \$27,500, and the RMSC team, in the amount of \$116,944.

The development of the Gateway Project complements the City's Community Climate Action Plan by providing new green infrastructure in the City of Rochester, which serves to reduce stormwater pollution and educate the public on the benefits of green infrastructure practices. The Gateway Project will also contribute to the climate adaptation goals that are included in the Climate Action Plan.

It is anticipated that the project will begin in October 2017 and be completed by October 2019.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-104
(Int. No. 116)

Authorizing agreement for the New York State Environmental Facilities Corporation funded Green Infrastructure Gateway Project at the Rochester Museum & Science Center

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 (NYSEFC) for the receipt and use of Green Innovation Grant Program funds in the amount of \$1,300,000 for the development of a Green Infrastructure Gateway Project (Project) at the Rochester Museum & Science Center (RMSC) campus.

Section 2. The agreement shall require the City and RMSC to satisfy the grant program's 10% local match requirement of the total project cost by committing the City and RMSC to contribute in-kind staff time to administer the grant and to oversee the Project equivalent in value to \$27,500 from the City and \$116,944 from RMSC. The Mayor is hereby authorized to devote the City's staff to providing the in-kind services that are required by the agreement.

Section 3. The term of the agreement shall extend to the City's and NYSEFC's acceptance of said Project after it is completed.

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

Section 5. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1723,
Local Improvement Ordinance No. 1724,
Local Improvement Ordinance No. 1725,
Local Improvement Ordinance No. 1726 and
Local Improvement Ordinance No. 1727

Re: Local Improvement Ordinance -
Street Lighting Enhancement
Special Assessment Districts

Council Priority: Public Safety; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing the 2017-18 budgets for street lighting enhancement special assessment districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2017-18	2016-17	Variance	Capital/ Operating	Type
1547	Wilson Boulevard	\$539.03	\$536.80	\$2.23	Operating	Street lighting
1502	Lyell Avenue I	\$2,119.90	\$2,109.87	\$10.03	Operating	Street lighting
1503	Lyell Avenue II	\$2,243.45	\$2,232.85	\$10.60	Operating	Street lighting
1413	Monroe I	\$1,301.46	\$1,381.16	-\$79.70	Operating	Street lighting
1412	Monroe II	\$604.20	\$602.03	\$2.17	Operating	Street lighting
1429	Cascade Historic	\$1,546.33	\$1,544.84	\$1.49	Operating	Street lighting
1601	Norton Street URD	\$1,335.72	\$1331.94	\$3.78	Operating	Street lighting
1472	Lake Avenue	\$3,925.04	\$3,911.88	\$13.16	Operating	Street lighting
1552	St. Paul Street	\$507.60	\$505.64	\$1.95	Operating	Street lighting
1627	East Main Street	\$351.37	\$350.08	\$1.29	Operating	Street lighting
1658	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$0	Capital	Street lighting

The history and purpose of each district is described in the attached summary.

A public hearing on renewing the Wilson Boulevard district, renewing the Lyell Avenue districts, and renewing the Cascade Historic district, and the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-68

Local Improvement Ordinance No. 1723
(Int. No. 117)

Local Improvement Ordinance - establishing the operating, installation and maintenance costs of street lighting special assessment districts

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LIO) for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2017-18 fiscal year:

<u>Street Lighting District</u>	<u>Amount</u>	<u>LIO</u>
Wilson Boulevard	\$539.03	1547*
Lyell Avenue I	\$2,119.90	1502*
Lyell Avenue II	\$2,243.45	1503*
Monroe Avenue I	\$1,301.46	1672
Monroe Avenue II	\$604.20	1671
Cascade Historic	\$1,546.33	1429*
Norton Street Urban Renewal	\$1,335.72	1601
Lake Avenue	\$3,925.04	1697
St. Paul Street	\$507.60	1696
East Main Street	\$351.37	1627
Browncroft Neighborhood	\$9,508.99	1658

*To be extended in accompanying local improvement ordinances.

Section 2. This ordinance shall take effect on July 1, 2017

Passed unanimously.

Local Improvement Ordinance No. 1724
(Int. No. 118)

Continuation of Local Improvement Ordinance No. 1374 relating to the street lighting enhancements on Wilson Boulevard

WHEREAS, by Local Improvement Ordinance No. 1374, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements on Wilson Boulevard; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 10 years and renewed by Local Improvement Ordinance No. 1547 for an additional ten years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 10 years.

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

Section 1. Local Improvement Ordinance No.

1374 relating to street lighting enhancements on Wilson Boulevard is hereby re-enacted for an additional period of 10 years, commencing on July 1, 2015 and ending on June 30, 2025.

Section 2. This ordinance shall take effect immediately

Passed unanimously.

Local Improvement Ordinance No. 1725
(Int. No. 119)

Continuation of Local Improvement Ordinance No. 1340 relating to the street lighting enhancements for the Lyell Avenue I District

WHEREAS, by Local Improvement Ordinance No. 1340, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements for the Lyell Avenue I District; and

WHEREAS, said Local Improvement Ordinance

was authorized for a term of 15 years and renewed by Local Improvement Ordinance No. 1502 for an additional 15 years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 3 years.

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

Section 1. Local Improvement Ordinance No. 1340 relating to street lighting enhancements for the Lyell Avenue I District is hereby re-enacted for an additional period of 3 years, commencing on July 1, 2017 and ending on June 30, 2020.

Section 2. This ordinance shall take effect immediately

Passed unanimously.

Local Improvement Ordinance No. 1726 (Int. No. 120)

Continuation of Local Improvement Ordinance No. 1377 relating to the street lighting enhancements for the Lyell Avenue II District

WHEREAS, by Local Improvement Ordinance No. 1377, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements for the Lyell Avenue II District; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years and renewed by Local Improvement Ordinance No. 1503 for an additional 15 years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 3 years.

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

Section 1. Local Improvement Ordinance No. 1377 relating to street lighting enhancements for the Lyell Avenue II District is hereby re-enacted for an additional period of 3 years, commencing on July 1, 2017 and ending on June 30, 2020.

Section 2. This ordinance shall take effect

immediately

Passed unanimously.

Local Improvement Ordinance No. 1727 (Int. No. 121)

Continuation of Local Improvement Ordinance No. 1429 relating to the street lighting enhancements for the Cascade Historic District

WHEREAS, by Local Improvement Ordinance No. 1429, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements for the Cascade Historic District; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years effective July 1, 1999.

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

Section 1. Local Improvement Ordinance No. 1429 relating to street lighting enhancements for the Cascade Historic District is hereby re-enacted for an additional period of 15 years, commencing on July 1, 2014 and ending on June 30, 2029.

Section 2. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No 1728 and
Local Improvement Ordinance No 1729
Re: Local Improvement Ordinance -
Streetscapes

Transmitted herewith for your approval is legislation authorizing streetscape enhancements during 2017-18 and the assessment of the associated costs of \$40,815 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2017-18	2016-17	Variance	Type
1430	Cascade Historic	\$8,000	\$8,000	\$0	Capital and Operating
1619	Norton Street Urban Renewal District	\$2,815	\$2,815	\$0	Capital and Operating
1652	Mt. Hope	\$30,000	\$30,000	\$0	Capital and Operating

A public hearing on the assessments for the districts and renewing the Cascade Historic District is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-69

Local Improvement Ordinance No. 1728
(Int. No. 123)

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LIO) for the operation and maintenance of special assessment districts for streetscape enhancements during 2017-2018:

<u>Streetscape District</u>	<u>New Amount</u>	<u>LIO</u>
Cascade Historic	\$8,000	1430*
Norton Street Urban Renewal	\$2,815	1619
Mt. Hope	\$30,000	1652

*To be extended in accompanying local improvement ordinance.

Section 2. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

Local Improvement Ordinance No. 1729
(Int. No. 124)

Continuation of Local Improvement Ordinance No. 1430 relating to the Cascade Historic Streetscape District

WHEREAS, by Local Improvement Ordinance No. 1430, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Cascade Historic Streetscape District; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years effective July 1, 1999.

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

Section 1. Local Improvement Ordinance No. 1430 relating to the levying of local improvement

assessments to fund the cost of special work and services related to the Cascade Historic Streetscape District, is hereby re-enacted for an additional period of 15 years, commencing July 1, 2014 and ending on June 30, 2029.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1730
Re: Local Improvement Ordinance -
Downtown Enhancement District,
2017-18 Budget

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2017-18 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, and reauthorized regularly since then, provides an enhanced level of care and

maintenance in the downtown area. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. The Downtown Enhancement District Advisory Board, consisting of 11 representatives of property owners or tenants, oversees the administration of the program by City staff.

Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2017-18 based upon the 28 year cumulative increase in the CPI (100.5%) is \$802,381. The recommended assessment is \$604,100, which is the same as last year. The Advisory Board agreed to use the fund balance of \$58,200 to partially offset employee benefits

<u>Category of Expense</u>	<u>2016-17</u>	<u>2017-18</u>	<u>Variance</u>
Personnel Total	\$636,400	\$632,500	\$-3,900
<i>Salary and wages</i>	435,100	435,800	700
<i>Employee Benefits</i>	201,300	196,700	-4,600
Operational Expenses	82,400	84,800	2,400
<i>Materials and supplies</i>	61,500	62,300	800
<i>Contractual Services</i>	20,900	22,500	1,600
Contingency (wage increase)	0	0	0
Less: Operating Revenues	-55,000	-55,000	0
Net Expense	663,800	662,300	-1,500
Less: Use of Fund Balance	-59,700	-58,200	-1,500
Required Assessment	\$604,100	\$604,100	\$ 0

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 17, 2017 by a unanimous vote of 11 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1730

(Int. No. 125)

Local Improvement Ordinance - establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

Section 1. The cost of the special work and services for the 2017-18 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, and 1715 is established at \$604,100, except that Zone 2 shall continue to include those properties which have been within the District as a result of their previously having enclosed walkway access to Main Street. Said amount, plus the sum of \$58,200 from the District's fund balance, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2017-18 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1731
Re: Care and Embellishment of Street Malls

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2017-18 and the assessment of the associated costs of \$34,241 among the benefitted properties.

Each street mall budget is prepared by a street mall association and is based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, repair or replacement of decorative signage, and spring and fall cleanup. Budgets are reviewed at the appropriate neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The malls and associated budgets are summarized below:

Street Mall	Budget 2017-18	LIO 1713 2016-17	Variance	Reason for Variance
Arnold Park	\$2,500.00	\$1,964.00	\$536.00	Increased budgeted amounts for lawn care, fall and spring cleanups and plants
Hazelwood Terrace	400.00	800.00	-400.00	Budgeted amounts are the same; using surplus from prior year
Hillside Avenue	5,000.00	1,500.00	3,500.00	Increased budgeted amounts for lawn care, fall and spring cleanups and replanting
Huntington Park	3,600.00	3,600.00	0	N/A <i>Note: performs own mowing, trimming</i>
Lafayette Park	3,109.00	2,509.00	600.00	Increased budgeted amounts for restoration of raised plant beds
Nunda Boulevard	9,647.00	8,072.00	1,575.00	Increased budgeted amounts for tree pruning and grass seed <i>Note: performs own mowing, trimming, tree care</i>
Oxford Street	5,420.00	10,469.81	-5,049.81	Budgeted amounts are the same; using surplus from prior year <i>Note: performs own mowing, trimming, tree care, leaf pickup</i>
Rundel Park	3,500.00	200.00	3,300.00	Used mostly surplus in 2016-17. Restoration of brick wall and fence gardens in 2017-18
Sibley Place	1,065.00	1,191.00	-126.00	Budgeted amounts are the same; using surplus from prior year
Total:	\$34,241.00	\$30,305.81	\$3,935.00	

The Department of Environmental Services' Bureau of Operations provides mowing and trimming, tree pruning, and leaf pickup unless otherwise noted (see Huntington, Nunda, and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care and Embellishment Fund.

A public hearing on these assessments is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1731
(Int. No. 126)

Local Improvement Ordinance - care and embellishment of street malls for 2017-2018

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

Section 1. It is hereby determined that for 2017-18 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Arnold Park	\$ 2,500.00
Hazelwood Terrace	400.00
Hillside Avenue	5,000.00
Huntington Park	3,600.00
Lafayette Park	3,109.00
Nunda Boulevard	9,647.00
Oxford Street	5,420.00
Rundel Park	3,500.00
Sibley Place	<u>1,065.00</u>
Total	\$34,241.00

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2017.

Section 4. The total cost of such improvements and work, estimated at \$34,241.00, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-105
Re: Agreement - Rochester-Genesee
Regional Transportation Authority,
Vehicle Fueling

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) for the continued refueling of City vehicles at the RGRTA facility at 1372 East Main Street.

The City will reimburse RGRTA for the actual cost of the fuel and pay an administrative and service charge of 19.5 cents per gallon. The term of the agreement will be one year with four additional one-year renewals.

The City is involved in several cooperative refueling programs, providing services to Monroe County, the Rochester Housing Authority, U.S. Marshal and, in the past, the Federal Bureau of Investigation.

Under this agreement, RGRTA provides unleaded

fuel to City vehicles (primarily police vehicles) operating on the east side of the City to permit the vehicles to avoid the need to travel to the Central Vehicle Maintenance Facility on Colfax Street.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-70

Ordinance No. 2017-105
(Int. No. 127)

Authorizing an agreement with the Rochester-Genesee Regional Transportation Authority for the fueling of City 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 Rochester-Genesee Regional Transportation Authority (RGRTA) for the fueling of City vehicles at the RGRTA facility at 1372 East Main Street. The agreement shall be for a term of one year, with the option upon mutual consent to extend the term by up to four additional periods of 1 year each. The agreement shall obligate the City to reimburse RGRTA for the actual cost of the fuel and to pay an administrative and service charge of \$.195 per gallon. Funding shall be provided from the present and future annual budgets of the various City departments that utilize the service, contingent upon the approval of the budgets for future fiscal years.

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 by the following vote.

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Spaul - 7.

Nays - Councilmember Patterson - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-106
Re: Official Map Amendment -
Church Street Extension,
81 North Plymouth Avenue

Transmitted herewith for your approval is legislation amending the Official Map by dedicating 81 North Plymouth Avenue as public right-of-way for street purposes.

In January 2011, City Council authorized the sale of a City-owned parcel located at 116 West Main Street for the development of 24 new market-rate townhomes and a new mixed-use commercial building at the corner of West Main Street and North

Plymouth Avenue (Ordinance No. 2011-7). As part of this development, the City retained 81 North Plymouth Avenue for dedication as additional right-of-way, which will connect North Plymouth Avenue to Scott Alley, and is in approximate alignment with Church Street to the east.

The City Planning Commission, at its April 3, 2017 meeting, recommended approval of the Official Map Amendment by a vote of 6-0-0. The meeting minutes are attached. A negative declaration was previously issued on January 4, 2011.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-71

Ordinance No. 2017-106
(Int. No. 128)

Amending the Official Map by dedicating Church Street Extension

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating to street purposes the following described property presently constituting 81 North Plymouth Avenue, SBL # 121.22-1-55.27:

**LEGAL DESCRIPTION OF LANDS TO BE DEDICATED AS CHURCH STREET EXTENSION
#81 NORTH PLYMOUTH AVENUE
T.A. #121.220-01-055.027**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Lots 159 & 160 of the One Hundred Acre Tract, and being more particularly bounded and described as follows: Beginning at a point on the westerly ROW line of North Plymouth Avenue (122.07' ROW) at the southeast corner of Lot 14 of the North Plymouth Terrace Subdivision, as filed in the Monroe County Clerk's Office in Liber 340 of Maps, Page 71, said point being the Point or Place of Beginning; thence

- 1) S 33° 09' 38 " E, along said ROW line of North Plymouth Avenue, a distance of 36.00 feet to the northeast corner of Lot 15 of said subdivision; thence
- 2) S 56° 50' 22 " W, along the north line of said Lot 15, a distance of 95.85 feet to an angle point; thence
- 3) S 01° 09' 19 " E, continuing along said north line of Lot 15, a distance of 9.43 feet to the northwest corner thereof and the easterly ROW line of Scott Alley (14.48' ROW); thence

- 4) N 33° 09' 38 " W, along said ROW line of Scott Alley, a distance of 44.00 feet to the southwest corner of said Lot 14; thence
- 5) N 56° 50' 22 " E, along the south line of said Lot 14, a distance of 100.85 feet to the said southeast corner thereof and the said westerly ROW line of North Plymouth Avenue, being the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 3650 Square Feet and being part of a parcel of land conveyed to the City of Rochester in a deed dated March 4, 1955 and filed in Liber 2950 of Deeds, Page 396.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 122
Re: Appointments and Re-appointments -
Downtown Enhancement District
Advisory Committee

Transmitted herewith for your approval is legislation confirming the re-appointment of four members and the appointment of three new members to the Downtown Enhancement District Advisory Committee. The members will be appointed or re-appointed to two-year terms expiring on December 31, 2018.

Re-appointments

Richard Calabrese
Time Square Building
45 Exchange Boulevard, 14614

Sue Eliazewskyj
Excellus Blue Cross Blue Shield
165 Court Street, 14604

Chris Hill
I. Gordon Corporation
28 East Main Street, 14614

Wes Plant
Thompson Legal Regulatory
50 Broad Street East, 14614

Appointments

Rich Finley
Buckingham Properties
280 East Broad Street, 14604

Nicole Hunt
CGI Communications
130 East Main Street, 14604

Cady Guyton
Tower 280 Resident
Employee at Bergmann Associates,

Architects, Engineers, Landscape
Architects & Surveyors, D.P.C.

These appointments will restore the Downtown Enhancement District Advisory Committee to thirteen members, as originally established in 1989, and will add a second Downtown resident to the Committee.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 122

RESOLUTION APPROVING REAPPOINTMENTS AND APPOINTMENTS TO THE DOWNTOWN ENHANCEMENT DISTRICT ADVISORY COMMITTEE

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

Section 1. The Council hereby approves the reappointments of

Richard Calabrese
Times Square Building
45 Exchange Blvd., 14614
And

Sue Eliazewskyj
Excellus Blue Cross Blue Shield
165 Court Street, 14604
And

Chris Hill
I. Gordon Corporation
28 East Main Street, 14614
And

Wes Plant
Thompson Legal Regulatory
50 Broad Street East, 14614

to the Downtown Enhancement District Advisory Committee for a term that will expire on December 31, 2018.

Section 2. The Council hereby approves the appointments of

Rich Finley
Buckingham Properties
280 East Broad Street, 14604
And

Nicole Hunt
CGI Communications
130 East Main Street, 14604
And

Cady Guyton
Tower 280 Resident
Employee at Bergmann Associates

to the Downtown Enhancement District Advisory Committee for a term that will expire on December 31, 2018.

Section 3. This resolution shall take effect immediately.

Held in Committee

By Councilmember McFadden
April 25, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 131 - Authorizing agreements for the 2017 Summer of Opportunity Program

Int. No. 132 - Authorizing an amendatory agreement with Eskay Concerts, Inc. for event management and beverage concession services, as amended

Int. No. 133 - Amending the 2016-17 Budget and appropriating federal forfeiture funds

Int. No. 134 - Authorizing acceptance of grant for Animal Services

Int. No. 135 - Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services

Int. No. 136 - Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1732 and
Local Improvement Ordinance No. 1733
Re: Public Market Snow
Removal and Security Services

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the assessments and appropriations for snow removal and security services at the Public Market for fiscal year 2017-18. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 pm to 5:00 am, Monday through Saturday, and all day on Sunday. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee and a fee per frontage foot.

Snow Removal: For 2017-18 snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.01 per foot. The total amount of the assessment will be \$5,888.07, which is the same as the prior year.

Security Services: For 2017-18 security services, the fixed fee will be \$1,190 per property, while the front footage fee will be \$15.99 per foot. The total amount of the assessment will be \$41,160.70, which is an increase of \$1,210 from the prior year.

	Fixed Fee	No. Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
<i>Snow</i>							
2016-17	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
2017-18	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07

Int. No. 137 - Authorizing an agreement with Monroe County for the Tobacco Compliance Grant Program

Int. No. 138 - Authorizing an agreement for workplace culture improvement services for the Emergency Communications Department

Int. No. 139 - Authorizing an agreement for the 2017 Gus Macker 3 on 3 basketball tournament

The Public Safety, Youth & Recreation Committee recommends for consideration the following entitled legislation:

Int. No. 129 - Local Improvement Ordinance - snow removal at the Public Market for 2017-18

Int. No. 130 - Local Improvement Ordinance - security services at the Public Market for 2017-18

Respectfully submitted,
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed, and published.

						Change	\$0
<i>Security</i>							
2016-17	\$1,190	15	\$17,850.00	\$15.16	1,457.83	\$22,100.70	\$39,950.70
2017-18	\$1,190	15	\$17,850.00	\$15.99	1,457.83	\$23,310.70	\$41,160.70
						Change	+ \$1,210

Public hearings are required for these assessments.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1732
 (Int. No. 129)

Local Improvement Ordinance - snow removal at the Public Market for 2017-18

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

Section 1. The Council authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2017 to June 30, 2018.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2017-18 year shall be \$5,888.07. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.01 per foot of frontage that receives plowing and/or salting services. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

<u>Property Address</u>	<u>SBL No.</u>	<u>Front Footage</u>
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Ave	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40
11 Pennsylvania Avenue	106.580-0003-029	19.57
9 Pennsylvania Avenue	106.580-0003-030	128.24

Section 3. The snow plowing and salting services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such

services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2017 and shall be due in one installment.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1733
(Int. No. 130)

Local Improvement Ordinance - security services at the Public Market for 2017-18

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2017 to June 30, 2018.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2017-18 year shall be \$41,160.70. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$15.99 per foot of frontage. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

<u>Property Address</u>	<u>SBL No.</u>	<u>Front Footage</u>
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Ave	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40
11 Pennsylvania Avenue	106.580-0003-029	19.57
9 Pennsylvania Avenue	106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2017 and shall be due in one installment.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember McFadden moved to amend
Int. No. 131.

The motion was seconded by Councilmember Clifford.

Motion adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-107
Re: Summer of Opportunity Program

Council Priority: Jobs and Economic
Development; Public Safety

Transmitted herewith for your approval is legislation related to the implementation of the 2017 Summer of Opportunity Program (SOOP). This legislation will:

1. Establish \$263,073 as maximum compensation for agreements with the following agencies to provide summer employment services to 152 youth, to be funded from the 2016-17 (\$25,307) and 2017-18 (\$237,766) Budgets of the Department of Recreation and Youth Services (DRYS), contingent upon approval of the latter budget. The term of the agreements is one year.

<u>Agency/Program</u>	<u>No. of Youth</u>	<u>Amount</u>
Baden Street Settlement of Rochester, Inc./ Media Team	10	\$ 17,660
Baden Street Settlement of Rochester, Inc./ Drama Team	15	26,123
Baden Street Settlement of Rochester, Inc./ Video Production Team	15	26,128
Eugenio M de Hostos Charter School/ Teachers of Tomorrow	15	27,600
Genesee Land Trust, Inc./ Landscaper Apprentice	10	18,398
Ibero-American Action League, Inc./ Early Childhood Apprentice	10	17,510
Ibero-American Action League, Inc./ Media Broadcasting	10	17,517
Marketview Heights Collective Action Project/ Field to Table	12	22,080
North East Area Development/ GET IT	40	64,750
Urban League of Rochester, NY, Inc./ ROC City Future Reporters	15	25,307
Total	152	\$263,073

2. Authorize \$15,500 as maximum compensation for additional agreements with the Friends of GardenAerial, Inc. (GreenTopia) to sponsor two youth positions with the Green Visions program and three youth internships with the Veggie Valet program at the Public Market. The cost of these agreements will be funded from the 2016-17 (\$8,000) and 2017-18 (\$7,500) Budgets of DRYS, contingent upon approval of the latter budget. The term of the agreements is for one year.

Program Overview

The City’s SOOP collaborates with RochesterWorks’ Summer Youth Employment Program (SYEP) to conduct joint recruitment and application intake for all applicants ages 14 to 20 years old seeking summer employment. Funding for the activities of SOOP and SYEP is separate. The City funds summer jobs within City departments and summer work experience programs provided by external partner agencies, as described below. The City also provides job readiness training and parent orientations. RochesterWorks’ SYEP funds summer work experience programs provided by external partner agencies.

Externally Administered Work Experience (Tier 1)

A request for proposals (RFP) was issued jointly by SOOP and SYEP, the details for which are attached. A total of 33 proposals were received from 28 agencies. Twenty-six proposals were approved for funding. The approved proposals were then divided between the City and RochesterWorks, based on applicant preference of wages or stipends, history working with the agencies, and ages of the youth to be served. Agencies proposed working with either 14-15 year olds or 16-20 year olds; SOOP’s priority is 14-15 year olds.

Participants in programs funded by the City of Rochester will receive a stipend of \$600.

City	RochesterWorks	TOTAL
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Funder	<u>SOOP</u>	<u>SYEP</u>	<u>SOOP + SYEP</u>
Number of programs	10 programs	16 programs	26 programs
Total funding	\$263,073	\$548,668	\$811,741
Age 14-15	132	125	257
Age 16-20	20	183	203
Total Youth	152	308	460

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-71

Ordinance No. 2017-107
 (Int. No. 131 as amended)

Authorizing agreements for the 2017 Summer of Opportunity 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 Labor for the receipt and use of a \$300,000 grant to fund youth employment programs.

Section 2. The Mayor is hereby authorized to enter into agreements with the following agencies to provide summer employment program opportunities for youths. The agreements shall obligate the City to pay an aggregate amount not to exceed ~~\$263,073~~ \$280,218 with the maximum amount for each agreement as set forth below. The sum of ~~\$263,073~~ \$280,218, or so much as may be necessary, is hereby appropriated for this purpose, \$25,307 from the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS) and ~~\$237,766~~ \$254,911 from the 2017-18 Budget of DRYS, contingent upon approval of the latter Budget. Each agreements shall be for a term of no more than one year.

Agency/Program	Amount
Baden Street Settlement of Rochester, Inc./Media Team	\$17,660
Baden Street Settlement of Rochester, Inc./Drama Design Team	26,123
Baden Street Settlement of Rochester, Inc./Video Production Team	<u>34,837</u> 26,128
Eugenio M de Hostos Charter School/Teachers of Tomorrow	27,600
Genesee Land Trust, Inc./Landscape Apprentice	18,398
Ibero-American Action League, Inc./Early Childhood Apprentice	17,510
Ibero-American Action League, Inc./Media Broadcasting	17,517
Marketview Heights Collective Action Project/Field to Table	22,080
North East Area Development/GET IT	64,750
Urban League of Rochester, NY, Inc./ROC City Future Reporters	<u>33,743</u> 25,307
Total	<u>\$280,218</u> \$263,073

~~Section 2.3.~~ The Mayor is hereby authorized to enter into an agreement with Friends of the GardenAerial, Inc. in an amount not to exceed \$15,500 to sponsor two youth positions with the Green Visions program and three youth internships with the Veggie Valet program at the Public Market. The cost of the agreement shall be funded with \$8,000 from the 2016-17 Budget of DRYS and \$7,500 from the 2017-18 Budget of DRYS, contingent upon approval of the latter Budget. The term of the agreement shall be one year.

~~Section 3.4.~~ The agreements herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

~~Section 4.5.~~ This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:
Ordinance No. 2017-108
Re: Amendatory Agreement - Eskay
Concerts, Inc. d/b/a Up All Night,
Public Market Bands on the
Bricks Concert Series

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion establishing \$7,000 as maximum compensation
for an amendatory agreement with Eskay Concerts,
Inc. d/b/a Up All Night for event management and
beverage concession services for the annual Bands
on the Bricks Concert series at the Public Market.
This amendatory agreement will increase total max-
imum compensation from \$22,000 (Ord. No. 2015-
27) to \$29,000. The term of this agreement will be
for one year and will be funded from 2016-17
(\$26,000) and 2017-18 (\$3,000) Budgets of the De-
partment of Recreation and Youth Services, contin-
gent upon approval of the future year's budget.

Eskay Concerts, Inc. will provide talent, production,
sound, and beverage services for the Bands on the
Bricks Concert series to be held at the Rochester
Public Market on Friday evenings during July and
August. The additional funds will be used to attract
a higher profile entertainer for the Public Market
ribbon cutting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-108
(Int. No. 132, as amended)

**Authorizing an amendatory agreement with
Eskay Concerts, Inc. for event management and
beverage concession services**

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

Section 1. The Mayor is hereby authorized to en-
ter into an ~~amendatory~~ professional services agree-
ment with Eskay Concerts, Inc. (d/b/a Up All Night)
for event management and beverage concession ser-
vices for the annual Bands on the Bricks Concert se-
ries. The ~~amendatory~~ agreement shall ~~increase the~~
~~have a maximum annual~~ compensation of the agree-
~~ment authorized in Ordinance No. 2015-27~~ by
\$7,000 to a new total of \$29,000. The compensation
shall be funded with \$26,000 from the 2016-17
Budget of the Department of Recreation and Youth
Services (DRYS) and \$3,000 from the 2017-18
Budget of DRYS, contingent upon approval of the
latter budget. The term of the agreement shall be for
one year.

Section 2. The ~~amendatory~~ agreement shall con-
tain such additional terms and conditions as the
Mayor deems to be appropriate.

Section 3. This ordinance shall take effect

immediately.

Strikeout indicates deleted text, new text is under-
lined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-109
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legisla-
tion appropriating up to \$35,000 from federal forfei-
ture funds generated by the Rochester Police De-
partment (RPD) and amending the 2016-17 Budget
of the Police Department by this amount.

RPD's Major Crimes Unit encompasses many areas
of investigation which require an indefinite storage
time of original reports, including open and cold
case homicide investigations. All reports are cur-
rently housed in filing systems that are hard to man-
age, do not fit the area well, and are running out of
storage space. RPD would like to invest in a Datum
storage solution which is a 91 inch tall moving rail
system. This will maximize the use of the space
available, allow for all files to be located in one
place, provide storage space for many years to
come, and allow the files to be readily organized,
filed and retrieved. Adjustments will need to be
made to the sprinkler heads in the storage area to ac-
commodate for the higher shelving unit and to re-
duce the risk of accidental water damage to the crit-
ical paperwork stored.

This appropriation will result in a balance of approx-
imately \$920,900 in the federal forfeiture Justice
fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-72

Ordinance No. 2017-109
(Int. No. 133)

**Amending the 2016-17 Budget and appropriat-
ing federal forfeiture funds**

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

Section 1. Ordinance No. 2016-180, the 2016-17
Budget of the City of Rochester, is hereby amended
by increasing the revenue estimates and appropri-
ations to the Budget of the Police Department by
\$35,000 from funds received from the Federal Gov-
ernment from seized and forfeited assets. Said funds
are hereby appropriated to purchase a new storage
moving rail system for the Police Department's Ma-
jor Crimes Unit.

Section 2. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-110
Re: Agreement - Petco Foundation,
Animal Services Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Petco Foundation for the receipt and use of a grant in the amount of \$10,000. This amount will be included in the 2017-18 Budget of the Police Department, contingent upon approval of said budget. The term of this agreement is July 1, 2017 through June 30, 2018.

The funding from this grant will be used for fee-waived adoption events, which will prepare animals for adoption and promote adoption of shelter pets.

The previous grant received from the Petco Foundation was for \$45,000 (Ord. No. 2016-169), and resulted in the adoption of 255 cats and dogs during fee-waived events in 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-110
(Int. No. 134)

Authorizing acceptance of grant for Animal Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Petco Foundation for the receipt and use of a grant in the amount of \$10,000 to promote pet adoptions. This amount shall be included in the 2017-18 Budget of the Police Department, contingent upon approval of said budget. The agreement shall be for a term of one year from July 1, 2017 through June 30, 2018.

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. 2017-111
Ordinance No. 2017-112
Re: Grant Agreements - New York State
Division of Homeland Security and

Emergency Services
Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Homeland Security and Emergency Services for the receipt and use of two grants described below.

2016 Targeted Tactical Team Program Grant, April 1, 2017 - August 31, 2019

This \$98,281 grant will be used to enhance and maintain the capabilities of the Police Department's SWAT team. The grant budget includes funds for armor, android phones and training. Body armor for the team will be purchased, as well as armor, helmets and communications sets for tactical EMS teams to use when working with SWAT. To enhance information sharing, android phones are funded to allow for real-time distribution of data to the SWAT team. In furtherance of our efforts to maintain required SWAT team standards, funding is designated for costs associated with command/leadership and breaching capabilities training.

2016 Explosive Detection Canine Team Enhancement Grant, April 1, 2017 - August 31, 2019

This award, not to exceed \$15,000, will be used for the purchase of equipment and training to enhance the interoperability of the Police Department's Canine Team with the SWAT and Bomb Teams for tactical events. The grant budget includes laser pointer equipment, cooling vests for K-9 dogs, and training in systematic search and mass transit detection and deterrence.

No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-111
(Int. No. 135)

Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of funding for the Rochester Police Department for the 2016 Targeted Tactical Team Program Grant in the amount of \$98,281, which funds are hereby appropriated for said purpose. The term of this agreement shall be April 1, 2017 through August 31, 2019.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinances No. 2017-112
(Int. No. 136)

Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of funding for the Rochester Police Department for the 2016 Explosive Detection Canine Team Enhancement Grant Program in the amount of \$15,000, which funds are hereby appropriated for said purpose. The term of this agreement shall be April 1, 2017 through August 31, 2019.

Section 2. The agreements 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. 2017-113
Re: Agreement – Monroe County,
Tobacco Compliance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of up to \$40,000 for a Tobacco Compliance grant. No matching funds are required.

Monroe County will reimburse costs of up to \$40,000 in overtime and fringe benefits in the amount of \$30,148 and \$9,852, respectively, for compliance checks conducted April 1, 2017 through March 31, 2018. This agreement continues the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the City. These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products. Police Officers accompanying the purchasers will record and report any illegal underage sales, and will inspect sellers' premises for compliance with restrictions on product placement, and the possession of proper documents and certificates.

The \$30,148 for overtime will be included in the 2017-18 Budget of the Police Department and \$9,852 for fringe will be included in the 2017-18 Budget of Undistributed Expenses, contingent upon approval of the budget. This enforcement program

was most recently approved in May 2016 (Ord. No. 2016-168). During 2016-17, 433 tobacco compliance checks were completed and three violations identified.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-113
(Int. No. 137)

Authorizing an agreement with Monroe County for the Tobacco Compliance 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 Monroe County for receipt and use of \$40,000 of funding from the Tobacco Compliance Grant Program for the Rochester Police Department to conduct tobacco compliance inspections from April 1, 2017 through March 31, 2018.

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. 2017-114
Re: Agreement - Workplace
Communication, Inc., Workplace
Culture Improvements

Transmitted herewith for your approval is legislation establishing \$62,400 as total maximum compensation for an agreement with Workplace Communication, Inc. for workplace culture improvements services. The cost of this agreement will be funded from the 2016-17 (\$19,650) and 2017-18 (\$42,750) Budgets of the Emergency Communications Department (ECD), and the term is for two years. The cost will be reimbursed by Monroe County under the City/County operating agreement.

The purpose of this agreement is to develop the following workplace culture improvements in the ECD through improved leadership communication skills:

- Successfully create a positive work culture with increased performance
- Dramatically raise the bar on leadership's ability to change the current culture
- A substantial improvement in team's ability to

have more clarity of purpose and improved commitment to one another through improved communication

- Align organization with the leadership’s vision by developing timely, transparent, and motivational communication processes
- Increase awareness regarding internal and external customer needs
- Improved capability to hold people accountable at all levels of the organization

Workplace Communication, Inc. was selected for these services based on their successful record of leadership and communications counseling. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-73

Ordinance No. 2017-114
(Int. No. 138)

Authorizing an agreement for workplace culture improvement services for the Emergency Communications Department

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 Workplace Communication, Inc. to provide workplace culture improvement services for the Emergency Communications Department (ECD). The maximum compensation for the agreement shall be \$62,400, which shall be funded from the 2016-17 Budget of ECD (\$19,650) and the 2017-18 Budget of ECD (\$42,750), contingent upon the approval of the latter budget. The term of the agreement shall be two years.

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. 2017-115
Re: Agreement - Rochester Youth Sports Foundation, Gus Macker 3 on 3 Basketball Tournament

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Youth Sports Foundation (president: Anthony Jordan) to produce the Gus Macker 3 on 3 Basketball Tournament in downtown Rochester. The cost of this agreement will be financed by appropriating \$50,000 from the Rochester Events Network Trust Fund and amending the 2016-17 Budget of the Bureau of Communications by said amount. The term of the agreement will be one year.

The Gus Macker 3 on 3 Basketball Tournament is a national tournament that began in 1987. The Macker Tournament is designed so anyone can play: men, women, adults, and youth; experienced or inexperienced. Since 1987, 972 tournaments, with more than 2.2 million players and over 23 million spectators have enjoyed watching this driveway-style basketball tournament. This year, in addition to Rochester, tournaments are being held in New Mexico, Michigan, North Carolina, Illinois and downstate New York.

All proceeds from the event will be utilized to support youth sports programs in the city. Each year, more than 4,000 city kids participate in activities ranging from Little League to soccer, wrestling, lacrosse, football, hockey and others. Many of these programs, especially in the city, have needs for equipment, facilities and training that are beyond their capabilities to fund. The Rochester Youth Sports Foundation provides supplemental funding to make sure all kids have access to sports.

The Gus Macker 3 on 3 Basketball Tournament will take place on the Riverside Festival Site and on Court Street on June 24 and 25, 2017. More than 400 teams and 1,600 players are expected to attend, and 4,000 spectators are anticipated downtown for the two days. 15 teams of city youth will be able to participate for free in the tournament.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-74

Ordinance No. 2017-115
(Int. No. 139)

Authorizing an agreement for the 2017 Gus Macker 3 on 3 basketball tournament

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 in the maximum amount of \$50,000 with the Rochester Youth Sports Foundation for the 2017 Gus Macker 3 on 3 basketball tournament (Tournament) in downtown Rochester. Said amount shall be funded from the 2016-17 Budget of the Bureau of Communications. The term of the agreement shall be one year.

Section 2. The Council hereby appropriates

\$50,000 from the Rochester Events Network Trust Fund to fund the Tournament. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the 2016-17 Budget of the Bureau of Communications by said amount.

Passed unanimously.

The meeting was adjourned at 8:30 p.m.

HAZEL L. WASHINGTON
City Clerk

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

* * * * *

Section 4. This ordinance shall take effect immediately.

REGULAR MEETING
MAY 23, 2017

Present - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

- Retirement
- Recreation and Youth Services
 - Carl Diliberto
 - Joseph Diliberto
 - Police Department
 - *David B. Blaho
 - *Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting of April 25, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Quarterly Report - Schedule of Revenue and Expenditures 4259-17
 - Quarterly Report - Grant Administration, 3rd Quarter 4260-17
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges, May 2017 4261-17

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. No. 149.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaul presented a petition with 200 signatures opposing Rochester Management/Cobbs Hill 1737

Councilmember Spaul presented a petition with 410 Signatures to ban Styrofoam 1738

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTION.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-11
Re: Home Rule Resolution -
City Traffic
Violations Agency

Transmitted herewith for your approval is a home rule resolution related to legislation that is currently being considered by the New York State Legislature. The legislation, Assembly Bill No. A. 1501-A and Senate Bill No. S. 6456, would authorize the establishment of a City Traffic Violations Agency (City Agency) to adjudicate traffic violations.

At present, traffic violations that occur in the City must go before a State Traffic Violations Bureau (State Bureau) within the Department of Motor Vehicles, while each town has jurisdiction over the traffic violations that occur within its boundaries. Town courts may accept plea bargains that allow for reducing a charged infraction to a lesser offense. However, State law prohibits the State Bureau from accepting pleas bargains.

This legal discrepancy presents an issue of substantial unfairness. Without the plea bargain option, City drivers face higher fines, higher points and, consequently, higher insurance premiums than those faced by drivers outside the City for the same infractions. The approval of a City Agency would eliminate that discrepancy by allowing the City to run its own traffic violations system freed of the State prohibition on plea bargains.

The creation of the City Agency would entail the hiring of judicial hearing officers and prosecutors to adjudicate tickets. However, the costs of hiring the necessary officers and employees, and of administering the system will be more than offset by the collection of the same administrative assessments that are presently charged by the State Bureau. For example, the City of Buffalo, which has been operating its traffic violations bureau since July 1, 2015, pursuant to similar State legislation, generates a net revenue increase of more than \$2 million annually for the city's budget.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-11
(Int. No. 179)

Resolution for the purpose of a Home Rule Message regarding State legislation in relation to the adjudication of traffic infractions within the City of Rochester

Concurring in the request by the Mayor of the City of Rochester to the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to the adjudication of traffic infractions.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council concurs in the request of Lovely A. Warren, Mayor of the City of Rochester, to the Senate and the Assembly of the State of New York, constituting the New York State Legislature, that said Legislature enact the legislation set forth in the following bill entitled:

AN ACT to amend the vehicle and traffic law, the general municipal law, the state finance law, and the criminal procedure law, in relation to the adjudication of traffic infractions.

Being Senate Bill No. S. 6456 and Assembly Bill No. A.1501-A.

This resolution shall take effect immediately

Adopted unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
May 23, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 144 - Cancellation of erroneous taxes and charges

Int. No. 145 - Approving the apportionment of taxes and charges

Int. No. 146 - Authorizing an amendatory professional services agreement for upgrading the 311 Call Center's Digital First Engagement Management system

Int. No. 148 - Authorizing competitive grant applications

Int. No. 149 - Authorizing an agreement for receipt and use of the 2016-17 Poverty Action Lab Grant

Int. No. 150 - Approving the commitment of reserve funds

Int. No. 174 - Approving certain matters and authorizing the execution and delivery of specified documents in conjunction with the 2017 Phase of the Rochester Joint Schools Construction Board Facilities Modernization Program

Int. No. 176 - Determining and certifying base proportions, current percentages, and base percentages for the 2017 Assessment Roll

Int. No. 177 - Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2017 Assessment Roll

Int. No. 178 - Resolution amending the Rules of Council relating to Zoning, Official Map and Comprehensive Plan amendments

Int. No. 86 - Authorizing an agreement for the 2017 Corn Hill Arts Festival

Int. No. 87 - Authorizing an agreement for the 2017 Park Ave Summer Art Fest

Int. No. 88 - Authorizing an agreement for the 2017 Puerto Rican Festival

The Finance Committee recommends for consideration the following entitled legislation:

Int. No. 147 - Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

Respectfully submitted,
Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, Filed and Published

Introductory No. 86 was introduced on April 6, 2017 and appears in its original form with its transmittal letter on page 111 of the current Council Proceedings

Ordinance No. 2017-116
(Int. No. 86)

Authorizing an agreement for the 2017 Corn Hill Arts Festival

Passed unanimously.

Introductory No. 87 was introduced on April 6, 2017 and appears in its original form with its transmittal letter on page 112 of the current Council Proceedings Ordinance No. 2017-117

(Int. No. 87)

Authorizing an agreement for the 2017 Park Ave Summer Art Fest

Passed unanimously.

Introductory No. 88 was introduced on April 6, 2017 and appears in its original form with its transmittal letter on page 112 of the current Council Proceedings

Ordinance No. 2017-118
(Int. No. 88)

Authorizing an agreement for the 2017 Puerto Rican Festival

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-119
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$13,118.

The owner of 33 Mead Street purchased the property on April 14, 2016 from a private foreclosure sale. The fines were issued to the former owner for exterior violations and were added to the 2017 tax bill. The City was unaware of the transfer of ownership because the deed wasn't filed until June 13, 2016. The current owner has de-converted the property to a single family dwelling which is now code compliant.

The property located at 294-296 Rosewood Terrace was purchased by a couple in October 2009. The property had been ticketed numerous times for code violations since the purchase all of which had been paid. The owners had started renovations but did not have the financial resources to complete the project, were ticketed several times from February 2014 through June 2014, and \$5,250 had been added to the tax bill. The husband had passed away in August 2014. Since that time, the City has provided whatever assistance possible, and the surviving spouse has completed the de-conversion to a single family. The only fine from 2014 that will remain is a \$300 ticket for high grass and weeds.

The owner of 692 Joseph Avenue purchased the property on December 14, 2015. However, the deed was not recorded until June 20, 2016. The prior owners had been ticketed numerous times from April 28 through November 12, 2015 for broken windows, grass-cutting, and board-up. The new owner was not aware of the pending charges and violations. The building is currently secure and the new owner has plans to rehabilitate the property.

If these cancellations are approved, total cancellations thus far for 2016-17 will be as follows:

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-120
Re: Apportionment of Taxes and Charges

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 54 properties. This apportionment has been certified by the Assessor and is authorized by §6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined during fiscal year 2016-17. These taxes and charges, which total \$108,835.82, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2017 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-79

Ordinance No. 2017-120
(Int. No. 145)

Approving the apportionment of taxes and charges

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon various parcels of land as certified by the Assessor of the City of Rochester, pursuant to Section 6-78 of the Charter of the City of Rochester on April 17, 2017, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-121
Re: Amendatory Agreement -
Verint Americas Inc.,
Upgrade 311 Call Center
Lagan V8 Environment

Transmitted herewith for your approval is legislation establishing \$179,050 as maximum compensation for an amendatory agreement with Verint Americas Inc., Alpharetta, Georgia, for additional services related to the 311 Call Center program. The original agreement for \$9,950 was executed in December

2016 for strategic consulting services to capture all business and functional requirements, cost and schedule to upgrade the Lagan environment to Verint Digital First Engagement Management (DFEM). The amendatory agreement of \$179,050 will be funded from \$29,050 of Prior Years' Cash Capital and \$150,000 of 2016-17 Cash Capital. The term of the agreement will be extended from December 31, 2017 to June 30, 2018.

This upgrade enhances the Knowledge Management System used by the 311 Call Center during interaction with callers by improving the search capabilities of the knowledge base. The consultant will replace the legacy Business Process Management tool, which is no longer supported, with enhanced core Verint DFEM functionality for process automation, and better map functionality and integration with the City's Enterprise Geographic Information System. It is anticipated these enhancements will result in increased staff performance, customer satisfaction and quality of service.

Lagan Technologies' government solution for Customer Relationship Management and Enterprise Case Management was implemented for the 311 Call Center program in 2008. The Lagan software was last upgraded in 2011. Lagan Technologies was acquired by Kana Software Inc. in 2010, and in February 2014, Verint Americas Inc. acquired Kana Software Inc. and rebranded their platform to "Verint Digital First Engagement Management".

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-80

Ordinance No. 2017-121
(Int. No. 146)

Authorizing an amendatory professional services agreement for upgrading the 311 Call Center's Digital First Engagement Management system

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 Verint Americas Inc. to upgrade the 311 Call Center's Digital First Engagement Management system. The amendatory agreement shall increase the maximum compensation of the agreement originally executed in December 2016 by \$179,050 to a new total of \$189,000. Said amendatory amount shall be funded from Prior Years' Cash Capital in the amount of \$29,050 and from 2016-17 Cash Capital in the amount of \$150,000.

Section 2. The term of the amendatory agreement shall be extended to June 30, 2018.

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

Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1734
Re: Special Assessment District
Parking Lots

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation authorizing special assessments for neighborhood commercial and residential parking lots and appropriating \$61,261 for the operation and maintenance of the parking lots during fiscal year 2017-18.

City Council first established special assessment district parking lots in 1979, with the Culver/Merchants, Monroe Avenue/Oxford Square Lot, North Street, Lyell Avenue and Woodside/Goodwill districts. A sixth lot was created in 2011-12 for Mt. Hope Avenue in the Collegetown Village District. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments reflect the cost of snow plowing, cleaning, landscaping, maintenance, lighting, and parking regulation enforcement. These services are provided by City personnel, or private companies under contract to the City, or by the property owners themselves. The total assessments required and total appropriation for 2017-18 is shown below.

Lot Name	2017-18 Budget	2016-17 Budget	Variance	Reason
Lyell Avenue	\$11,221	\$10,345	\$ 876	Increase in insurance rate
Monroe/Oxford	16,200	16,200	0	N/A
Woodside/Goodwill	13,360	11,660	1,700	Increase in RG&E and beautification
Culver/Merchants	9,980	9,980	0	N/A
North Street	10,000	8,800	1,200	Increase in lot maintenance and repairs
Mt Hope	1,000	1,000	0	N/A
Sub-total	\$61,761	\$57,985	\$3,776	
Rollover Untaxed				
Monroe/Oxford	-500	0	-500	Prior year's carry over
Total	\$61,261	\$57,985	\$3,276	

A public hearing is required for these local improvements.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1734
(Int. No. 147)

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

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

Section 1. The 2017-18 assessment for the operation and maintenance of the special assessment district parking lots listed below is \$61,261. The following amounts are hereby authorized and shall be allocated and levied against the properties benefited by the special assessment district parking lots as follows:

<u>Lot Name</u>	<u>Assessment</u>
Lyell Avenue	\$11,221
Monroe/Oxford	15,700
Woodside/Goodwill	13,360
Culver/Merchants	9,980
North Street	10,000
Mt Hope	<u>1,000</u>
Total	\$61,261

Section 2. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-122
Re: Competitive Grant Applications -
Fiscal Year 2017-18

Transmitted herewith for your approval is legislation authorizing certain competitive grant applications for the 2017-18 fiscal year. This legislation helps streamline the application process. Council has approved such grant applications annually since 2007.

There are hundreds of federal, state, regional, and private grant opportunities that the City qualifies for as a municipality. Frequently, granting agencies require City Council endorsement as part of the application process. Providing this “up front” approval will enable staff to respond to funding opportunities more quickly.

Grant applications will continue to require individual Council endorsement when:

- The City is required to pay more than \$250,000 of the cost of the project;
- The award exceeds \$1,000,000; or
- For capital projects, completion is required in one calendar year or less.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-122
(Int. No. 148)

Authorizing competitive grant applications

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

Section 1. The Mayor is hereby authorized to submit applications to Federal, State, and regional governments, agencies and authorities, as well as private foundations and other funding sponsors, for funding that will support City programs, services and capital operations.

Section 2. For successful award applications, the

Mayor shall obtain City Council approval to enter into agreements for receipt of the funding and necessary professional services agreements for performance of the work, and for appropriation of the funds.

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

Section 4. Grant applications which obligate the City of Rochester to pay more than \$250,000 in City funding shall require City Council authorization.

Section 5. Applications for grants exceeding \$1,000,000 and awards for capital projects that require project completion in one calendar year or less shall require City Council authorization.

Section 6. The Director of Finance shall submit quarterly reports to Council for grants received through applications authorized herein, detailing dollar amounts received and expended.

Section 7. This ordinance shall be in effect for the 2017-18 fiscal year.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-123
Re: Agreements - Catholic Family Center and
the University of Notre Dame, 2016-19
Abdul Latif Jameel Poverty Action
Lab Grant, Phases I and II

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the 2016-19 Abdul Latif Jameel Poverty Action Lab (J-PAL) grant. This legislation will:

1. Authorize an agreement with the Catholic Family Center for the receipt and use of Phase I J-PAL grant funds in the amount of \$19,468.
2. Authorize an agreement with the University of Notre Dame’s Wilson Sheehan Lab for Economic Opportunity (LEO) for the receipt and use of Phase II J-PAL grant funds totaling \$41,616 as follows: \$20,602 for the 2017-18 Budget of the Mayor’s Office of Innovation

and Strategic Initiatives (OISI), and \$21,014 for the 2018-19 Budget of OISI, contingent upon approval of the future budgets.

In partnership with the Rochester Monroe Anti-Poverty Initiative (RMAPI), the City of Rochester submitted a grant application in spring 2016 to J-PAL North America, an arm of the Massachusetts Institute of Technology (MIT), to their State and Local Initiatives Grant Program. This grant program supports the early stage development of randomized control trial evaluations of anti-poverty and human service programs, focused on rigorously documenting the impact of programs on key outcome measures. This type of evaluation is considered the gold standard within academic, governmental, and philanthropic circles.

The grant application focused on the evaluation design for RMAPI's Bridges to Success Program, previously titled the "Adult Mentor Program." The program pairs participants with a professional life coach, who helps them set and achieve their personal goals on a path towards economic self-sufficiency by connecting them to services to alleviate barriers. Catholic Family Center, selected by RMAPI as lead agency to administer the program, was designated as the direct recipient and fiduciary of the J-PAL grant funding. The \$100,000 grant was awarded in June 2016.

As part of the grant application, \$19,468 in grant funds were budgeted to reimburse the City for 20% of the 2016-17 fiscal year salary and fringe expenses of a staff person within the Mayor's Office of Innovation and Strategic Initiatives (OISI). This staff person currently provides data analysis and local evaluation support on the Bridges to Success project team.

The term of this grant and the proposed agreement is September 1, 2016 through December 31, 2017.

The Phase I grant helped secure academic partners at the Wilson Sheehan Lab for Economic Opportunity (LEO) at the University of Notre Dame. LEO has significant expertise in randomized control evaluations and ensures compliance with the highest academic and ethical standards. LEO submitted an application for J-PAL Phase II grant funding in February 2017 to support continued research, data analysis, and evaluation of the Bridges to Success program, including staff time at LEO and with the City of Rochester OISI. The \$439,940 grant was awarded in April 2017.

The Year 1 funding for the Phase II grant includes \$20,602 to reimburse the City for 20% of the 2017-18 fiscal year salary and fringe expenses of a staff person within OISI. Year 2 funding for the grant includes \$21,014 to reimburse the City for 20% of the 2018-19 fiscal year salary and fringe expenses of a staff person within OISI.

Throughout the term of this agreement, the designated staff person in OISI will provide continued data analysis support for the Bridges to Success program and work in collaboration with RMAPI and its

partners, as well as the Lab for Economic Opportunity at the University of Notre Dame.

The term of the Phase II grant and agreement with the University of Notre Dame will be from July 1, 2017 through June 30, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-123
(Int. No. 149)

Authorizing an agreement for receipt and use of the 2016-17 Poverty Action Lab 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 Catholic Charities of the Diocese of Rochester (d/b/a Catholic Family Center) for the receipt and use of a Phase I 2016-19 Abdul Latif Jameel Poverty Action Lab (J-PAL) grant in the amount of \$19,468 to fund a portion of the salary and fringe benefits for a staff person to support the Bridges to Success Program. The term of the agreement shall be September 1, 2016 through December 31, 2017.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Wilson Sheehan Lab for Economic Opportunity at the University of Notre Dame for the receipt and use of a Phase II 2016-19 J-PAL grant in the amount of \$41,616 to fund a portion of the salary and fringe benefits for a staff person to support the Bridges to Success Program for two additional years. The term of the agreement shall be July 1, 2017 through June 30, 2019.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-124
Re: Committing Tax Relief and
Retirement Reserves

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 *Fund Balance Reporting and Government Fund Type Definitions*.

At the beginning of fiscal year 2015-16, there were balances that remained assigned for Property Tax Relief \$1,319,100 and for Retirement Costs

\$6,000,000. From the surplus available at the end of 2015-16, the Director of Finance, as authorized in the City Charter, assigned an additional \$4,019,100 to Property Tax Relief and \$4,500,000 to Retirement Costs. In order to change the classification from *assigned* to *committed*, City Council action is required. The commitment of these balances would bring the total General Fund Balance committed for Property Tax Relief to \$29,545,600 and for Retirement Costs to \$27,928,565. These balances are further reduced by the budgeted appropriations of fund balance for 2016-17 which are \$5,138,800 for Property Tax Relief and \$4,500,000 for Retirement Costs.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2014-15 and 2015-16 year-end variances attributable to vacancy savings, motor equipment savings, unanticipated revenue including sale of property and excess foreclosure proceeds, and the cancellation of unspent prior year encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-124
(Int. No. 150)

Approving the commitment of reserve funds

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

Section 1. The Council hereby approves the commitment of \$5,339,000 for the purpose of tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$10,500,000 for the purpose of retirement to assist in managing future retirement costs.

Section 2. The funds to be committed shall be funded from the surpluses available from the 2014-15 and 2015-16 Budgets, said funds having previously been assigned to the purpose of tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-125
Re: COMIDA Bonding - 2017 Rochester
Schools Modernization Program

Transmitted herewith for your approval is legislation authorizing the lease and leaseback of certain school parcels and buildings and other approvals necessary for the issuance of bonds by the County of Monroe Industrial Development Agency (COMIDA) in the maximum amount of \$150 million to finance a portion the Phase II Projects of the Rochester Schools Modernization Program (RSMP) including preliminary engineering and design work, program management services, Phase II construction, and related and ancillary costs pertaining to Phase II projects.

The Rochester Joint Schools Construction Board (RJSCB) was created by the "Rochester School Facilities Modernization Program Act" (Chapter 416 of the Laws of 2007, as amended by Chapter 533 of the Laws of 2014) (the "Act"). Pursuant to the Act, the RJSCB is authorized to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District and to create and coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the RSMP. The legislation provided for a maximum cost and bond authorization of up to \$325 million for Phase I of the project.

Legislation for Phase II of the RSMP was signed into law by the Governor of the State of New York on December 17, 2014. The total cost authorized for Phase II projects is a maximum of \$435 million.

The RJSCB, School District, and City have entered into a Cooperative Agreement dated February 22, 2010, and amended on August 4, 2016 (the "Cooperative Agreement"), in order to clarify the agency arrangement and delegation of authority among the School District, City, and RJSCB, as well as their respective obligations and expectations to achieve the objectives of the Act.

In June 2012, COMIDA issued the "Series 2012 Bonds" for the RSMP in the amount of \$124,100,000. That amount was used to finance the design and related costs of Phase 1A of the RSMP, which includes the rehabilitation of 12 schools and a district wide technology program (the "Series 2012 Project").

In June 2013, COMIDA issued its \$103,055,000 School Facility Revenue Bonds (RSMP), Series 2013 (the "Series 2013 Bonds"), the proceeds of which were applied to (i) development and other costs incurred in connection with Phase 1A of the Program which were not financed from the proceeds of the Series 2012 Bonds; (ii) development and other costs incurred in connection with Phase 1B of the Program; and (iii) planning and design costs incurred in connection with Phase 1C of the Program (collectively, the "Series 2013 Project").

In February 2015, COMIDA issued its \$44,225,000 School Facility Revenue Bonds (RSMP), Series 2015 (the "Series 2015 Bonds"), the proceeds of which were applied to (i) finance costs incurred in connection with Phase 1C of the Program which were not financed from the proceeds of the Series 2013 Bonds, and (ii) additional Phase I Projects or

portions thereof which were eligible under the Act and which were part of the Program (collectively, the "Series 2015 Project").

The Phase II Master Plan was completed and adopted by the School District on March 24, 2016 and by the RJSCB on April 4, 2016; it provides for 13 schools to be modernized and includes the District Wide Technology project.

The \$150 million bonds will finance costs incurred and to be incurred in connection with the development and other costs of Phase II of the Program, the rehabilitation of the following 13 existing schools and District Wide Technology for said schools:

1. James Monroe High School, 164 Alexander Street;
2. East High School, 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Freddie Thomas Learning Center, 625 Scio Street;
5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Martin B. Anderson School No. 1, 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;
9. 595 Upper Falls Boulevard (temporary swing space for School No. 15);
10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy No. 10, 353 Congress Avenue;
12. John Walton Spencer School No.16, 321 Post Avenue; and
13. The Flower City School No. 54, 36 Otis Street.

The School District has requested COMIDA to issue its School Facility Revenue Bonds (RSMP), Series 2017 (the "Series 2017 Bonds") in the maximum principal amount of \$150,000,000. The proceeds of the Series 2017 Bonds are also expected to finance the repayment of the principal of and a portion of the interest due on the \$32,000,000 Bond Anticipation Notes (BANs), 2017 Series I, issued by the City to provide short-term financing for Phase II of the Program, fund capitalized interest for the Series 2017 Bonds, and finance the cost of issuance of the Series 2017 Bonds. The BANs will mature August 4, 2017. COMIDA financing requires the City to enter a lease/leaseback with COMIDA for the schools. City approval is required because the City is the owner of

the school properties.

The ordinance shall be contingent, as evidenced by the written advice of Corporation Counsel, upon approval of the bonding by the Office of the State Comptroller; the Amended and Restated Sublease by the School District and RJSCB; and COMIDA approval of the bonds and lease/leaseback arrangement.

Attached with this transmittal is Resolution No. 2016-17 of the School District Board of Education and Certified Resolution 2016-17:209 of the Rochester Joint Schools Construction Board, approving the lease/leaseback arrangement and financing.

All costs related to the COMIDA bonds, including issue costs and interest, as well as repayment of the bonds, will be the responsibility of the School District pursuant to the Agreement between the City, District and RJSCB for the RSMP.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-81

Ordinance No. 2017-125
(Int. No. 174)

Approving certain matters and authorizing the execution and delivery of specified documents in conjunction with the 2017 Phase of the Rochester Joint Schools Construction Board Facilities Modernization Program

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") has cooperated with the Rochester City School District (the "School District") and the Rochester Joint Schools Construction Board (the "RJSCB") in furtherance of the School District's Facilities Modernization Program.

Section 2. The RJSCB was created by the "Rochester School Facilities Modernization Program Act" (Chapter 416 of the Laws of 2007, as amended by Chapter 533 of the Laws of 2014) (the "Act"). Pursuant to the Act, the RJSCB is authorized to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District (the "Facilities Modernization Program" or "Program"), and to create, coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the Program. The RJSCB, the School District and the City have entered into a Cooperative Agreement dated as of February 22, 2010, and amended as of August 4, 2016 (the "Cooperative Agreement"), in order to clarify the agency arrangement and delegation of authority among the School District, the City and the RJSCB, as well as their respective obligations and expectations to achieve the objectives of the Act.

Section 3. On June 20, 2012, the County of Monroe Industrial Development Agency ("COMIDA") issued its \$124,100,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2012 (the "Series 2012 Bonds"), the proceeds of which were applied to development and other costs incurred in connection with Phase 1A of the Program, the rehabilitation of twelve (12) existing School District schools, as well as a district wide technology program (collectively, the "Series 2012 Project").

Section 4. On June 1, 2013, COMIDA issued its \$103,055,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2013 (the "Series 2013 Bonds"), the proceeds of which were applied to (i) development and other costs incurred in connection with Phase 1A of the Program which were not financed from the proceeds of the Series 2012 Bonds; (ii) development and other costs incurred in connection with Phase 1B of the Program; and (iii) planning and design costs incurred in connection with Phase 1C of the Program (collectively, the "Series 2013 Project").

Section 5. On February 5, 2015, COMIDA issued its \$44,225,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2015 (the "Series 2015 Bonds"), the proceeds of which were applied to (i) finance costs incurred in connection with Phase 1C of the Program which were not financed from the proceeds of the Series 2013 Bonds, and (ii) additional Phase I Projects or portions thereof which were eligible under the Act and which were part of the Program (collectively, the "Series 2015 Project").

Section 6. The School District now proposes to finance costs incurred and to be incurred in connection with the development and other costs of Phase II of the Program, the rehabilitation of the following thirteen (13) existing School District schools:

1. James Monroe High School, 164 Alexander Street;
2. East High School, 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Freddie Thomas Learning Center, 625 Scio Street;
5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Martin B. Anderson School No. 1, 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;
9. 595 Upper Falls Boulevard (temporary swing space for School No. 15);

10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy No. 10, 353 Congress Avenue;
12. John Walton Spencer School No.16, 321 Post Avenue; and
13. The Flower City School No. 54, 36 Otis Street.

Therefore, the School District has requested COMIDA to issue its School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2017 (the "Series 2017 Bonds") in the maximum principal amount of \$150,000,000. The proceeds of the Series 2017 Bonds are also expected to finance the repayment of the principal of and a portion of the interest due on the \$32,000,000 Bond Anticipation Notes, 2017 Series I, issued by the City to provide short-term financing for Phase II of the Program, fund capitalized interest for the Series 2017 Bonds, and finance the cost of issuance of the Series 2017 Bonds.

Section 7. The Director of Finance is hereby authorized and directed to enter into an Amended and Restated Sublease Agreement, a copy of which was also submitted herewith, an Amended and Restated State Aid Trust Agreement and all other ancillary documents necessary and appropriate to effect issuance of the Series 2017 Bonds, all in form and substance to be approved by the City's Corporation Counsel.

Section 8. The Director of Finance and Corporation Counsel are hereby authorized and instructed to comply and evidence compliance with all requirements of the Act necessary and appropriate to ensure that the Series 2017 Bonds are issued in accordance with the New York Local Finance Law and the Act and that the interest payable on the Series 2017 Bonds is the lowest possible rate obtainable under current market conditions.

Section 9. This ordinance shall be contingent, as evidenced by the written advice of Corporation Counsel, upon approval of the bonding and the Amended and Restated Sublease by the School District and RJSCB.

Section 10. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-126 and
Ordinance No. 2017-127
Re: Tax Apportionment Assessment Classes -
Tax Shift

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation

certifying certain calculations related to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves the determination of the "base proportion." In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination process involves two computations. The first is the calculation of the current base proportions using 1989 and 2016 data. The second is the calculation of the adjusted base proportions using 2016 and 2017 data. Both calculations are attached.

The current base proportions, as calculated by the formula specified by Article 19, are as follows:

Homestead:	.4006098
Non-Homestead:	.5993902
Total:	1.0000000

In comparison, the new adjusted base proportions are as follows:

Homestead:	.3993527
Non-Homestead:	.6006473
Total:	1.0000000

The new proportions result in the following shifts in the share of the tax levy allocated to each class:

Homestead:	-4.49%
Non-Homestead:	+3.23%

These calculations have been reviewed by the New York State Office of Real Property Tax Services.

The actual tax burden is also determined by the tax levy and final assessment changes. These figures will be detailed in the proposed budget to be released on May 19, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-82

Ordinance No. 2017-126
(Int. No. 176)

Determining and certifying base proportions, current percentages, and base percentages for the 2017 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2017 assessment roll as follows:

	Homestead Class	Non-Homestead Class
Current base Proportions	40.06098%	59.93902%
Current Percentage Base	58.50300%	41.49700%
Percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-127
(Int. No. 177)

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2017 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2017 assessment roll as follows:

	Homestead Class	Non-Homestead Class
Adjusted base Proportion	.3993527	.6006473
Taxable assessed value	3,794,180,067	2,655,444,097
Net change in assessed value from 2016 resulting from physical and quantity changes	+565,600	-20,573,000
Net change in assessed value from 2016 resulting from other than physical and quantity changes	-1,326,750	-10,615,929

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

year renewal option.

American Packaging Corporation has leased this area for more than twenty years rather than purchase it from the City because of liability related to environmental concerns at the subway bed.

An independent appraisal prepared by Kevin L. Bruckner, MAI on March 2, 2017 determined that \$810 is the appropriate annual rental amount for the property.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-128
(Int. No. 151)

Authorizing a lease agreement for a portion of the former subway bed

WHEREAS, its lease agreement with the City gives American Packaging Corporation an option to renew for an additional term of 5 years its lease of an approximately 39,200 square foot portion of real property (SBL #090.80-2-2) located within the City-owned former subway bed and adjacent to 777 Driving Park Avenue (the Property);

WHEREAS, an independent appraisal prepared by Kevin L. Bruckner, MAI on March 2, 2017 determined that the rental of the Property has a fair market value of \$810 per year;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the Council hereby finds that the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

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

Section 1. The Mayor is hereby authorized to enter into an agreement with American Packaging Corporation for the continued lease of the Property for a term of 5 years, commencing on April 1, 2017. The agreement shall obligate American Packaging Corporation to pay annual rent in the amount of \$810.

Section 2. In accordance with Section 21-23D of the Municipal Code, the agreement shall authorize the City's Director of Real Estate to conduct periodic reviews and to terminate the lease in the event

Local Improvement Ordinance - authorizing special work and services related to the South Avenue/Alexander Street Open Space District

Passed unanimously.

there is a substantial change in the use and intent of the leasehold or in the business to which the lease relates. 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.

By Councilmember Ortiz
May 23, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 152 - Authorizing the sale of real estate

Int. No. 153 - Authorizing an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. regarding the update of the City's Comprehensive Plan

Int. No. 154 - Amending Ordinance No. 2016-102 with respect to the Lead Hazard Control Grant Program

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation

Int. No. 100 - Local Improvement Ordinance - authorizing special work and services related to the South Avenue/Alexander Street Open Space District

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & COMMUNITY
DEVELOPMENT COMMITTEE

Received, filed and published.

Introductory No. 100 was introduced on April 6, 2017 and appears in its original form with its transmittal letter on page 124 of the current Council Proceedings

Attachment No. AQ-83

Local Improvement Ordinance No. 1735
(Int. No. 100)

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-129
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first three properties are vacant lots sold by negotiated sales to the adjacent owners. The purchasers will combine the lot with their existing properties and utilize it as green space.

The fourth property is a buildable vacant lot sold by negotiated sale to Habitat for Humanity, Inc., who will construct a single family home on the lot which will be offered for sale to owner occupant, first time home buyers who meet income requirements.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,815.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-84

Ordinance No. 2017-129
(Int. No. 152)

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 of the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>
428 Ave A	106.22-3-25	44 x 100	4505	\$425	Carlos Dominguez
138 Indiana St	107.80-1-43	40 x 145	5800	\$450	Jeffrey P. & Mary Woodruff
27 McGuekin St	120.30-1-17	50 x 125	6250	\$475	Ahmed M. Ali Saleh
874 Smith St	105.74-2-40	42 x 196	8139	\$525	Flower City Habitat for Humanity

Section 2. 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 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-130
Re: Amending Agreement - Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Comprehensive Plan Update Project

Council Priority: Rebuilding and Strengthening Neighborhood and Housing

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an amending agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann Associates), Rochester, New York, for additional planning, public outreach and document preparation services regarding the update of the City's Comprehensive Plan titled "Rochester 4.0". The amending agreement will increase maximum compensation by \$50,000 for a total of \$150,000. The cost will be funded from the 2014-15 Community Development Block Grant, Community Planning and Leadership Development Allocation of the Neighborhood and Asset Planning Fund, and the term will be extended for one year through June 30, 2018.

Rochester 4.0 has been underway since July 2015. As part of Phase I of the plan update process, Bergmann Associates was hired to assist the City with public outreach, meeting facilitation, data research and analysis, and peer city reviews (Ord. No. 2015-88). Phase II of the project will begin in July 2017 and will include additional public meetings and outreach to review and discuss the five Planning Area Reports (PARs), development of a draft and final plan document based on the information and data presented in the five PARs, and final review and approval by the Mayor's Advisory Council and City Council. Bergmann Associates will assist the City during Phase II with public outreach, meeting facilitation and writing, graphic and mapping work associated with production of the draft, and final plan documents.

The Rochester 4.0 Comprehensive Plan Update is expected to be completed and submitted to City Council for approval in spring 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-130
(Int. No. 153)

Authorizing an amending agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. regarding the update of the City's Comprehensive Plan

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

Section 1. The Mayor is hereby authorized to en-

ter into an amending professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for additional planning, public outreach and document preparation services regarding the update of the City's Comprehensive Plan ("Rochester 4.0"). The amending agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2015-88 by \$50,000 to a new total of \$150,000. Said amending amount shall be funded from the Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2014-15 Community Development Block Grant. The term of the agreement shall extend through June 30, 2018.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - Councilmember Clifford - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-131
Re: Amending Ordinance No. 2016-102 - 2016 Lead Hazard Control Grant Program, Extending Agreements

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance No. 2016-102 to extend the term of agreements for lead hazard control services with Environmental Education Associates (EEA), Environmental, Testing & Consulting Inc. (ETC), and UNYSE Environmental Consultants (UNYSE).

EEA is under contract with the City to provide contractor training services for lead hazard control. The agreement expired on April 14, 2017. This legislation will extend the term of the agreement by two years.

ETC and UNYSE are under contract with the City to provide lead hazard evaluation services for the Lead Hazard Control Program. The agreements will expire on May 30, 2017. This legislation will extend the agreements by two years.

Extending these agreements enables the continued work of the City's Lead Hazard Control Program.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-131
(Int. No. 154)

By Councilmember Haag
May 23, 2017

Amending Ordinance No. 2016-102 with respect to the Lead Hazard Control Grant Program

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

Section 1. Sections 2, 3 and 4 of Ordinance No. 2016-102 are hereby amended to read in their entirety as follows:

Section 2. The Mayor is hereby authorized to enter into professional services agreements between the City and the following consultants for Program services to be funded from the appropriation made in Section 1.a:

- a. PathStone Corporation, 400 East Avenue, Rochester, NY 14607, for application intake in a maximum amount not to exceed \$42,000.
- b. Action for a Better Community, Incorporated, 550 East Main St., Rochester, NY 14604, for application intake in a maximum amount not to exceed \$44,957.
- c. Environmental Education Associates, Inc., 346 Austin St., Buffalo, NY 14207, for training of lead abatement contractors in a maximum amount not to exceed \$98,400.
- d. The Housing Council at PathStone, Inc., 75 College Avenue, Rochester, NY 14607, for lead hazard outreach and education in a maximum amount not to exceed \$39,340.

Section 3. The Mayor is hereby authorized to enter into professional services agreements between the City and the following consultants for lead hazard evaluation services in an aggregate amount not to exceed \$185,000 to be funded from the appropriation made in Section 1.a:

- a. Environmental, Testing & Consulting Inc., PO Box 466, Batavia, NY 14021.
- b. Neighborhood Housing Services of Rochester, Inc. d/b/a NeighborWorks Rochester, 570 South Main St., Rochester, NY 14620.
- c. UNYSE Environmental Consultants, 346 Austin St, Buffalo, NY 14207.

Section 4. The term of each agreement authorized herein shall be one year, except that the term for the agreements authorized under Sections 2.c, 3.a and 3.c herein shall be two years.

Section 2. This ordinance shall take effect immediately.

Underlining indicates new text.

Passed unanimously.

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 155 - Authorizing agreements for structural engineering services at various facilities

Int. No. 156 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$245,000 Bonds of said City to finance replacement of the roof and timbers for the 2017 Tay House Lodge Roof and Timber Repairs Project

Int. No. 157 - Authorizing an amendatory agreement related to the Center City Two-Way Conversion Project Phase II

Int. No. 158 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$58,000 Bonds of said City to finance certain additional costs of the Center City Two-Way Conversion Project Phase II

Int. No. 159 - Appropriating funds and authorizing an agreement related to the Erie Harbor Enhancements Phase II- Design Project

Int. No. 160 - Authorizing receipt and use of grant funds and authorizing agreements for the Brown-fields Cleanup Revolving Loan Fund Program

Int. No. 161 - Resolution endorsing the Rochester Climate Action Plan

Int. No. 162 - Authorizing an agreement for the design and management of the Green Infrastructure Gateway Project at the Rochester Museum & Science Center

Int. No. 163 - Authorizing an agreement for the disposal of non-hazardous special solid waste

Int. No. 164 - Authorizing a grant agreement and appropriating funds related to the purchase of plug-in electric vehicles

Int. No. 165 - Amending Chapter 104 of the Municipal Code

Int. No. 167 - Amending the 2016-17 Budget and funding the Edgerton R-Center Stardust Ballroom shingle roof replacement

The following entitled legislation is being held in Committee:

Int. No. 166 - Authorizing an agreement to allow the placement of cellular wireless communications equipment on City-owned street light poles

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-132
Re: Agreements - Structural
Engineering Services

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to structural engineering:

<u>Company</u>	<u>Address</u>
Jensen/BRV Engineering, PLLC	1653 East Main Street, Rochester, 14609
LaBella Associates, P.C.	300 State Street, Suite 201, Rochester, 14614
MRB Group, Engineering, Architecture & Surveying, D.P.C.	The Culver Road Armory, 145 Culver Road, Suite 160, Rochester, 14620
Ravi Engineering and Land Surveying, P.C.	189 North Water Street, Suite 600, Rochester, 14604
Stantec Consulting Services, Inc.	61 Commercial Street, Suite 100, Rochester, 14614
T.Y. Lin International Engineering, Architecture & Land Surveying, P.C.	255 East Avenue, Rochester, 14604

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. The agreements will have a term of three years and the cost for structural engineering services will be provided at specified unit prices.

Similar agreements for structural engineering services have been in place since 2005. These services include: structural investigations of existing facilities as requested by the City, preparing contract documents for contracted maintenance work, and providing resident project representation and inspection of that work during construction, and reviewing designs for specific construction projects.

The companies listed above were selected for structural engineering services through a request for proposals process, which is described in the attached summary. Engagement of a company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-85

Ordinance No. 2017-132
(Int. No. 155)

Authorizing agreements for structural engineering services at various facilities

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for structural engineering services for construction and renovation of City facilities:

<u>Company</u>	<u>Address</u>
Jensen/BRV Engineering, PLLC	1653 East Main Street
LaBella Associates, D.P.C.	300 State Street, Suite 201
MRB Group Engineering, Architecture & Surveying, D.P.C.	The Culver Road Armory, 145 Culver Road, Suite 160
Ravi Engineering and Land Surveying, P.C.	189 North Water Street, Suite 600
Stantec Consulting Services Inc.	61 Commercial Street, Suite 100
T.Y. Lin International Engineering, Architecture & Land Surveying, P.C.	255 East Avenue

Section 2. The agreements shall extend for a term of three years, and shall obligate the City to pay based on unit prices in an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budget of the Department of Environmental Services or of the department which requests each project or from project capital budget appropriations. Unit prices may only be changed with the approval of the City Engineer.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-133
Re: Bond Authorization - Tay House Lodge, Roof and Timber Repairs Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$245,000, and the appropriation of the proceeds thereof, to finance the Tay House Lodge Roof and Timber Repairs project.

The project includes roof and gutter replacement, structural repairs, and replacement of deteriorated timber siding. Construction is anticipated to begin in fall 2017 with scheduled completion in spring 2018. The additional project funding will result in the creation and/or retention of the equivalent of 2.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-133
(Int. No. 156)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$245,000 Bonds of said City to finance replacement of the roof and timbers for the 2017 Tay House Lodge Roof and Timber Repairs Project

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

Section 1. The City of Rochester, in the County

of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacing the roof and gutters and deteriorated timbers for the 2017 Tay House Lodge Roof and Timber Repairs Project in the City's Cobbs Hill Park, 85 Hillside Avenue (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 \$245,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$245,000 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 \$245,000 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 \$245,000. 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. 11(c) 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. 2017-134 and
Ordinance No. 2017-135
Re: Center City Two-Way
Conversion Project
Phase II

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project Phase II as follows:

1. Authorize the issuance of bonds totaling \$58,000 and the appropriation of the proceeds thereof to partially finance the street portion of the Project;
2. Establish \$27,000 as maximum compensation for an amendatory agreement with LaBella Associates, D.P.C., Rochester, New York, for design services for the project.

The Center City Two-Way Conversion Project Phase II will address South Clinton Avenue and the portion of Broad Street from South Clinton Avenue to Stone Street. Work on South Clinton Avenue will include milling and resurfacing of the pavement; spot curb replacements; repair; adjustment and repair of manholes, receiving basins, and water valve castings; replacement of traffic markings; and new traffic signs, as necessary.

Broad Street (from South Clinton Avenue to Stone Street), currently one-way west bound, will be converted to two-way traffic. Associated work will include: milling and resurfacing of the pavement from South Clinton Avenue to South Avenue; curblane modifications; installation of traffic signal poles and modifications to existing traffic signal equipment; adjustment and repair of manholes, receiving basins, and water valve castings as necessary for the milling and resurfacing; replacement of traffic markings; and new traffic signs, as necessary.

The project was designed by LaBella Associates, D.P.C., as authorized in January 2014 (Ord. No. 2014-15). The additional services will pay for additional design for construction work added to the bid plans and for the re-biddings of the project. The amendment will increase maximum compensation by \$27,000 for a total of \$127,000. The term of the agreement is six months after completion and acceptance of the project. The cost of the agreement will be financed from the proposed street bond.

Bids for construction were received on April 13, 2017. The apparent low bid of \$1,030,857.28 was submitted by Concrete Applied Technologies Corp. (CATCO) which is 2% more than the engineer's estimate. An additional \$23,876 will be allocated for project contingencies.

The costs for the categories of work for the project based upon the bid amount are as follows:

<u>Source</u>	<u>Construction</u>	<u>Contingency</u>	<u>Amend. Agree. & Precon. Costs</u>	<u>RPR</u>	<u>Total</u>
FHWA (Ord. No. 2016-206)	\$ 474,386		\$ 25,731	\$ 82,283	\$ 582,400
NYS (Ord. No. 2016-206)	25,033		4,825	4,342	34,200
Street Bond (Ord. No. 2016-207)	344,011	\$ 3,126	1,558	91,305	440,000
New Street Bond	14,924	16,076	27,000		58,000
2014-15 Cash Capital	11,691	2,239		2,070	16,000
Rochester Pure Waters District (Ord. No. 2015-132)	11,411	2,089			13,500
MCDOT Reimbursement	2,354	346			2,700
2012-13 Cash Capital	<u>147,047</u>				<u>147,047</u>
Total	\$1,030,857	\$23,876	\$59,114	\$180,000	\$1,293,847

Construction is anticipated to begin in summer 2017, with substantial completion in the fall 2017. The total project will result in the retention and/or creation of 14 jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-86

Ordinance No. 2017-134
(Int. No. 157)

Authorizing an amendatory agreement related to the Center City Two-Way Conversion Project Phase II

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 LaBella Associates, D.P.C. for design services related to the Center City Two-Way Conversion Project Phase II (Project). The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2014-015 by \$27,000 to a new total of \$127,000. Said amendatory amount shall be funded by the bonds to be authorized for the Project. The term of the agreement shall be 6 months after completion and acceptance of the Project.

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.

Ordinance No. 2017-135
(Int. No. 158)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$58,000 Bonds of said City to finance certain additional costs of the Center City Two-Way Conversion Project, Phase II

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 certain additional costs of milling and resurfacing, certain curb, manhole

and water valve replacements and new traffic markings and signage in connection with Phase II of the

Center City Two-Way Conversion Project on South Clinton Avenue and Broad Street from South Clinton Avenue to Stone Street (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 \$1,293,847, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$58,000 bonds of the City authorized hereunder, \$440,000 bonds of the City appropriated under Ordinance No. 2016-207, \$13,500 bonds of the City (Pure Waters District) authorized under Ordinance, \$582,400 from the Federal Highway Administration, \$34,200 from the New York State Department of Transportation Marchiselli Aid Program, a \$2,700 reimbursement from the Monroe County Department of Transportation, \$147,047 from 2012-2013 City Cash capital and \$16,000 from 2014-2015 City

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 \$58,000 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 \$58,000. 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. 20. c. 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. 2017-136
Re: Agreement - Stantec Consulting Services Inc., Erie Harbor Enhancements Phase II - Design

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Erie Harbor Enhancements Phase II - Design project. This legislation will:

- 1. Establish \$200,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for design of Erie Harbor Enhancements Phase II.
- 2. Appropriate \$100,000 in anticipated reimbursements from the New York State Department of State (NYS DOS) to partially finance the design of the project.

The term of the agreement is six months after completion and acceptance of the project; the cost will be financed as follows:

Source	Amount
2016-17 Cash Capital	\$100,000
NYS DOS	<u>100,000</u>
Total	\$200,000

The Phase I public enhancements (completed in 2014) included the design and construction of enhanced public pedestrian access through three public access easements, to link the adjacent neighborhood

with the Genesee River/Erie Canal waterfront; streetscape improvements along the west side of Mount Hope Avenue; and, a public art competition resulting in the selection, fabrication, and installation of five pieces on the project site. The Phase II-Design project will include the rehabilitation of Genesee Gateway Park and the Genesee Riverway Trail within the project area, which has been disturbed by site remediation, adjacent construction, and deterioration over time. Phase II will build on the success of the Phase I enhancements. The additional enhancements may include walkways, walls, landform, plantings, furnishings, wayfinding signage, recreational amenities, trail and river railing rehabilitation designed to provide sightlines and access to the waterfront and trail system, and public recreational use of the parkland. The consultant will provide preliminary and final design of the improvements. Construction for Phase II is currently unfunded.

Stantec Consulting Services Inc. was selected for design services through a request for proposals process, which is described in the attached summary. Design will begin in summer 2017 with scheduled completion in summer 2018. The agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-136
(Int. No. 159)

Appropriating funds and authorizing an agreement related to the Erie Harbor Enhancements Phase II - Design Project

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

Section 1. The sum of \$100,000 in anticipated reimbursements from the New York State Department of State is hereby appropriated to finance a portion of the Erie Harbor Enhancements Phase II - Design Project (Project).

Section 2. The Mayor is hereby authorized to enter into agreement not to exceed a maximum compensation of \$200,000 with Stantec Consulting Services Inc. for design of the Project. The agreement shall be funded from \$100,000 in 2016-17 Cash Capital and the appropriation in Section 1 herein. The term of the agreement shall extend to 6 months following completion and acceptance of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-137
Re: Brownfields Cleanup
Revolving Loan Fund

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$200,000 in United States Environmental Protection Agency (USEPA) grant funds and authorizing the Mayor to enter into agreements as necessary for operation of the City's Brownfields Cleanup Revolving Loan Fund (RLF). The USEPA grant requires a 20% cost share, which will be funded with \$40,000 from the US Housing and Urban Development 108 Loan Collection Account.

In April 2016, the City applied for supplemental RLF grant funding from the USEPA, and in September 2016, the USEPA approved a \$200,000 grant award. The City has previously secured \$830,661 in RLF grant funding from the USEPA.

Under the City's guidelines for the RLF, financial resources are provided to businesses and real estate developers to cleanup brownfield sites as part of economic development expansion projects. Priority for funding is based on the extent to which the project meets the City's overall economic development goals for job creation and retention, results in an increase in the tax base, and adds to the inventory of land available for commercial/industrial development. The RLF can also be used to support cleanup of former industrial sites for multi-family housing reuses. Under the USEPA grant requirements, the City may also sub-grant a portion of the RLF to qualifying nonprofits that are performing brownfields cleanup projects.

Previously, the City's RLF has been used for the following projects:

<u>Project Name</u>	<u>Amount/Type</u>
1. Germanow-Simon	\$226,000 loan
2. 1025 Chili Avenue LLC	\$111,000 loan
3. Michelsen Mills	\$115,000 loan
4. Collegetown	\$163,000 sub-grant

RLF funds may be used for cleanup actions associated with removing, mitigating, or preventing the release of a hazardous substance or contaminant. Cleanup actions may include capping contaminated soils; excavation and the removal of contaminated soils, drums barrels, tanks or other containers of hazardous substances; and, containment or treatment of hazardous materials. The RFL also can fund asbestos abatement and controlled demolition.

After the City receives a potential borrower's RLF application documentation, the USEPA reviews the information and determines site and borrower eligibility for the program. Cleanup work completed under the RLF must conform to New York State Department of Environmental Conservation (NYSDEC) or the New York State Department of

Labor (NYS DOL) requirements. Loan recipients must enter into an appropriate brownfields cleanup agreement, stipulation agreement, or consent order with NYSDEC for any cleanup work that is RLF funded, except for asbestos abatement and controlled demolition, which are regulated by the NYS DOL.

The Department of Environmental Services (DES) and the Neighborhood and Business Development Department (NBD) jointly manage the fund. DES is responsible for reviewing eligibility under USEPA requirements and applicable environmental law; reviewing the Analysis of Brownfields Cleanup Alternatives (ABCA) prepared by the loan applicant, prior to selection of the remedy; and, issuing a Decision Memorandum documenting the approved remedy. The loan applicant is responsible for publicizing the ABCA and making it available for public review. NBD is responsible for marketing the program, analyzing the public benefits of the proposed project, analyzing financial feasibility, performing underwriting, and issuing RLF loan commitments and the disbursement of loan funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-137
(Int. No. 160)

Authorizing receipt and use of grant funds and authorizing agreements for the Brownfields Cleanup Revolving Loan Fund 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 United States Environmental Protection Agency (USEPA) for receipt and use of \$200,000 in grant funds from the Brownfields Revolving Loan Fund to finance the City's Brownfields Cleanup Revolving Loan Fund Program (Program), and said amount is hereby appropriated for said purpose. The Mayor is hereby authorized to enter into agreements for the operation and implementation of the Program.

Section 2. The agreements shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. The sum of \$40,000, or so much thereof as may be necessary, is hereby appropriated from the HUD 108 Loan Collection Account to provide the 20% funding match that USEPA requires.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-13
Re: Resolution - Climate Action Plan

Transmitted herewith for your approval is a resolution endorsing the community-wide Rochester Climate Action Plan (CAP) prepared by the City. This resolution will:

1. Commit to a community-wide target greenhouse gas emissions reduction goal of 40% by 2030 from the baseline year of 2010;
2. Support the City's role in leading the implementation of actions identified in the CAP; and
3. Commit to the incorporation of the CAP into the City's updated comprehensive master plan titled "*Rochester 4.0 Our neighborhoods. Our future*", which is under development, as required by the terms of the grant funding received from the New York State Energy Research and Development Authority (NYSERDA) for the CAP.

The CAP was developed utilizing NYSERDA's Cleaner Greener Communities program grant funding, as authorized via Ordinance No. 2014-287. Upon receiving the NYSERDA grant, the City's Office of Energy and Sustainability worked with Bergmann Associates and its sub-consultant, Brendle Group, to develop the CAP. To assist in the development of the community-wide plan, a group of stakeholders was assembled that included representatives from Monroe County, community organizations, universities, transportation representatives, local experts, and City staff. The stakeholder group met several times during CAP development to discuss climate mitigation and adaptation strategies, generate feedback to refine strategies, and identify potential actions to include in the CAP.

Public input to the CAP was collected through the following means:

- Seneca Park Zoo's Earth Day Event on Saturday, April 23, 2016, 10 a.m. - 4 p.m.
- Online survey available on the City website from April - September 2016
- CAP Open House Event, City Hall Atrium on Wednesday, November 9, 2016, 6 - 8 p.m.

The survey included questions asking participants about what climate-related actions they currently do or participate in, and what they would like to see more of in the community. Public response collected during the above referenced events was very positive, with respondents expressing interest in actions to reduce material sent to landfills, increase energy efficiency and renewable energy, and reduce our reliance on fossil fuels.

The CAP includes an implementation framework designed to achieve community-wide goals for greenhouse gas reduction. Five key focus areas are

identified in the CAP, around which strategies and actions were developed to reduce greenhouse gas emissions in the community. Those focus areas include:

- **Energy Use and Supply:** Encourage retrofits of residential, commercial, and industrial buildings, encourage new construction to exceed existing building code, implement neighborhood-level practices for energy efficiency, and increase installed renewable energy.
- **Transportation:** Reduce vehicle emissions and fossil fuel consumption through the promotion of alternative fuel vehicle use (e.g. electric vehicle charging stations), reduction of vehicle miles traveled, and promotion of public transit, as well as actions to encourage biking and walking.
- **Waste Management:** Reduce the quantity of waste sent to landfills through actions that facilitate materials recycling, re-use and composting for residents and businesses, as well as policies that promote green purchasing.
- **Clean Water:** Regional cooperation for watershed management; leveraging, and building upon existing watershed groups; increase and improve storm water management, including green infrastructure.
- **Land Use:** Protect the natural environment through urban forest initiatives, green infrastructure projects, and incentives for water conservation and efficiency; green space protection; build upon an existing urban agriculture working group; and, brownfield redevelopment and in-fill development.

The City's Office of Energy and Sustainability will lead implementation of the CAP, working with local stakeholders within each focus area to coordinate actions, monitor progress and initiate CAP updates, as needed.

Climate action planning is a proactive, strategic effort to address climate change. The City of Rochester recognizes that local government can play a leading role in this effort to foster economic and environmental sustainability for the community. However, the goals will only be achieved in deliberate collaboration and partnership between Rochester's residents, businesses, organizations, and institutions, and through the integration of the CAP into the *Rochester 4.0* comprehensive plan, upon completion.

A copy of the CAP is on-file in the Office of the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-13
(Int. No. 161)

Resolution endorsing the Rochester Climate Action Plan

WHEREAS, in Ordinance No. 2014-287 the Council authorized the Mayor to enter into an agreement with the New York State Energy Research and Development Authority (NYSERDA) to receive and use a \$100,000 grant to develop a City of Rochester Climate Action Plan that would quantify current greenhouse gas emissions, identify a target greenhouse gas reduction goal, and provide specific approaches that the community can use to meet the target reduction goal;

WHEREAS, the City's Office of Energy and Sustainability, working with consultants it engaged for that purpose, has developed the Rochester Climate Action Plan (CAP), which proposes a community-wide target greenhouse gas emissions reduction goal of 40% from the baseline year of 2010 by the year 2030 and provides an implementation framework consisting of strategies and actions to reduce greenhouse gas emissions;

WHEREAS, the terms of the NYSERDA grant commit the City to incorporate the CAP into the City's Comprehensive Plan; and

WHEREAS, the Council believes that the goals, strategies and actions set forth in the CAP are consistent with and will further the Comprehensive Plan's campaign for Environmental Stewardship that is set forth in Section 130-5D of the Municipal Code.

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

Section 1. The Council hereby endorses the Rochester Climate Action Plan (CAP), including the target greenhouse gas reduction goal of 40% by 2030, and supports the City taking a leading role in implementing the strategies set forth therein.

Section 2. The Council hereby directs that the CAP be placed on file in the Office of the City Clerk.

Section 3. The Council hereby recommends that the CAP be included as a component of the updated City of Rochester Comprehensive Plan, which is currently in development.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-138
Re: Agreement - Rochester Museum &
Science Center, Green Infrastructure
Gateway Project

Transmitted herewith for your approval is legislation establishing \$120,262 as maximum compensation for an agreement with the Rochester Museum & Science Center (RMSC) for the design and management of the

Green Infrastructure Gateway Project (Gateway Project). The agreement will have an initial term of three years with the option to renew for one year.

The cost of this agreement will be financed from \$120,262 in previously authorized New York State Environmental Facilities Corporation (NYSEFC) Green Innovation Grant Program (GIGP) grant funds. The \$1,179,738 balance of the grant funds (authorized via Ordinance No. 2017-104) will be used to fund the construction of the Gateway Project.

In July 2016, in collaboration with and at the request of the RMSC, the City applied for and was subsequently awarded grant funding through the GIGP from the NYSEFC. The grant program is designed to provide communities with funding for projects that will support green infrastructure in New York State. As the City is the property owner of the RMSC site and an eligible applicant for GIGP funding under the program requirements, the application was submitted by the City in anticipation of using the funds in collaboration with RMSC to implement the project.

Under the proposed agreement, RMSC will complete tasks necessary for successful implementation of the project. These tasks include project design and engineering services, preparation of construction bid documents, construction project oversight, and grant administration. RMSC will also provide an in-kind match valued at \$116,944 to meet NYSEFC grant requirements, while City personnel will provide \$27,500 of in-kind staff support.

It is anticipated that the project will begin in October 2017 and be completed by October 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-87

Ordinance No. 2017-138
(Int. No. 162)

Authorizing an agreement for the design and management of the Green Infrastructure Gateway Project at the Rochester Museum & Science Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Museum & Science Center (RMSC) to design and manage the Green Infrastructure Gateway Project at RMSC's East Avenue campus (Project). The maximum compensation for the agreement shall be \$120,262, which shall be funded from the New York State Environmental Facilities Corporation (NYSEFC) grant funds authorized in Ordinance No. 2017-104.

Section 2. The agreement shall have a term of three years with one optional one-year renewal.

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

be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-139
Re: Agreement - Waste Management of
New York, L.L.C., Non-Hazardous
Special Solid Waste Disposal

Transmitted herewith for your approval is legislation authorizing an agreement with Waste Management of New York, L.L.C. for non-hazardous special solid waste disposal services. The term of the agreement will be for two years with two optional one-year renewals. The unit cost is determined through a specified review process based upon the type of waste.

Non-hazardous special solid waste streams include wastes such as petroleum contaminated soil, cinders, ash, foundry sands, railroad ties, and soil mixed with such wastes that are routinely generated at City of Rochester construction and environmental cleanup projects. In the past, such special solid wastes would have been disposed of at the Monroe County-operated Mill Seat Landfill in Riga under the terms and conditions of the City's agreement with the County for management and disposal of solid wastes. Operation of the Mill Seat Landfill is now performed directly by Waste Management and an agreement with them was last approved in 2012 via Ordinance No. 2012-464.

The need for non-hazardous special solid waste disposal services will be determined by the Department of Environmental Services, Division of Environmental Quality. The costs of such disposal services will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects.

Under the proposed agreement, Waste Management will provide non-hazardous special solid waste disposal for City-generated wastes. For each individual waste stream, the City will submit a completed Waste Management Generator's Non-Hazardous Waste Profile Sheet to the company. The profile will include analytical testing data for the particular waste stream requiring disposal. If the waste stream is acceptable, Waste Management will provide a waste approval to the City, including a unit rate price specific to the approved waste stream, a maximum quantity of waste approved, waste scheduling information and profile expiration date. The wastes covered under this agreement will be exclusive of those that are explicitly covered by the multi-year agreement for solid waste management between the City and Monroe County.

Waste Management was selected to provide disposal services because it operates the only permitted solid waste disposal facilities in Monroe County that can

accept non-hazardous special solid waste. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-88

Ordinance No. 2017-139
(Int. No. 163)

Authorizing an agreement for the disposal of non-hazardous special solid waste

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 Waste Management of New York, L.L.C. for the disposal of non-hazardous special solid waste at the Mill Seat Landfill. The agreement shall extend for a term of two years, with two one-year renewal

TO THE COUNCIL
Ladies and Gentlemen

Ordinance No. 2017-140
Re: Grant Agreement - Energetics Incorporated,
Cleaner, Greener Communities Program

Transmitted herewith for your approval is legislation related to the purchase of plug-in electric vehicles for the City of Rochester’s municipal fleet. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with Energetics Incorporated; and
2. Authorize the receipt of \$107,500 in anticipated reimbursements from Energetics Incorporated to finance the projects.

In December 2015, Energetics Incorporated, Columbia, Maryland, was awarded funding through the Cleaner, Greener Communities (CGC) Program administered by the New York State Energy Research and Development Authority (NYSERDA). The grant program is designed to provide communities with funding to implement projects which result in greenhouse gas emissions reductions. In its application to NYSERDA, Energetics proposed partnering with a number of entities across New York State, including the City of Rochester, to fund projects that will result in the increased adoption of plug-in electric vehicles by individuals and fleets.

Under this awarded grant, Energetics will provide \$107,500 in reimbursement funding to the City for the purchase of five passenger and two utility plug-in electric vehicles, which will fund 50% of the cost of the vehicles. Utilizing funding they received under the CGC grant, Energetics will also provide charging stations to the City for each of these vehicles at no cost to the City. The vehicles represent planned replacements to the City’s fleet. The proposed vehicles and cost information is listed below:

<u>Vehicle</u>	<u>Quantity</u>	<u>Energetics Reimbursement Per Vehicle</u>	<u>Total Reimbursement</u>	<u>City Cost</u>
Plug-in Passenger vehicle (e.g. Chevrolet Volt)	5	\$17,500	\$ 87,500	\$ 87,500
Plug-in Utility Vehicle (e.g. John Deere TE 4x2)	$\frac{2}{7}$	\$10,000	<u>20,000</u>	<u>20,000</u>
Total			\$107,500	\$107,500

The City cost share for this project will be funded from 2014-15 Cash Capital, contingent upon approval of said budget. The addition of clean vehicles to the City’s municipal fleet fulfills goals of both the City’s community Climate Action Plan and the Rochester Energy Plan by encouraging more fuel-efficient transportation options that will reduce greenhouse gas emissions.

options.

Section 2. The agreement shall obligate the City to pay unit rates specific to each specific approved waste stream. The costs of said agreement shall be funded from the annual budgets of the departments using the services or from capital funds appropriated for the specific environmental, construction or redevelopment project that generates the wastes.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

It is anticipated that the purchase of the vehicles will be completed by December 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-140
(Int. No. 164)

Authorizing a grant agreement and appropriating funds related to the purchase of plug-in electric 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 Energetics Incorporated for the receipt and use of funds in the amount of \$107,500 to partially fund the purchase of plug-in electric vehicles for the City's Municipal fleet. The term of the agreement shall be one year.

Section 2. The agreement will require the City to provide \$107,500 to match the grant funding, which shall be funded from 2014-15 Cash Capital.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-141
Re: Code Amendments - Public Right-Of-Way
Management, Telecommunications

Transmitted herewith for your approval is legislation amending the City Code, Section 104 to reflect the use of telecommunications facilities in the right-of-way and make future permit fee changes more consistent with industry standards. This legislation will:

1. Create effective and efficient provisions for the installation of telecommunications facilities in the right-of-way in a manner that will retain the integrity and quality of the city-scape;
2. Update language in the City Code, Section 104;
3. Remove permit fees from the City Code, Section 104 and align them into a separate permit fee schedule maintained by the City Engineer and amended as necessary by City Council; and
4. Add telecommunications facilities permit fees to the fee schedule.

The use of cell phones and wireless data has grown exponentially in the last decade. As a result, the need for greater coverage, signal strength and reliability is in demand. Wireless providers are now attempting

to improve their infrastructure and address the increased need with a variety of new telecommunications technologies.

Additional resources are required to review and assess telecommunications facility design plans, perform regular site inspections, and address health and safety concerns for the public during and after the permitting process.

The amended Section 104 will state that permit fees will be located in a permit fee schedule maintained by the City Engineer's Office and that any changes to the fee schedule must receive Council approval.

The changes for the new fee schedule are as follows:

Telecommunications facilities attached to existing or replacement poles	104-33	\$2,000 per pole (New)
New poles with attached or embedded telecommunications facilities	104-33	\$2,500 per pole (New)
Utility pole installation	104-13	\$500 (Increased from \$1800)

These changes reflect a current accounting of the actual City costs associated with reviewing, evaluating and administering the permit process for these items. The estimated revenue will have a positive effect on the City's budget.

Respectfully submitted,
Lovely Warren
Mayor

Ordinance No. 2017-141
(Int. No. 165)

Amending Chapter 104 of the Municipal Code

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

Section 1. Chapter 104 of the Municipal Code, the Streets Code, as amended, is hereby further amended in Sections 104-1, 104-9, 104-10, 104-12, 104-13, 104-14, 104-15, 104-16, 104-17, 104-18, 104-19, 104-23, 104-24, 104-30, 104-32, 104-33, 104-34, 104-36, 104-50, 104-51, 104-52, 104-53, 104-54, 104-55, 104-56, 104-57 and 104-58 as follows:

§ 104-1 Title; definitions.

- A. This article which comprises Chapter 104 of the Municipal Code shall be known and cited as the "Streets Right-of-Way Code"
- B. The following definitions shall apply to words used in this chapter:

ABOVE SURFACE

Above ground level.

BARRICADE

Device or structure used to prevent access to a specific area.

CENTRAL BUSINESS DISTRICT

The area bounded by the Inner Loop, but excluding the Inner Loop and its frontage.

COMMISSIONER

Commissioner of Environmental Services.

CURBLINE

The boundary line on either side of a roadway or paved portion of a street.

ENCROACH

To intrude upon, above or beneath a street or other public place, the right-of-way.

ENCROACHMENT

A building or object which intrudes upon, above or beneath a street or other public place the right-of-way.

PERMITTEE

One who receives a permit under this Chapter.

RIGHT-OF-WAY

The area on, below, or above a City-owned or controlled street, roadway, alley or sidewalk, including the curbs, gutters, catch basins and related facilities adjacent thereto.

RIGHT-OF-WAY LINE

The boundary line on either side of the right-of-way.

ROADWAY

That portion of a street the right-of-way improved, designed or ordinarily used for vehicular traffic.

SIDEWALK

That paved portion of a street the right-of-way between the curb lines or the lateral

lines of a roadway, and the adjacent property lines intended for pedestrian use.

STREET

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the public for their use for the purposes of vehicular and/or pedestrian traffic.

STREET LINE

The boundary line on either side of a street.

SUBSURFACE

Below ground level.

TELECOMMUNICATION FACILITIES

The plant, equipment and property, including but not limited to cables, wires, fiber optic strands, conduits, ducts, dishes, pedestals, poles, antennae, radio equipment, electronics and other appurtenances, including both underground and overhead facilities, used or to be used to transmit, receive, distribute, support, provide or offer telecommunication service.

TELECOMMUNICATION PROVIDER

Any person who provides telecommunication service over telecommunication facilities.

TELECOMMUNICATION SERVICE

The providing or offering for rent, sale or lease, or in exchange for other value received, of any service or telecommunication facility that includes the transmission and/or distribution of voice, data, image, graphic or video programming information between or among locations by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities, with or without benefit of any closed transmission medium.

§ 104-9 Repair of vehicles on streets in the right-of-way.

No person shall repair a vehicle on a street in the right-of-way, except for such repairs as may be necessitated by an emergency.

§ 104-10 Hindering or obstructing improvements.

No person shall hinder or obstruct the construction or repair of any pavement, sidewalk, crosswalk, sewer or other public improvement which is being done under the direction of or with the consent of the City Engineer or hinder or obstruct any person employed by the City in cleaning any street the right-of-way.

§ 104-12 Excavations near streets the right-of way.

Any person who digs a cellar or other excavation adjacent to and within five feet of the right-of-way line of the street, must erect barriers between said excavation and the street right-of-way sufficient to secure public safety and must at all times during the night keep lighted lamps upon said barriers in such manner as to give warning of the presence of the excavation. In case of failure to do so, the City Engineer may cause such barriers and lights to be placed at the expense of the owner or occupant of the property.

§ 104-13 Excavations in streets the right-of way.

- A. No person shall injure or interfere with ~~any street the right-of-way~~ or make any opening therein or dig in any areaway, sewer, manhole or vault in a ~~street the right-~~ of-way without a permit in writing from the City Engineer and under such conditions as he or she may impose. The City Engineer may order any areaway, sewer or other excavation dug or constructed contrary to the provisions of this section to be filled up or altered and the pavement replaced at the expense of the person causing the excavation. If the person causing the excavation does not comply with such an order, the City Engineer may cause the work to be performed and charge such person for the costs of the work and an additional 15% for administration.

(1) The City Engineer shall have the authority to adopt rules and regulations regarding right-of-way management, including provisions to coordinate and limit excavations in an effort to protect the right-of-way from repeat excavations that limit the useful life of the City's right-of-way assets.

- B. Notice to maintainers of underground utilities.

(1) In all cases where excavations are to be made, applications for such permit shall be made in writing to the City Engineer, and the applicant shall comply with the applicable provisions of the Industrial Code of the New York State Department of Labor concerning notice to maintainers of underground utilities.

(2) Upon receipt of such notice, each public or private utility or government agency utility operating conduits or mains which transmit or distribute water, steam, communications, electricity, gas, sewage or any other thing or material in the vicinity of such excavation shall advise the person by whom or for whose benefit the work is being done as to the location of any such facility, and the excavation work shall be conducted so as not to disturb or damage such facilities.

- C. Nothing herein contained shall relieve the person by whom or for whose benefit the excavating is done from the duty of conducting the excavating in a safe and proper manner so that gas leakage or damage to mains, conduits, facilities or any other property will not result.

§ 104-14 Traffic control devices and detours around street right-of-way work.

Whenever work of any type occurs under, on or above a ~~street the right-of-way~~, it is the duty of the person performing the work to place traffic control devices and maintain said devices about the place where the work is being done so as to secure the public safety and to establish and maintain required de-

tours until said ~~street right-of-way~~ is returned to normal condition. The Traffic Control Board shall regulate traffic in the work area, and the person performing the work shall provide and install all traffic control devices necessary to conform to the requirements of the Traffic Control Board and the New York State Manual of Uniform Traffic Control Devices.

§ 104-15 Permit required for construction or repair.

No person shall construct or repair a ~~street any element of the right-of-way or sidewalk~~ without a permit in writing from the City Engineer.

§ 104-16 Restoration of streets and public places.

All persons working, obstructing or making excavations in the ~~right-of-way streets or public places in the City~~ must restore the ~~right-of-way street or public place~~ to its condition prior to the work, obstruction or excavation in a manner approved by the City Engineer. The City Engineer shall have the authority to order the proper restoration of ~~right-of-way or any public place~~ where work was done without a permit or in violation of any conditions of such a permit or of this chapter. If proper restoration is not made, the person shall be liable for any damages sustained as a result of the failure to properly restore the area. The City Engineer may, on five days' written notice served by ordinary mail, or the Commissioner or his or her representative may, without notice if an emergency situation exists, effect such restoration at the expense of the person doing such work in the ~~right-of-way street or public place~~, with an additional 15% for administrative costs. An invoice for the total cost shall be mailed to the responsible person for payment within 30 days of the invoice date. Within this thirty-day period, the responsible person may appeal the invoice or any portion thereof to the Commissioner. The Corporation Counsel may institute an appropriate action or proceeding at law against such person for recovery of the costs and administrative expenses of such restoration by the City Engineer, plus any penalties prescribed by this chapter and the costs of such action or proceeding. No further permits shall be granted to such person until he or she has properly restored ~~all streets and public places~~ the ~~right-of-way~~ or has reimbursed the City Engineer for restoration effected by the City.

§ 104-17 Restoration guaranty.

A. All persons working and making excavations in the ~~right-of-way streets or public places~~ must guarantee their permanent restoration work for a period of at least two years from the date of acceptance of the permanent restoration by the City Engineer. The permit holder may be required to completely reexcavate, refill and repave any permanent restoration that fails within the two-year guarantee period. At the City Engineer's discretion, a longer guarantee may be required based on the existing useful life of the right-of-way affected.

B. If, at any time, whether during or after the ~~two-year~~ the required guarantee period, it is

discovered that the permanent restoration was not made in accordance with City specifications, the permit holder shall be responsible for making a proper restoration.

§ 104-18 **Tests on right-of-way street restorations.**

The City has the right to order a test on any right-of-way street restoration in order to determine if the work has been completed in accordance with City specifications. If the test shows the street restoration to be acceptable, the testing costs will be borne by the City. If the first test shows the street restoration to be unacceptable, the permit holder must pay the amount of \$640, and for additional tests the amount of \$850, in addition to making the proper restoration. No further permits will be issued to said permit holder until the invoice for the testing and penalty has been paid.

§ 104-19 **Restoration by City; costs.**

- A. Permanent restoration of a ~~street-cut~~ or excavation in the right-of-way may be made by the City, through its Street Maintenance Division, if the permit holder so desires and if approved by the Commissioner. The Commissioner shall establish rules and regulations regarding restoration by the City and the requirements for permit holders requesting the City to perform such restoration.
- B. The permit holder shall pay to the City the total cost estimate of the work based upon the current unit prices prepared by the Street Maintenance Division. The Street Maintenance Division may revise unit prices twice a year. The initial payment by the permit holder shall be calculated from his or her estimate of the size of the excavation including a six-inch cutback on all sides of the excavation to be performed by the City. If the actual dimensions exceed the original estimate, the permit holder shall be responsible for the additional amount due.
- C. If any charge so made by the City remains unpaid after 30 days of the invoice date, no further permits for any excavation shall be issued to said permit holder until the payment is made.

§ 104-23 **Moving buildings along the right-of-way streets.**

No person shall move a building upon or along the right-of-way ~~street~~ without a permit in writing from the City Engineer, which permit shall specify the route to be taken and contain such additional conditions as the City Engineer deems necessary.

§ 104-24 **Right-of-way Street obstructions.**

- A. No person shall place or suffer to remain materials of any kind or any goods, wares, merchandise, equipment, machinery or other article or obstruction in the right-of-way, ~~upon or over any street, alley, sidewalk or other public place~~ without a permit in writing from

the City Engineer, except while in the process of actively loading or unloading. Unless skids are necessary, a passageway for pedestrians shall be kept open while loading or unloading. This section shall not prohibit the doing of anything otherwise permitted by law or ordinance in the manner and form therein set forth, including the maintenance of newsstands so permitted.

- B. The permit shall contain such conditions and be effective for a period of time as shall be established by the City Engineer. Such permits may be revoked by the City Engineer without notice.
- C. The person to whom such permit is granted must cause all obstructions or materials to be enclosed with barriers sufficient to secure public safety and at all times during the night must keep lighted lamps upon said barriers to give warning to all persons.
- D. All such materials, obstructions and rubbish arising therefrom must be removed not later than the expiration date of the permit, and immediately upon the revocation of the permit.

§ 104-30 **Buildings.**

No person shall construct or alter a building so as to encroach upon ~~a street or public place~~ the right-of-way, except in accordance with and subject to provisions of the Charter and Code of the City of Rochester. Any permission, express or implied, to construct any part of a building so as to encroach shall be revocable at will by the Council or the City Engineer; and any aboveground portion of a building permitted to encroach shall be constructed so that it may be removed at any time without causing the building to become structurally unsafe, in whole or in part, subject to such exemptions as may be provided in the Charter and Code of the City of Rochester.

§ 104-32 **Promulgation of rules and regulations; permits; existing encroachments.**

- A. The City Engineer may adopt rules and regulations relating to the construction and maintenance of encroachments in the City, including encroachments by telecommunication facilities.
- B. Permits for the construction of encroachments shall be issued in writing by the City Engineer, and the City Engineer may place reasonable restrictions upon any permit granted hereunder.
- C. All encroachments existing prior to February 23, 1971, may be maintained as constructed, unless their removal, relocation or modification is directed by the Council or the City Engineer.

§ 104-33 **Above-surface encroachments.**

- A. No person shall construct an above-surface encroachment, including telecommunication

facilities, without a permit in writing issued by the City Engineer. No permit shall be issued for any above-surface encroachment that is closer than two feet to the curbline. No permit shall be issued for any above-surface encroachment which creates a hazard or impairs the free passage of pedestrians, vehicles or maintenance equipment. In addition to the permit required hereunder, no person shall construct or install above-surface telecommunication facilities without a franchise or licensing agreement as required by the Municipal Code.

B. The City Engineer may issue permits for above-surface encroachments which meet the following standards:

- (1) Veneer. A veneer may be applied to the entire facade of an existing building if such veneer does not encroach more than four inches beyond the streetright-of-way line.
- (2) Entrance details. Entrance details, including steps, and doors when fully opened, may be constructed to encroach not more than two feet beyond the streetright-of-way line. Entrance steps that encroach shall be guarded at each end by railings or cheek pieces at least three feet high or by other members of the entrance detail providing equivalent protection.
- (3) Architectural details. Details such as cornices, eaves, bases, sills, headers, band course, opening frames, sun-control devices, rustications, applied ornament or sculpture, grilles, windows when fully opened, air-conditioning units and other similar elements, may be constructed to encroach not more than four inches beyond the streetright-of-way line when less than 10 feet above the ground or sidewalk level and not more than 10 inches beyond the streetright-of-way line when more than 10 feet above the ground or sidewalk level.
- (4) Balconies. Balconies, including railings and supporting brackets, may be constructed to encroach not more than two feet beyond the streetright-of-way line, provided that no part of such balcony may be less than 10 feet above the ground or sidewalk level.
- (5) Fire escapes. When permitted by the Building Code, fire escapes that are part of a required exit may be constructed to encroach not more than four feet, six inches beyond the streetright-of-way line, provided that no part, including any movable ladder or stair, is lower than 10 feet above the ground or sidewalk level when not in use.
- (6) Marquees. Marquees may be constructed on a building, provided that no part of such marquee shall be lower than 10 feet above the ground or sidewalk level. Marquees shall be supported entirely from a building, except where the City Engineer determines that the sidewalk is sufficiently wide so that the marquee can be supported partly from footings on the ground without creating a hazard or impairing the free passage of pedestrians, vehicles or maintenance equipment. A marquee shall be defined as a roof-like structure projecting beyond the facade of a building and usually supported by rods or chains attached to the building.
- (7) Awnings, light fixtures and flagpoles. Awnings, light fixtures and flagpoles may be constructed on a building, provided that no part of such awning, light fixture or flagpole shall be lower than eight feet above the ground or sidewalk level, except that the fabric part of an awning or flag may extend to not lower than seven feet, six inches, above the ground or sidewalk level. Awnings, light fixtures and flagpoles shall be supported entirely from the building, except where the City Engineer determines that the sidewalk is sufficiently wide so that the awning, light fixture or flagpole can be supported partly from footings on the ground without creating a hazard or impairing the free passage of pedestrians, vehicles or maintenance equipment. Permits for canvas awnings shall be issued for a period of five years, after which time the owner shall seek a renewal.
- (8) Signs. All signs which encroach must be constructed in conformance with the provisions of the Zoning Code in § 120-177.
- (9) Storm enclosures. Seasonal permits may be issued for the construction of storm enclosures encroaching not more than two feet beyond the streetright-of-way line. Such enclosure shall be permitted during the period from November 1 to the following May 1, and such enclosure shall be removed at the end of this period.
- (10) Sidewalk cafes. Seasonal permits may be issued for sidewalk cafes during the period between April 1 and the following November 30. Such permit shall only be issued to applicants who will operate the cafe or a vending unit in connection with the operation of a legally established business on the first floor of the adjoining premises which fronts or empties onto the streetright-of-way at the approximate location

where the sidewalk cafe permit is requested and which is engaged in the sale of food or beverages or other goods which may be legally consumed on the sidewalk. Such permit shall allow operation of a vending unit in compliance with all provisions of Chapter 62 of the Municipal Code. Sidewalk cafe permits may take precedence over special Main Street vending permits if the sidewalk cafe permit has been applied for before a date specified by the Commissioner of Environmental Services and if said location is actually used for a sidewalk cafe in accordance with rules and regulations which may be established by the Commissioner of Environmental Services.

- (11) Public service facilities. Public service facilities, such as bus shelters and telephone booths, may be constructed, provided that they do not create a hazard or impair the free passage of pedestrians, vehicles or maintenance equipment.
 - (12) Banners. Temporary permits may be issued for the construction of banners which encroach, provided that no part of such banner is lower than 14 feet above the ground or sidewalk level. The City Engineer may require a higher clearance along heavily traveled streets or where the banner may interfere with a driver's view of the road. Banners shall be securely anchored to the buildings with ties and stays sufficiently strong to support the banner in all types of weather conditions. Particular attention shall be paid to wind and moisture resistance in designing the anchors for the banner. Applicants for permits shall submit written proof of authorization from the owners of the buildings to which the banner shall be attached.
 - (13) Telecommunication Facilities. All telecommunication facilities shall be constructed and installed using the least intrusive means and equipment reasonably available, and shall comply with all rules and regulations adopted by the City Engineer as well as the terms of the franchise or license agreement as required by the Municipal Code.
- C. The City Engineer may issue a permit for an encroaching bridge to be constructed between buildings after the Council specifically approves the construction of such bridge.

§ 104-34 Subsurface encroachments.

- A. No person shall construct a subsurface encroachment without a permit in writing issued by the City Engineer. In addition to the permit required hereunder, no person shall

construct or install a subsurface telecommunication facilities encroachment without a franchise or licensing agreement as required by the Municipal Code.

- B. The City Engineer may issue permits for subsurface encroachments which meet the following standards:
 - (1) Footings. Exterior wall and column footings may be constructed to encroach not more than 12 inches beyond the ~~street~~right-of-way line, provided that the top of the footing is not less than four feet below the ground or sidewalk level.
 - (2) Foundation walls. Foundation walls which are required to support permitted encroachments may be constructed to encroach not more than the permitted encroachment does.
 - (3) Vaults and areaways. Vaults and areaways may be constructed to encroach, provided that such encroachment does not extend beyond the curblin. Vaults and areaways must be maintained by the ~~abutting property owner~~ permittee.
 - (4) Telecommunication Facilities. All telecommunication facilities shall be constructed and installed using the least intrusive means and equipment reasonably available, and shall comply with all rules and regulations adopted by the City Engineer as well as the terms of the franchise or license agreement as required by the Municipal Code.
- C. The City Engineer may issue a permit for an encroaching tunnel to be constructed between buildings after the Council specifically approves the construction of such tunnel.

§ 104-36 Maintenance or removal of certain encroaching walls.

If the front or other exterior wall of any building erected after January 1, 1965, in the City encroaches not more than six inches ~~upon any street into the right-of-way~~, no action or proceeding to compel the removal of such wall shall be instituted or maintained by or on behalf of the City or by or on behalf of any person claiming an easement in or title to the portion of the street on which such wall encroaches, unless such action or proceeding is commenced within the period of one year from the time of the serving of a notice as hereinafter provided and unless within such period a notice of the pendency of such action or proceeding, describing the property on which said building stands and indexed against the owner thereof, is filed in the office of the Clerk of the County of Monroe. Any person having any interest in the property on which such building stands may serve a notice on the Corporation Counsel of the city, setting forth a brief description of the property, his or her interest therein and the existence of an encroachment on the ~~street or right-of-way or highway~~.

Such notice, together with proof or admission of service thereof, shall be filed in the office of the Clerk of the County of Monroe. The Clerk shall index and record such notice as if it were a notice of the pendency of an action and shall collect the usual fees for recording and indexing a notice of the pendency of an action. If no action be brought within the period hereby limited therefore, the owners and encumbrancers of such property shall be deemed to have an easement for the maintenance of the encroaching wall so long as the wall shall stand and no longer.

§ 104-50 Requirements for bonds and insurance.

Wherever bonds or insurance are required pursuant to this article or by a franchise or license agreement, such bonds or certificates evincing such insurance shall be filed with the City Engineer and approved by the Director of Finance. The bonds or insurance must be kept continuously in force ~~and pending completion of the contractual undertaking to the written satisfaction of the City Engineer.~~ Required insurance shall indemnify the City of Rochester against all loss, cost, damage or expense incurred or sustained by or recovered against the City by reason of the permitted activity and shall. ~~Bonds shall assure appropriate payment or performance of the contractual undertaking in accordance with the requirements of the Director of Finance. Such bonds and certificates of insurance shall each contain a provision that they shall not expire, nor shall they be canceled, altered or amended except on 30 days' prior written notice to the City Engineer, served personally or by certified mail. Municipal operations and property shall not be excluded from coverage. The insurance must~~Such bonds or insurance shall not limit the liability of the contract party. The City shall be the named beneficiary under any bonds and the certificate of insurance shall name the City as an additional insured party.

§ 104-51 Bonds and insurance for projecting signs.

- A. Either liability insurance or surety company performance bonds, issued by entities authorized to do business in the State of New York and rated "B+" or better by A.M. Best, shall be required for the construction and maintenance of signs projecting over the street right-of-way. For two signs or fewer, there shall be not less than a fifty thousand dollar \$50,000 performance bond or and not less than \$50,000 \$1,000,000 single limit general liability insurance covering both bodily injury and property damage. For more than two signs, there shall be not less than a one hundred thousand dollar \$100,000 performance bond or and not less than \$100,000 \$2,000,000 single limit general liability insurance covering both bodily injury and property damage. Performance bonds may be released upon successful completion of installation or construction of all such signs.
- B. ~~Bonds and insurance policies~~Insurance policy certificates heretofore filed for the maintenance of existing signs may continue in full force and effect until the renewal date

thereof, at which time a surety company bond or liability insurance policy certificate in the amount amount hereinabove specified shall be filed. Upon filing a new surety company bond or liability insurance policy complying with the provisions of this section, the former bond or insurance policy may be canceled.

§ 104-52 Bonds and insurance for other types of construction.

In cases in which applications are made to the City Engineer for a permit to construct and maintain areaways under sidewalks or under any street or public place in the right-of-way, or for a permit to place any permanent structure or construction of any kind in or upon any street or other public place within the city the right-of-way, either liability insurance or and surety company performance bonds shall be required. ~~The~~With the exception of applications involving telecommunication facilities, the performance bonds shall be in an amount not less than \$250,000, or and there shall be not less than \$250,000-\$1,000,000 single limit general liability insurance covering both bodily injury and property damage. The bond and insurance requirements for all telecommunication facilities shall be as set forth in the license or franchise agreement.

§ 104-53 (Reserved) Substitution of insurance for bonds for encroachments. Except as otherwise provided herein, in lieu of bonds required to be filed under ordinances heretofore adopted, authorizing permits for encroachments, other than signs, there may be filed single limit general liability insurance in an amount not less than \$50,000 covering both bodily injury and property damage.

§ 104-54 (Reserved) Acceptance of substitute bonds.

The City Engineer is hereby authorized, upon application of the principals on indemnity bonds heretofore or hereafter given to the city, to protect it from loss or damage resulting from the construction and maintenance of areaways and other street obstructions, to accept on behalf of the City substitute surety company bonds covering the same subject matter, in a form approved by the Director of Finance, in the place and stead of the bond or bonds which it is desired to have canceled and terminated; and whenever a proper substitute bond in like penalty with the bond it is intended to replace and in form and manner of execution approved by the Director of Finance has been given to the city, the City Engineer is hereby authorized to execute and deliver to the principal obligor a written certificate stating that a substitute for such former bond has been accepted by the City and that all obligation thereon subsequent to the delivery and acceptance of the bond therefor has ceased.

§ 104-55 Annual bonds or insurance for plumbers and other contractors.

- A. Licensed plumbers, contractors and other persons engaged in any business the nature of

which requires or results in frequent applications for permits to make obstructions or excavations in the ~~streets~~ right-of-way, shall not be required to furnish a separate bond or insurance certificate for each permit, but a general bond or insurance certificate may be given annually, indemnifying the City from any and all loss, cost or damage resulting or arising from any act done or permitted in pursuance of such permits, which bonds or certificates shall be renewed from year to year so long as the person shall continue business within the ~~city~~ City.

- B. Annual insurance shall be in an amount required by the City Engineer, but not less than ~~\$100,000—\$1,000,000~~ for bodily injury and property damage, or an annual bond not less than \$100,000.

§ 104-56 Irrevocable letter of credit required for excavations or obstructions.

- A. The City Engineer is hereby directed, in all cases in which applications are made to him or her for consent or permission to make any excavation in ~~or upon any street or other public place~~ the right-of-way or for permission to place any materials, equipment or obstruction ~~on or in any street or other public place~~ in the right-of-way, to require an irrevocable unconditional letter of credit, approved by Director of Finance as to form and ~~method of execution~~ substance, in a minimum amount of ~~\$1,000—\$25,000~~, to be filed with the ~~city~~ City.
- B. The City Engineer is authorized to require a letter of credit for a higher amount for reasons such as previous failures to comply with City codes, specifications or permit requirements and for large-scale projects.
- C. The City Engineer is authorized to waive the requirement of an irrevocable letter of credit in all cases where the work to be done under permit will not cause damage to pavement, sidewalks, curbing or any other portion of the City right-of-way.
- D. The City Engineer is authorized to draw upon the letter of credit as may be necessary to cover the costs to the City including administrative costs to perform work which a permit applicant failed to perform after receiving a written request from the City to perform said work. The City Engineer may draw upon the letter of credit only after the permit applicant has failed to perform said work, failed to pay the invoice for the cost of the work performed by the City and failed to win an appeal to the Commissioner of Environmental Services of the invoice or failed to make such an appeal in a timely fashion.
- E. No new ~~street~~ permits shall be issued to the permit applicant until the full amount of the letter of credit is restored.

§ 104-57 Permit fees.

- A. Applications for permits required by this chapter ~~for the following activities or objects~~ shall be made in writing to the City Engineer, shall contain such information as the City Engineer may require and shall be accompanied by the following fees. ~~Where a fee detailed in the permit from-fee schedule maintained by the City Engineer is required and no other fee is specified herein, the fee. The permit fee schedule shall be \$70.~~ amended from time-to-time by the City Council. Any fee not specified in the fee schedule shall be determined by the City Engineer.

Code Activity or Object	Section	Length Fee	of Permit
Anode protection work	104-13	\$10 per location outside pavement	
Street construction	104-15	\$15 per linear foot	
Sidewalk construction or repair	104-15	\$35 for each street along which sidewalk runs	
New residential driveways (defined as any driveway accommodating 3 cars or fewer on a parcel used for residential purposes only)	104-25	\$130	
New commercial driveways (any driveway not included as a residential driveway as defined above)	104-25	\$450	
Enlargement of existing driveways (per linear foot)	104-25	\$35	
Extended maintenance fee, reconstructed street excavation	104-20		
50 square feet or less		\$660	
51 to 100 square feet		\$1,910	
101 to 150 square feet		\$3,820	
Over 150 square feet		\$6,360	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		\$1,870, plus \$11 per linear foot	
Extended maintenance fee, resurfaced street excavation	104-20		
50 square feet or less		\$330	
51 to 100 square feet		\$1,020	
101 to 150 square feet		\$1,800	
Over 150 square feet		\$3,600	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		\$1,010, plus \$8.80 per linear foot	
Street reconstruction cost sharing	104-27		
Heavy duty pavement		\$10 per square foot	
Medium duty pavement		\$8 per square foot	
Light duty pavement		\$6 per square foot	
Fixed projection (architectural character)	104-33	\$230	
Entrance details	104-33	\$70	
Architectural details	104-33	\$70	
Balconies and fire escapes	104-33	\$340	
Marquees	104-33	\$70	
Awnings	104-33	\$70	5 years
Flagpoles	104-33	\$70	
Light fixtures	104-33	\$70	
Signs	104-33	\$70	
Storm enclosures	104-33	\$70	6 months
Sidewalk cafes (initial fee for three tables, four chairs per table)	104-33	\$120	8 months

Sidewalk cafes (more than three tables)	104-33	\$40 per additional table with four chairs	8 months
Moving a building	104-23	\$230 per move	
Street obstruction	104-24	\$50 \$360	1 day 1 month
Phone booth installation	104-24	\$160	Annual
Pole attachments	104-33	\$2,000 per pole	Annual
Resurfacing existing driveway	104-13	\$50 per driveway \$260	Annual
Utility pole installation	104-13	\$180	
Interference with survey monument	104-22	\$400 per occurrence	
Excavations	104-13		
50 square feet or less		\$125	
51 to 100 square feet		\$270	
101 to 150 square feet		\$510	
Over 150 square feet		\$1,050	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		\$340, plus \$1.10 per linear foot	1 week
Inspection fee		\$200	
Banners	104-33	\$50	1 month
Bridges	104-33	\$230 initially; \$35 thereafter	1 year 1 year
Footings	104-34	\$70	
Foundation walls	104-34	\$70	
Vaults and areaways	104-34		
100 square feet or less		\$110 initially \$35 thereafter	1 year 1 year
101 to 500 square feet		\$230 initially; \$60 thereafter	1 year 1 year
Over 500 square feet		\$340 initially; \$85 thereafter	1 year 1 year
Tunnels	104-34	\$230 initially; \$120 thereafter	1 year 1 year

- B. Utility companies and other companies performing work in the City may pay an annual maintenance fee of ~~\$1,430 per company~~, which shall include the fees for all work other than work requiring excavation in the City rights-of-way. ~~The fee for a one-time use permit for an oversized or overweight vehicle as required by § 111-78 of the Municipal Code shall be \$230. An annual permit for one oversized or overweight vehicle shall be \$680, while an annual permit for four or more vehicles shall be \$2,700.~~
- C. There shall be an additional fee for performing work for which a permit is required and for which no permit has been obtained or for which a permit was obtained but the work has been stopped by the City Engineer. The additional fee shall be equal to the applicable permit fee. The applicable permit fee shall also

- D. The City Engineer shall have the power to waive the permit fee for ~~that~~ work done by a contractor performing or accommodating a City project or a project of another government agency.
- E. Where multiple openings are made, the permit fee shall be the lesser of the fee based upon the total square footage of the multiple openings or the sum of the fees for the individual openings.
- F. ~~(Reserved). The fee for a building wall permit authorized by § 5-35 of the City Charter and § 104-30 of the Code of the City of Rochester shall be \$450.~~
- G. The annual fee for vaults and areaways,

bridges and tunnels shall be a lien upon the adjoining parcel or parcels of real property which they benefit. At the option of the Director of Finance, such fees may be added to the annual real property tax bill for such parcels.

- H. Fees for excavation in the right-of-way. No fee shall be required for excavation in the right-of-way, provided that the work does not disturb the ~~street~~ roadway or public sidewalk and is for the renewal of residential water service only.
- I. ~~(Reserved) If work is not completed within the time established in a permit and a reinspection is required, a fee of \$80 per visit shall be required in addition to any other permit fees.~~

§ 104-58. City activities in right-of-way.

The permit fees and associated requirements under this section shall not apply to the City.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 166 from Committee.

The motion was seconded by Councilmember Spaul.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Spaul - 8.

Nays - Councilmember Patterson -1.

Councilmember Haag moved to amend Int. No. 166.

The motion was seconded by Councilmember McFadden.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-143
Re: Agreement - Mobilitie, LLC, Cellular
Wireless Equipment

Transmitted herewith for your approval is legislation authorizing an agreement with Mobilitie, LLC (Mobilitie), a Nevada limited liability company which maintains its principal place of business in Newport Beach, California, to place small cell equipment in the public right of way in the City of Rochester for an annual fee. Mobilitie is a leading provider of tel-

ecommunications facilities and equipment that provides a distributed network infrastructure to the wireless industry. Mobilitie maintains a Certificate of Public Convenience and Necessity to operate in New York State as a facilities-based provider. As part of the agreement, Mobilitie, must provide the City Engineer with a map showing the location and specific nature of all facilities which it plans to install or construct.

In order to provide enhanced wireless services, Mobilitie plans to place their small cell equipment on approximately 15 street light poles. Some street light poles will require replacement prior to mounting the equipment, which will require City approval and be undertaken at no cost to the City. The cellular wireless equipment will be operated and maintained by Mobilitie and will generate annual revenue in the amount of \$500 per street light pole used plus 5% of gross revenue and where requested by the City, the installation of a two inch conduit for the City's use. The term of the agreement will be five years with three, five-year extensions. At the conclusion of the term, all equipment will be removed from the street light poles.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-89

Ordinance No. 2017-143
(Int. No. 166, as amended)

Authorizing agreement to allow the placement of cellular wireless communications equipment on City-owned street light poles

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 Mobilitie, LLC to allow the company to place small cellular wireless communications equipment (Equipment) on approximately 15 City-owned street light poles for an annual fee. The agreement shall involve the placement of Equipment on up to 15 light poles initially and may be extended to up to 25 additional poles if approved by the City Engineer. and The agreement shall be subject to the following terms and conditions.

Section 2. The Equipment shall be installed, operated and maintained at no cost to the City. The company may replace some street light poles prior to installation of Equipment, provided that it obtains prior approval from the City to do so and the replacement is undertaken at no cost to the City. The company shall install conduit line for the City's use if the City requests it to do so.

Section 3. Mobilitie, LLC shall pay the City an annual fee comprised of \$500 plus 5% of its gross revenue derived from each street light pole utilized, provided, however, that the annual fee shall be modified if necessary to match the City's adoption of any subsequent annual fee schedule that applies to all

like equipment pole attachments.

Section 4. The agreement shall be for a term of 5 years with the option to extend for up to three additional terms of 5 years each upon the mutual consent of the parties. At the conclusion of the agreement, the company shall remove all Equipment from the street light poles at no cost to the City.

Section 5. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-142
Re: Budget Amendment- Edgerton
R-Center Stardust Ballroom Shingle
Roof Replacement Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy;
Public Safety

Transmitted herewith for your approval is legislation authorizing the transfer of \$359,000 from Contingency to Cash Capital to fund the Edgerton R-Center Stardust Ballroom Shingle Roof Replacement project, and amending the 2016-17 Budget to reflect the transfer.

The proposed increase to the Cash Capital allocation will fund a full roof replacement of the Edgerton R-Center Stardust Ballroom. The existing asphalt shingle roof was installed in 1988 and was prioritized for replacement within three years due to its poor condition and numerous leaks. The roof incurred severe damage during the March 8, 2017 wind storm, which had sustained gusts up to 80 miles per hour, making the roof replacement a top priority.

Construction is anticipated to be performed in fall 2017. The project will result in the creation and/or retention of the equivalent of four full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-142
(Int. No. 167)

Amending the 2016-17 Budget and funding the Edgerton R-Center Stardust Ballroom shingle roof replacement

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

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by transferring a total of \$359,000 from Contingency to Cash Capital and said amount is hereby appropriated to fund the replacement of the Edgerton R-Center Stardust Ballroom shingle roof.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
May 23, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 168 - Authorizing an amendatory agreement with Personal Energy, Inc. relating to firefighter recruit training

Int. No. 169 - Authorizing agreements for the 2017 Summer Food Service Program

Int. No. 170 - Authorizing an agreement for the Clinton-Baden Community Center

Int. No. 171 - Authorizing agreements for the 2016-17 Gun Involved Violence Elimination Program

Int. No. 172 - Authorizing an amendatory grant agreement with the New York State Office of Victim Services

Int. No. 173 - Authorizing agreements and appropriating funds to support the Summer Literacy Program

Int. No. 175 - Authorizing an agreement for emergency telephone notification system services

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-144
Re: Amendatory Agreement - Personal
Energy, Inc., Physical Training for
Firefighter Recruits and Trainees

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum annual compensation for an amendatory agreement with Personal Energy, Inc. for consultation on physical training for firefighter recruits in preparation for the Candidate Physical Agility Test (CPAT), and for Firefighter Trainees (FFT) in preparation for acceptance to the fire recruit class.

Ordinance No. 2017-144
(Int. No. 168)

Authorizing an amendatory agreement with Personal Energy, Inc. relating to firefighter recruit training

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

The original agreement, authorized via Ordinance No. 2016-217, established \$15,000 as maximum annual compensation. This amendment will increase said compensation by \$10,000 for a total of \$25,000, and will be funded from the 2017-18 and future Budgets of the Fire Department, contingent upon their approval. The increase in expense is due to a larger than normal recruit class in 2016-17, requiring a higher than anticipated level of service from the vendor. The term of the agreement will remain the same: two years, with the option of one, two-year renewal.

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Personal Energy, Inc. for consultation on physical training for firefighter recruits. The amendatory agreement shall increase the maximum annual compensation of the agreement originally authorized in Ordinance No. 2016-217 by \$10,000 to a new total of \$25,000. Said amendatory amount shall be funded from the 2017-18 Budget of the Fire Department and future operating budgets of the Fire Department, contingent upon approval of said future budgets. The term of the agreement shall remain two years with an option to renew for one additional two-year period.

The services of a certified personal trainer during a fire recruit class has demonstrated improved results in the overall fitness of recruit class participants, and increased their ability to successfully complete the New York State mandated CPAT prior to graduation from the Fire Academy. Personal Energy, Inc. will also support the Firefighter Trainee program as participants prepare during their internship for entry into the fire recruit class. Services provided include:

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.

- Education on weight training and aerobic exercise routines that will assist a successful outcome on the CPAT;
- Training on how to do exercises correctly, and how to prevent or reduce the risk of injuries;
- Instruction on the use of different exercise machines at the gym, and how to work all the major muscles of the body;
- Consultation and evaluation of each Fire Academy recruit for training and preparation for CPAT;
- Development of individual aerobic exercise programs for Firefighter Recruits and FFTs; and
- Teaching sound and necessary nutrition practices that will lead to better performance and healthier participants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-90

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-145
Re: Summer Food Service Program

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Education (NYSED) for the receipt and use of \$301,210 in anticipated reimbursements for the 2017 Summer Food Service Program (SFSP), and establishing \$250,000 as maximum compensation for an agreement with the Rochester City School District (District) for the preparation and delivery of the breakfasts and lunches. The reimbursement amount will be included in the proposed 2017-18 Budget of the Department of Recreation and Youth Services (DRYS) to fund the agreement and City costs, contingent upon approval of said budget.

SFSP provides free breakfast and lunch to city children aged 18 and under, and to disabled persons over 18 who are enrolled in a school year program for children with disabilities. The program will operate from June 26 to August 25. Sites will be selected based upon proximity to youth service activities and satisfactory past participation in the program.

The program is administered by the City and reimbursed by the NYSED, using federal funding. The District will prepare and deliver the meals to the program sites. Federal regulations strongly encourage the City to first consider the local school district as the source for obtaining meal service, and do not require competitive bid procedures when doing so. In recent years, the District has become more responsive to requests to increase the quality and appeal of meals. The federal reimbursement rates and projected numbers of meals for this year are as follows:

	<u>Meals</u>	<u>Rate per Meal</u>	<u>Reimbursement</u>
Breakfast	42,000	\$2.145	\$ 90,090
Lunch	56,000	\$3.770	211,120
	98,000		\$301,210

In addition to funding the agreement with the District, a total of \$51,200 will be used to fund the salaries of City staff consisting of one coordinator, two monitors, and a clerk (\$32,400); refuse pickup (\$11,500); mileage (\$2,000); outreach (\$2,300); and supplies (\$3,000).

The 2016 program was authorized via Ordinance No. 2016-124. The number of meals served in past years are provided below:

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Breakfast	34,725	39,146	49,246	37,810	39,314
Lunch	57,577	58,281	57,368	48,302	52,244
Total	92,302	97,427	106,614	86,112	91,558

Last year's menu is attached. This will be revised to ensure that meals appeal to youth, based upon the results of a meal tasting done with youth in April. Meals are served at all R-Centers, and at churches and not-for-profit agencies. Last year's site list is also attached.

The City continues to partner with Foodlink, the Rochester Area Community Foundation, and Common Ground Health (formerly Finger Lakes Health Systems Agency), with the assistance of Causewave, to publicize the program to older youth, parents, and potential sites.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-91

Ordinance No. 2017-145
(Int. No. 169)

Authorizing agreements for the 2017 Summer Food Service 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 Education for the receipt and use of anticipated reimbursements in the amount of \$301,210 for the 2017 Summer Food Service Program. Said amount, or so much thereof as may be necessary and received, shall be allocated to the 2017-18 Budget of the Department of Recreation and Youth Services and appropriated for the Program, contingent upon adoption of said Budget.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Rochester City School District for the preparation and delivery of meals for the Program, contingent upon receipt of the anticipated funding pursuant to Section 1. The agreement shall obligate the City to pay an amount based on the unit cost of the meals and not to exceed \$250,000, which shall be funded from the money appropriated in Section 1.

Section 3. The term of both agreements shall be one year.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-146
Re: Agreement - Baden Street Settlement,
Inc. and Rochester City School District,
Clinton-Baden Community Center

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

Transmitted herewith for your approval is legislation authorizing a new tripartite agreement with Baden Street Settlement, Inc. (Baden) and the Rochester City School District (District) for the operation of the Clinton-Baden Community Center (Center). The term of the agreement will be from July 1, 2017 to June 30, 2018, with the option of four, one-year renewals.

Baden has operated this City-owned facility since 1977. They provide a full service recreation and aquatics program at the Center six days per week, including all staffing, supplies, and custodial services. Baden is responsible for the day-to-day maintenance of the facility and is reimbursed by the District for custodial services, while the City and District share responsibility for structural maintenance. The City and District also share responsibility for all utility costs. The District will pay for the total cost of gas, electric, fuel oil, steam, and water consumed at the Center, and the City will reimburse the District a pro rata share of actual utility costs incurred, upon receipt of itemized statements.

This agreement was last authorized in March 2013 via Ordinance No. 2013-84.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-146
(Int. No. 170)

Authorizing an agreement for the Clinton-Baden Community Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District and Baden Street Settlement, Inc. for the continued use and maintenance of the Clinton-Baden Community Center. The agreement shall extend for a term of one year from July 1, 2017 to June 30, 2018, with four one-year renewal options.

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

Section 3. This agreement shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-147
Re: Agreement - New York State Division
of Criminal Justice Services,
2017-18 GIVE Grant

Council Priority: Public Safety

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 \$561,700 for the term of July 1, 2017 to June 30, 2018;
2. Establish \$131,700 as maximum compensation for an agreement with the Rochester Institute of Technology (RIT) for data analysis services related to GIVE. The agreement will be funded from the 2017-18 Budget of the Police Department, contingent upon approval, and have a term of one year, from July 1, 2017 to June 30, 2018; and
3. Establish \$31,000 as maximum compensation for an agreement with PathStone Foundation to cover the cost of direct service provider case management for focused deterrence participants. The agreement will be funded from the 2017-18 Budget of the Police Department, contingent upon approval, and have a term of one year, from July 1, 2017 to June 30, 2018.

This grant will build on the success of previous GIVE funding and 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 be based upon empirically derived best-practices that focus on violent dispute intervention and resolution; deterring access to illegal firearms; and implementing offender-based tactics and place-based tactics. Taskforce priorities and activities are based on crime and crime response data.

The grant includes \$390,000 in overtime, but does not pay for the associated fringe cost of \$127,500. The Center for Public Safety Initiatives (CPSI) at RIT will receive \$131,700 as a sub-grantee to cover the cost of GIVE-related analysis and personnel. CPSI will employ a GIVE Analyst and a Focused Deterrence Coordinator to work directly with the taskforce. PathStone Foundation will receive \$31,000 as a sub-grantee to cover the cost of direct service provider case management for the focused deterrence participants. PathStone will employ one part-time case worker (20 hours per week) to manage the coordination of community-based services. The remaining \$9,000 will be used to purchase supplies for custom notifications, rental cars for undercover details, and training required by DCJS. No

matching funds are required.

Justification statements for not issuing requests for proposals for the sub-grantees are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-92

Ordinance No. 2017-147
(Int. No. 171, as amended)

**Authorizing agreements for the 2017-18 ~~2016-17~~
Gun Involved Violence Elimination 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 Criminal Justice Services for receipt and use of funding for the 2017-18 Gun Involved Violence Elimination (GIVE) Program in the amount of \$561,700. The term of the agreement shall be from July 1, 2017 through June 30, 2018.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Institute of Technology Center for Public Safety Initiatives for data analysis services for the 2017-18 GIVE Program in the maximum amount of \$131,700. The agreement shall be funded from the 2017-18 Budget of the Police Department, contingent upon the approval of said future budget. The term of the agreement shall be from July 1, 2017 through June 30, 2018.

Section 3. The Mayor is hereby authorized to enter into an agreement with PathStone Foundation in the maximum amount of \$31,000 to provide direct service provider case management for the focused deterrence participants in the GIVE Program. The agreement shall be funded from the 2017-18 Budget of the Police Department, contingent upon the approval of said future budget. The term of the agreement shall be from July 1, 2017 through June 30, 2018.

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

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-148
Re: Amendatory Agreement -
New York State Office of
Victim Services Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the New York State Office of Victim Services (NYSOVS) for the receipt and use of \$732,400 in additional grant funding for the Police Department to provide victim services. The amendatory agreement increases the total grant amount to \$1,019,565, and extends the term of the grant by two years, through September 30, 2019.

The additional funding will be included in the 2017-18 (\$359,000) and 2018-19 (\$373,400) Budgets of the Police Department, contingent upon approval of said budgets. For fiscal year 2017-18, the grant will primarily be used to finance salary expenses, including fringe, for the counseling positions in the Family and Victim Services Section (\$354,300). The remaining \$4,700 will be used for training for Family and Victim Services staff. The specific uses of the second year of the grant funds (\$373,400) will be finalized with NYSOVS at a later date.

The original NYSOVS grant was approved in June 2016 via Ordinance No. 2016-213.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-148
(Int. No. 172)

Authorizing an amendatory grant agreement with the New York State Office of Victim Services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory grant agreement with the New York State Office of Victim Services (NYSOVS) relating to the receipt and use of a NYSOVS grant to support of the Police Department's provision of victim services. The amendatory agreement shall extend the term of the original agreement that was authorized in Ordinance No. 2016-213 by two years to September 30, 2019 and shall increase the original grant amount by \$732,400 to a total of \$1,019,565.

Section 2. Contingent upon the approval of subsequent fiscal year budgets of the Police Department, the increase in NYSOVS's grant shall be added to the 2017-18 Budget of the Police Department in the amount of \$359,000 to fund the Police Department's Family and Victim Services Section programs during the first year of the extended term (October 1, 2017 through September 30, 2018) and added to the 2018-19 Budget of the Police Department in the amount of \$373,400 to fund said Section's programs during the second year (October 1, 2018 through September 30, 2019).

Section 3. The amendatory agreement shall contain such other 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. 2017-149
Re: Agreement - Rochester City School District, Summer Literacy Program in R-Centers

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester City School District (RCSD) for the receipt and use of \$66,100 to employ 20 youth Literacy Aides for a Summer Literacy Program in City R-Centers. The term of the agreement will be for one year.

This will be the third year that the Department of Recreation and Youth Services (DRYS) will run this Summer Literacy Program, which is modeled after the successful collaboration that RCSD and the Rochester Public Library (RPL) have had in the provision of enhanced summer programming aimed at maintaining and improving children's reading skills with the support of youth staff. The RCSD grant will be used to employ up to 20 RCSD high school students as Literacy Aides at R-Centers during the summer of 2017.

The Literacy Aides will work 35 hours per week for nine weeks at R-Centers and summer camps at a total cost of \$65,100, including wages and benefits, and \$1,000 for supplies. These funds were anticipated in the 2017-18 Budgets of DRYS (\$1,000 for supplies and \$60,500 for wages) and Undistributed Expenses (\$4,600 for benefits).

In 2016, DRYS hired 18 youth Literacy Aides who delivered the Summer Literacy Program to a total of 555 youth at 13 R-Centers and DRYS summer camps (Ord. No. 2016-125).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-149
(Int. No. 173)

Authorizing agreements and appropriating funds to support the Summer Literacy 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 Rochester City School District for the receipt and use of \$66,100 for the Summer Literacy Program (Program) to employ Rochester City School District high school students

as literacy aides at City R-Centers during the Summer of 2017 to assist children to maintain and improve their reading skills. The term of the agreement shall not exceed one year.

Section 2. The sum of \$4,600 anticipated under the agreement shall be allocated to the 2017-18 Budget of Undistributed and the sum of \$61,500 anticipated under the agreement shall be allocated to the 2017-18 Budget of the Department of Recreation and Youth Services (DRYS) and is hereby appropriated to the Program, contingent upon the approval of said budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-150
Re: Agreement - Sam Asher Computing Services, Inc. d/b/a Asher Group, Emergency Telephone Notification System Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum annual compensation for an agreement with Sam Asher Computing Services, Inc. d/b/a Asher Group for emergency telephone notification system services. The cost of this agreement will be funded from the 2016-17 Budget of the Emergency Communications Department (ECD), and the term will be for one year, with the option of three, one-year renewals. Subsequent costs will be funded from the annual budgets of ECD, contingent upon approval of said budgets.

The emergency telephone notification system service enables ECD to assist law enforcement, fire, and emergency medical service agencies by quickly providing warnings and emergency instructions via telephone to large groups of people in the immediate area of a critical incident. The system will make up to three attempts to reach each telephone number within the selected group, and will leave messages on answering machines. Calling campaigns will include both listed and unlisted telephone numbers, and both residential and business telephone numbers.

The cost of this agreement will be reimbursed by Monroe County under the 9-1-1 Operating Agreement.

The Asher Group was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-93

Ordinance No. 2017-150
(Int. No. 175)

Authorizing an agreement for emergency telephone notification system services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Sam Asher Computing Services, Inc. d/b/a Asher Group to provide emergency telephone notification system services to the Emergency Communications Department (ECD). The term of the agreement shall be one year, with the option for up to three extensions of 1 year each.

Section 2. The maximum annual compensation for the agreement shall be \$30,000, which shall be funded from the 2016-17 Budget of ECD for the first year and from a subsequent budget of ECD for any subsequent year, contingent upon the approval of the subsequent budget.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:10 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

SPECIAL MEETING
JUNE 5, 2017
12:30 P.M.

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Absent - Councilmember Clifford - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-14
Re: Home Rule Resolution - City Traffic Violations Agency

Transmitted herewith for your approval is a home rule resolution related to legislation that is currently being considered by the New York State Legislature. The legislation, Assembly Bill No. A. 1501-A and Senate Bill No. S. 6456, would authorize the establishment of a City Traffic Violations Agency (City Agency) to adjudicate traffic violations.

At present, traffic violations that occur in the City must go before a State Traffic Violations Bureau (State Bureau) within the Department of Motor Vehicles, while each town has jurisdiction over the traffic violations that occur within its boundaries. Town courts may accept plea bargains that allow for reducing a charged infraction to a lesser offense. However, State law prohibits the State Bureau from accepting pleas bargains.

This legal discrepancy presents an issue of substantial unfairness. Without the plea bargain option, City drivers face higher fines, higher points and, consequently, higher insurance premiums than those faced by drivers outside the City for the same infractions. The approval of a City Agency would eliminate that discrepancy by allowing the City to run its own traffic violations system freed of the State prohibition on plea bargains.

The creation of the City Agency would entail the hiring of judicial hearing officers and prosecutors to adjudicate tickets. However, the costs of hiring the necessary officers and employees, and of administering the system will be more than offset by the collection of the same administrative assessments that are presently charged by the State Bureau. For example, the City of Buffalo, which has been operating its traffic violations bureau since July 1, 2015, pursuant to similar State legislation, generates a net revenue increase of more than \$2 million annually for the City's budget.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-14
Int. No. 217

Resolution for the purpose of a Home Rule Message regarding State legislation in relation to the adjudication of traffic infractions within the City of Rochester

Concurring in the request by the Mayor of the City of Rochester to the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to the adjudication of traffic infractions.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council concurs in the request of Lovely A. Warren, Mayor of the City of Rochester, to the Senate and the Assembly of the

State of New York, constituting the New York State Legislature, that said Legislature enact the legislation set forth in the following bill entitled:

AN ACT to amend the vehicle and traffic law, the general municipal law, the state finance law, and the criminal procedure law, in relation to the adjudication of traffic infractions.

Being Senate Bill No. S. 6456-A and Assembly Bill No. A.1501-B.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 12:45 p.m.

Hazel L. Washington
City Clerk

* * * * *

REGULAR MEETING
JUNE 20, 2017

Present - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:
Fire Department
*Russell Merrick
**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember Spaul

RESOLVED, that the minutes of the Regular Meeting of May 23, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Quarterly Report - Professional Services Agreements Less Than or Equal to \$10,000
4262-17

The Council submits Disclosure of Interest Forms from Councilmember Clifford on Int. No. 181, Councilmember Haag on Int. No. 208 and Int. No. 214, and Councilmember Spaul on Int. No. 180, Int. No. 183, Int. No. 204, and Int. No. 214.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaul presented a petition with 100 signatures opposing Rochester Management/Cobbs Hill Petition No. 1739

Councilmember Conklin presented a petition with 42 signatures from taxi drivers against Uber (ride sharing) Petition No. 1740

Councilmember Haag presented a petition with 1300 signatures supporting Rochester Management/Cobbs Hill Petition No. 1741

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
June 20, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 180 - Authorizing an agreement for the 2017 KeyBank Rochester Fringe Festival

Int. No. 181 - Authorizing an amendatory agreement with Personal Energy, Inc. related to the development and administration of a physical agility test

Int. No. 220 - Authorizing an agreement with Entre Computer Services, Inc. related to the upgrade of Microsoft Access Systems

Int. No. 222 - Resolution approving the 2017-18 debt limit for general municipal purposes

Int. No. 224 - Levying taxes for municipal purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

Int. No. 225 - Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

Int. No. 226 - Levying taxes for school purposes for the ear commencing July 1, 2017 and expiring June 30, 201

Int. No. 227 - Local Improvement Ordinance-Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2017 and expiring June 30, 2018

Int. No. 228 - Amending the Municipal Code with respect to designated parking garages and parking rates

Int. No. 229 - Amending the Municipal Code with respect to water rates

Int. No. 230 - Amending the Municipal Code with respect to refuse fees

Int. No. 231 - Local Law amending the City Charter with regard to fees in actions for foreclosure of tax liens by the City

Int. No. 232 - Amending the Municipal Code with respect to towing fees

The Finance Committee recommends for consideration the following entitled legislation:

Int. No. 223 - Adoption of the Budget estimates for municipal purposes for the 2017-18 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

Int. No. 233 - Adoption of the Budget estimates for school purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018, and appropriation of sums set forth therein

Respectfully submitted,
Carolee A. Conklin (Voted against Int. Nos. 226 and 233)
Molly Clifford
Dana K. Miller
Adam C. McFadden (*Absent*)
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-151
Re: Agreement - Rochester Fringe Festival, Inc., 2017 KeyBank Rochester Fringe Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with the Rochester Fringe Festival, Inc. to provide free, family-friendly programming throughout the event. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

The 2017 KeyBank Rochester Fringe Festival (Fringe) brings together venues, performers and artists to engage diverse audiences through an innovative, entertaining and thought-provoking annual multi-arts festival in Rochester. The festival includes theatre, comedy, family entertainment, music, dance, physical theatre, street theatre, musical theatre, opera, and the spoken word.

The 2017 Fringe will be held September 14 to 23 and includes shows in 25 downtown venues, as well as free, outdoor entertainment. The City funds appropriated herein will help to defray the costs of a variety of free, family-friendly performances and festival space as follows:

- “Friday and Saturday on the Fringe”- Two

large-scale performances by a world-renowned spectacle theatre company, to be held at Parcel 5 (of the former Midtown site) on September 15 and 16.

- “Fringe Street Beat”- A popular urban dance / hip hop dance / breakdance event, drawing participants from within the City of Rochester and throughout the Northeastern US and Canada.
- Two days of free events on Gibbs Street, including music, dance, and participatory chalk art.
- Free, outdoor films in the Spiegelgarden, located on the corner of Main and Gibbs Streets.
- Approximately 125 other free shows in various venues.

Since its debut in 2012, the Fringe has become one of the most successful fringe festivals in the United States, attracting more than 68,000 attendees to more than 500 performances in 2016. The Fringe uniquely celebrates Rochester’s rich multi-arts culture. Its presence enhances the city’s reputation as a respected destination for the arts, joining the ranks of 300 other world-class cities with fringe festivals, such as New York City, Philadelphia, Toronto, Chicago, and Edinburgh, Scotland. The KeyBank Rochester Fringe Festival is now one of the top three most highly attended fringe festivals in the US.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-94

Ordinance No. 2017-151
(Int. No. 180)

Authorizing an agreement for the 2017 KeyBank Rochester Fringe Festival

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$25,000 with Rochester Fringe Festival, Inc. for the 2017 KeyBank Rochester Fringe Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon approval thereof. The term of the agreement shall be one year.

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. 2017-152
Re: Amendatory Agreement - Personal Energy, Inc., Physical Agility Test for Firefighter Civil Service Examination

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$1,025 as maximum compensation for an amendatory agreement with Personal Energy, Inc. for additional compensation related to the development and administration of a physical agility test for the Firefighter Civil Service Examination. The original agreement authorized via Ordinance No. 2016-3 provided maximum compensation of \$7,500 for an initial two-year term. This amendment will increase maximum compensation by \$1,025 for a total of \$8,525. The additional cost will be funded from the 2016-17 Budget of the Department of Human Resource Management.

There have been two cycles of physical agility exams conducted with the candidates that passed the most recent written portion of the firefighter examination conducted in December 2015. Due to the unexpectedly large size of the score bands that resulted, more candidates were eligible to participate in the physical agility test than were anticipated. This resulted in an increase in the cost of the administration of the physical agility test. No additional funds are expected to be needed if and when the two-year renewal option is exercised.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-152
(Int. No. 181)

Authorizing an amendatory agreement with Personal Energy, Inc. related to the development and administration of a physical agility test

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 Personal Energy, Inc. for the development and administration of a physical agility test for the Firefighter Civil Service Examination. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2016-3 by \$1,025 to a new total of \$8,525. Said amendatory amount shall be funded from the 2016-17 Budget of the Department of Human Resource Management.

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. 2017-153
Re: Agreement - Entre Computer Services, Microsoft Access Upgrade

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Entre Computer Services to upgrade approximately 40 Microsoft Access systems to a currently supported version of the software. The cost of this agreement will be funded from the 2017-18 Budget of the Information Technology Department, contingent upon approval of said budget, and the term will be for one year with the option to renew for one additional year.

Microsoft Access is a database management system that is used in various areas of the City. The consultant will provide staff and services at specified unit prices to upgrade the system throughout the organization.

The consultant was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-95

Ordinance No. 2017-153
(Int. No. 220)

Authorizing an agreement with Entre Computer Services, Inc. related to the upgrade of Microsoft Access Systems

Section 1. The Mayor is hereby authorized to enter into an agreement with Entre Computer Services, Inc. to upgrade approximately 40 Microsoft Access Systems to a currently supported version. The maximum compensation for the agreement shall be \$50,000, which shall be funded from 2017-18 Budget of the Department of Information Technology. The term of the agreement shall be one year with one optional one-year renewal.

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:

Resolution No. 2017-15
Re: 2017-18 Debt Limit

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation establishing the Debt Limit, Debt Rollover, and Debt Extension amounts for the 2017-18 Budget.

2017-18 Debt Limit

The Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2017-18 is \$18,108,500.

Attached is the 2017-18 Debt Authorization Plan, which calls for borrowing \$17,977,000 in tax supported funds. The Plan also includes an additional \$4,656,000 supported by the City's Water Fund.

Debt Rollover 2016-17 and 2015-16

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations which vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2016-17: The tax supported borrowing request for this year was \$18,005,000. Of that amount \$6,483,000 has been authorized, leaving a balance of \$11,522,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2016-17 itemizes projects remaining for that year.

2015-16: The tax supported borrowing request for this year was \$19,045,000. Of that amount \$13,750,000 has been authorized, leaving a balance of \$5,295,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2015-16 itemizes projects remaining for that year.

Time Limit Extensions for 2014-15, 2013-14, 2012-13, 2011-12, 2010-11 and 2009-10

Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

<u>2014-15 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-3 Goodman/Main Street	street rehabilitation	\$ 6,000
E-4 Demolition	demolition	723,000
M-6 RPD Special Operations	Maple section office	245,000
S-7 Elmwood Avenue	cycle track	250,000
T-1 Ridgeway Avenue	street rehabilitation	1,716,000
T-2 Milling & Resurfacing	street rehabilitation	259,000
T-2 Residential Street	street rehabilitation	<u>2,166,000</u>
	Total 2014-15 Extension	\$5,365,000

<u>2013-14 Project</u>	<u>Purpose</u>	<u>Amount</u>
T-4 Residential Street	street rehabilitation	\$2,032,000
T-3 Milling & Resurfacing	street rehabilitation	243,000
E-6 Investigation and Remediation	contaminated sites within city	505,000
T-6 Street Lighting	lighting	325,000
T-1 Lake Avenue	street rehabilitation	500,000
E-8 Focused Investment	development	500,000
E-1 Midtown Redevelopment III	street rehabilitation	<u>250,000</u>
	Total 2013-14 Extension	\$4,355,000

<u>2012-13 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Investigation and Remediation	contaminated sites within city	\$150,000
	Total 2012-13 Extension	\$150,000
 <u>2010-11 Project</u>	 <u>Purpose</u>	 <u>Amount</u>
F-2 Investigation and Remediation	contaminated sites within city	\$240,000
	Total 2010-11 Extension	\$240,000
 <u>2009-10 Project</u>	 <u>Purpose</u>	 <u>Amount</u>
F-2 Investigation and Remediation	contaminated sites within city	\$550,000
	Total 2009-10 Extension	\$550,000

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time, the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-96

Resolution No. 2017-15
 (Int. No. 222)

Resolution approving the 2017-18 debt limit for general municipal purposes

WHEREAS, an important component of the City’s expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2017-18 to \$18,108,500 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2015-16 and 2016-17 shall continue to be available, but no authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried-over and included in the limit for this fiscal year. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for fiscal year 2014-15 relating to street rehabilitation and milling and resurfacing including but not limited to Goodman Street, Main Street and Ridgeway Avenue, renovations to RPD Special Operations office, demolition, cycle track on Elmwood Avenue; 2013-14 relating to street rehabilitation and milling and resurfacing including but not limited to Lake Avenue and Midtown Redevelopment III, hazardous waste investigation and remediation at contaminated City sites, street lighting, and focused investment; fiscal year 2012-13 relating to hazardous waste investigation and remediation at contaminated City sites; for fiscal year 2010-11 relating to hazardous waste investigation and remediation at contaminated City sites; and for fiscal year 2009-10 relating to hazardous waste investigation and remediation at contaminated City sites.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-154,
 Ordinance No. 2017-155,
 Ordinance No. 2017-156,
 Ordinance No. 2017-157,
 Local Improvement Ordinance No. 1736,
 Ordinance No. 2017-158,
 Ordinance No. 2017-159,
 Ordinance No. 2017-160,
 Local Law No. 1,
 Ordinance No. 2017-161 and
 Ordinance No. 2017-162

Re: 2017-18 Budget

Council Priority: Deficit Reduction and
 Long-Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2017-18 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
 - a. Street mall maintenance
 - b. Neighborhood parking lot operation
 - c. Public Market snow removal and security services
 - d. Street lighting and streetscape districts
 - e. Downtown Enhancement District
 - f. High Falls Improvement District
 - g. St. Paul Street Streetscape
 - h. Mt. Hope Streetscape
 - i. Upper East Alexander Entertainment-Refuse
5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2017-18 proposed budget of the City submitted to City Council on May 19, 2017 are summarized below:

1. Total appropriations of \$1,408,960,477 allocated for the City and the School District

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 525,604,100	\$ 518,842,400	\$ 6,761,700	+1.3
School	883,356,377	876,026,485	7,329,892	+0.8
Total	<u>\$1,408,960,477</u>	<u>\$1,394,868,885</u>	<u>\$14,091,592</u>	<u>+1.0</u>

Total non-tax revenue distributed between the City and the District:

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 472,745,423	\$ 466,260,470	\$ 6,484,953	+1.4
School	769,615,877	762,881,485	6,734,392	+0.9
Total	<u>\$1,242,361,300</u>	<u>\$1,229,141,955</u>	<u>\$13,219,345</u>	<u>+1.1</u>

2. Total tax levies of \$174,449,400 for the City and City School District

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$166,599,177	\$165,726,930	\$872,247	+ 0.53
Tax Reserve	7,850,223	8,722,470	-872,247	-10.00
Tax Levy	<u>\$174,449,400</u>	<u>\$174,449,400</u>	<u>\$ 0</u>	<u>0.00</u>

3. Total appropriations for the Local Works fund of \$21,750,700 and total assessments of \$20,164,300

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Maintenance	\$ 5,398,897	\$ 5,631,153	\$ -232,256	-4.1
Sidewalk Repair	3,467,951	601,185	2,866,766	476.9
Roadway Plowing	8,580,745	10,561,845	-1,981,100	-18.8
Sidewalk Plowing	2,716,707	2,917,317	-200,610	-6.9
Total	<u>\$20,164,300</u>	<u>\$19,711,500</u>	<u>\$ 452,800</u>	<u>2.3</u>

4. Program Assessments

On April 25, 2017, the following budgets were approved: street lighting and streetscapes; street malls; Downtown Enhancement District; security and snow removal at the Public Market; High Falls Business Improvement District; and the East Avenue and Alexander Street Entertainment District. The budget for the South Avenue/Alexander Street Open Space District was also approved on April 25, 2017 but will be financed solely by the use of prior year assessments. The budget for the parking lots was approved on May 23, 2017. The assessments required are as follows:

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$ 34,241	\$ 30,306	\$3,935	13.0
Parking Lots	61,261	56,585	4,676	8.3
Public Market	47,049	45,839	1,210	2.6
Lighting and Streetscapes	37,967	38,000	-33	-0.1
Downtown Enhancement	604,100	604,100	0	0.0
High Falls	25,000	25,000	0	0.0
St. Paul Street Streetscape	20,649	20,649	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	20,800	20,800	0	0.0

5. Proposed additions to the tax roll consist of the following charges:

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$ 525,481	\$ 584,238	\$ -58,757	-10.1
Delinquent Water	5,987,482	6,125,164	-137,682	-2.2
Code Enforcement	144,338	139,532	4,806	3.4
Supplemental and Omitted Taxes	174,700	338,544	-163,844	-48.4
Local Improvements	1,919	1,413	506	35.8
Demolitions	646,424	564,681	81,743	14.5
Encroachments	3,725	3,725	0	0.0
Rehabilitation	219,271	217,626	1,645	0.8
Code Violations	1,863,906	1,982,235	-118,329	-6.0
Arnold Park Monuments	0	5,118	-5,118	-100.0

6. Fee increases and Code changes

6A. Water rate increases are proposed to balance the Water Fund. The proposed increases are expected to result in \$870,900 additional revenue based upon a slight reduction in consumption. Consumption charges and fire service charges, including the Holly high-pressure consumption charge, are proposed to increase an average of 2.57%. Increases are also proposed for the 5/8", 3/4", 8" and 10" base meter charge, however the 1" through 6" base meter charges will remain the same.

6B. A rate increase of 3% is proposed to balance the Local Works Fund. The proposed increase is expected to result in \$572,400 additional revenue.

6C. A residential refuse rate increase of 3% is necessary to balance the Refuse Fund resulting in approximately \$752,200 additional revenue.

6D. Increases in parking garage rates are necessary to balance the Parking Fund, resulting in approximately \$184,700 additional revenue. Monthly general parking rates increase \$2 at Court Street, Crossroads, South Avenue, Sister Cities and Washington Square (including the Wadsworth Lot); \$5 for East End and High Falls (including the Kodak surface lot); and \$6 for Mortimer. Premium and reserved monthly parking rates at Court Street, Sister Cities and Washington Square increase \$5. Reserved monthly parking at High Falls increases

§3. Residential rates at Court Street, East End, High Falls, Mortimer, South Avenue, Sister Cities, and Washington Square increase \$10 per month. The monthly student rate for East End is in accordance with rates originally established under the Cultural Center Commission. A separate rooftop rate is no longer an option at the Washington Square garage. Midtown Garage is removed as a designated parking garage.

- 6E. Amend the City Charter to increase the foreclosure fee to partially offset the City’s costs for this function. This change will result in incremental revenues of approximately \$150,000.
- 6F. Amend Section 111-72 of the City Code to increase the fee from \$120 to \$130 for owners to redeem passenger vehicles from the City Auto Pound. The additional revenue of \$24,000 offsets the cost of increased fees paid to the City’s contracted tow companies. Subsection B of Section 108A-7 which dictates the maximum fee that private towers can charge would also be amended to increase the maximum fee from \$120 to \$130.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-154
 (Int. No. 223)

Adoption of the Budget estimates for municipal purposes for the 2017-18 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2017 to June 30, 2018, providing for the expenditure of \$525,604,100, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2017-18 are hereby authorized to be expended and the sum of \$525,604,100 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$ 1,854,200
Administration	8,804,400
Neighborhood and Business	
Development	10,985,000
Environmental Services	85,363,100
Finance	10,944,700
Information Technology	8,249,200
Law	2,030,900
Library	11,793,500
Recreation and Youth Services	11,822,800
Emergency Communications	13,540,300
Police	89,837,600
Fire	50,215,900
Undistributed Expenses	143,058,700
Contingency	7,548,500
Cash Capital	31,933,000
Debt Service	<u>37,622,300</u>
Sub-total	\$525,604,100
Tax Reserve	<u>2,490,723</u>
Total	\$528,094,823

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes

and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2017-18 is hereby fixed and determined at \$472,745,423 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2017-18 providing for the raising of taxation on real estate for municipal purposes of the sum of \$55,349,400 is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2017-18.

Section 6. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

Ordinance No. 2017-155
 (Int. No. 224)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

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

Section 1. The sum of \$55,349,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2017 and expiring June 30, 2018 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 3. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

Ordinance No. 2017-157
(Int. No. 226)

Ordinance No. 2017-156
(Int. No. 225)

Levying taxes for school purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

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

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

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2017 and expiring June 30, 2018 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018 are hereby in all respects confirmed:

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Street and Lot Maintenance	\$5,398,897.31
Roadway Snow Removal	8,580,744.62
Sidewalk Snow Removal	2,716,706.81
Hazardous Sidewalk Repair	3,467,951.27
Delinquent Refuse	525,480.82
Delinquent Water Charges	5,987,481.75
Supplemental Taxes	170,656.88
Omitted Taxes	4,042.73
Street Malls	34,241.00
Parking Lots	61,261.00
Code Enforcements	144,337.50
Code Violations	1,863,906.00
Downtown Enhancement	604,100.00
Public Market Plowing	5,888.07
Public Market Security	41,160.70
Encroachment Fees	3,725.00
Rehabilitation Charges	219,271.27
Lyell Avenue Street Lights - District I	2,119.90
Lyell Avenue Street Lights - District II	2,243.45
Wilson Blvd. Street Lights	539.03
Monroe Avenue Lights I	1,301.46
Monroe Avenue Lights and Sidewalk II	604.20
Norton Street Lights	1,335.72
Norton Street Streetscape	2,815.00
Cascade Lights	1,546.33
Cascade Streetscape	8,000.00
Lake Avenue Lights	3,925.04
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	507.60
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,800.00
East Main Street Lights	351.37
Browncroft Lighting	9,508.99
Mt. Hope Streetscape	30,000.00
Demolition	646,424.00
Local Improvements	1,918.77

Section 3. This ordinance shall take effect on July 1, 2017.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

Local Improvement Ordinance No. 1736
(Int. No. 227)

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2017 and expiring June 30, 2018

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2017 to June 30, 2018; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2017 to June 30, 2018:

Section 2. This ordinance shall take effect immediately

A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.

Passed unanimously.

- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2017-18 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2017-18 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefited parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2017 shall be \$20,164,300.01 consisting of \$5,398,897.31 for street and lot maintenance, \$3,467,951.27 for sidewalk repair, \$8,580,744.62 for roadway snow removal and \$2,716,706.81 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2017 and June 30, 2018, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2017 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2017

Passed unanimously.

Ordinance No. 2017-158
(Int. No. 228)

Amending the Municipal Code with respect to designated parking garages and parking rates

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

Section 1. Section 111-118 of the Municipal Code, Establishment and designation of parking garages, as amended, is hereby further amended by amending subsection D-1 to read in its entirety as follows:

~~D.~~ The underground parking garage situate between Clinton Avenue South, Court Street, Chestnut Street, Elm Street and Main Street East, with entrances and exits on Cortland Street and all of the above streets except Main Street East, known as the "Midtown Garage."

~~E.D.~~ The underground parking garage situate on Disposition Parcel I of the Genesee Crossroads Urban Renewal Project, with entrances and exits on Corinthian Street and Andrews Street, known as the "Genesee Crossroads Garage."

~~F.E.~~ The building located at 28 North Fitzhugh Street, known as the "Sister Cities Garage."

~~G.F.~~ The building located at 240 State Street, known as the "High Falls Garage," and the surface lot located at 231 State Street for so long as the City shall possess a lease to use said surface lot for public parking purposes.

~~H.G.~~ The building located at 194 Court Street, known as the "Court Street Garage."

~~I.H.~~ The building located at 475 East Main Street, known as the "East End Garage," formerly owned by the Cultural Center Commission.

Section 2. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsections A(6)(a)-(i) to read in their entirety as follows:

(a) Court Street Garage: ~~\$89~~ \$91 for parking in the general area, ~~\$105~~ \$110 for parking in the premium area, and ~~\$136~~ \$141 for parking in the reserved area.

(b) Genesee Crossroads Garage: ~~\$89~~ \$91.

(c) High Falls Garage: ~~\$72~~ \$77 for parking in the general area, ~~\$115~~ \$118 for parking in the reserved area, \$46 for reserved residential parking, and ~~\$52~~ \$57 for parking in the Kodak surface lot located at 231 State Street.

- (d) South Avenue Garage and ~~Midtown Garage:~~ ~~\$89~~ \$91
- (e) Sister Cities Garage: ~~\$89~~ \$91 for parking in the general area and ~~\$105~~ \$110 for parking in the premium area.
- (f) Mortimer Street Garage: ~~\$64~~ \$70 for parking in the garage and in the surface lot. Notwithstanding the parking rates established in this subsection, the Parking Director, subject to the approval of the Mayor, is authorized to establish a program allowing a parking discount reducing the monthly rate to \$25 in the Mortimer Street Garage for up to 50 members of the High Tech Rochester program.
- (g) Washington Square Garage: ~~\$89~~ \$91 for parking in the general area of the garage, ~~\$105~~ \$110 for parking in the reserved area of the garage, and ~~\$27~~ \$29 for parking in the Wadsworth Square Lot.
- (h) East End Garage: ~~\$74~~ \$79 for general parking, ~~\$49~~ \$59 for reserved residential parking, and ~~\$42.25~~ \$43.50 for student parking.
- (i) The Parking Director is hereby authorized to designate portions of the Court Street Garage for general parking, premium parking and reserved parking; portions of the Washington Square Garage for ~~rooftop parking~~, general parking and premium parking; portions of the High Falls Garage for general parking and reserved parking; and portions of the Sister Cities Garage for general parking and premium parking, as a part of the variable monthly parking initiative. The Parking Director is authorized to establish rules and regulations to provide for monthly parking by authorized City employees in the High Falls and South Avenue Garages in accordance with collective bargaining agreements approved by the City.

Section 3. This ordinance shall take effect on July 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-159
(Int. No. 229)

Amending the Municipal Code with respect to water rates

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

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsections A and C thereof to read in their entirety as follows:

A. Consumption rates.

(1) Consumption charge; schedule of rates.

Gallons Consumed per Month	Charge per 1,000 Gallons
0 to 300,000	\$3.533.62
300,001 to 1,000,000	\$3.473.25
1,000,001 to 13,000,000	\$2.472.53
Over 13,000,000	\$1.411.45

(2) Base Charge.

Size of Meter (inches)	Charge per Month
5/8	\$7.647.97
3/4	\$11.6411.95
1	\$37.62
1 1/2	\$55.72
2	\$74.53
3	\$186.25
4	\$372.15
6	\$557.90
8	\$912.951.009.72
10	\$1,247.961.438.15

C. Fire-service charges.

(1) Domestic fire-service charge.

Size of First Check Valve (inches)	Charge per Quarter
Up to 2	\$41.0042.00
4	\$81.0083.00
6	\$160.00164.00
8	\$318.00326.00
10	\$470.00482.00
12	\$676.00693.00

(2) Holly high-pressure fire-service charge.

Size of First Check Valve (inches)	Charger per Quarter
Up to 2	\$112.00115.00
4	\$225.00231.00
6	\$299.00307.00
8	\$597.00612.00
10	\$881.00904.00

(3) Holly high-pressure consumption charge: ~~\$10.79~~ 11.07 per 1,000 gallons.

Section 2. This ordinance shall take effect on July 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-160
(Int. No. 230)

Amending the Municipal Code with respect to refuse fees

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

Section 1. Section 20-24 of the Municipal Code,

Residential and commercial user refuse fees, as amended is hereby further amended by amending subsection A(1) - (3) thereof to read in its entirety as follows:

- (1) Fees:

Number of Dwelling Units	Annual Fee
1	\$380.00 <u>\$391.00</u>
2	\$764.00 <u>\$787.00</u>
3	\$847.00 <u>\$872.00</u>

- (2) Any residence requiring service and not billed for service on the tax bill will be billed on a pro-rata residential rate per quarter.
- (3) Residences/home occupations. The fees for residences which also contain home occupations, for example, beauty parlors, garages, doctor's/dentist's offices, are:

Number of Dwelling Units	Annual Fee
1	\$764.00 <u>\$787.00</u>
2	\$847.00 <u>\$872.00</u>

A property with three (3) dwelling units and home occupation will be charged according to the commercial rate schedule.

Section 2. This ordinance shall take effect on July 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Local Law No. 1 (Int. No. 231)

Local Law amending the City Charter with regard to fees in actions for foreclosure of tax liens by the City

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 9-123(A) thereof to read as follows:

§ 9-123. Establishing and filing foreclosure list.

- A. The Corporation Counsel shall file in the office of the Monroe County Clerk a list of all parcels of the property with tax liens he or she intends to foreclose under this Title, to be known as the "foreclosure list." The list shall contain as to each parcel the following:
 - (1) The tax account number as shown in the records of the City Treasurer, and the street address if possible.
 - (2) The name of the last known owner, as the

name appears on the latest assessment roll of the City.

- (3) The amount of each tax lien to be foreclosed. The foreclosable tax lien shall include an additional fee of ~~\$175~~ \$250 per parcel, to defray some of the costs of the foreclosure action.

The foreclosure list shall be verified as to accuracy in an affidavit of the City.

Section 2. This local law shall take effect July 1, 2017 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-161 (Int. No. 232)

Amending the Municipal Code with respect to towing fees

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

Section 1. Section 108A-7 of the Municipal Code, Towing from privately owned property without the vehicle owner's permission, as amended, is hereby further amended in subsection B to read in its entirety as follows:

- B. In no event shall a towing company charge a fee in excess of ~~\$120~~ \$130 for towing, without permission of the vehicle owner, of passenger vehicles, including cars, pickup trucks and passenger vans, or motorcycles or mini-bikes, from privately owned property in the City. Storage fees for such towed vehicles shall not exceed the storage fees charged at the City Auto Pound pursuant to § 111-72G of the Municipal Code, and no storage fees shall be charged for the first 24 hours after the vehicle is delivered to the storage lot. No mileage fees or fees for an additional person or additional fees of any type shall be charged for such tows. A towing company must be open to allow for the retrieval of such towed vehicles between 9:00 a.m. and 6:00 p.m. daily, and if the towing company performs towing services after 5:00 p.m., until at least one hour after the latest time such company provides towing services. The towing company's telephone number to call to retrieve towed vehicles shall contain a message stating the hours during which a vehicle may be retrieved, the lot location, the fees, and that payment may be made by cash or by any major credit card or debit card. The telephone number shall also contain a system that allows callers to leave a message when their call is not answered.

Section 2. Section 111-72 of the Municipal Code, Illegal parking and towing of vehicles, as amended, is hereby further amended in subsection B thereof to change the fee for the redemption of "passenger vehicles, including pickup trucks and passenger vans, minibikes, mopeds and motorcycles" from \$120 to \$130. The fees that the subsection specifies for other classes of vehicles and for other services shall remain unchanged.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-162
(Int. No. 233)

Adoption of the Budget estimates for school purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018, and appropriation of sums set forth therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2017 to June 30, 2018, providing for the expenditure of \$883,356,377, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2017-18 are hereby authorized to be expended and the sum of \$883,356,377 is hereby appropriated to the Board of Education for the following purposes:

Operations	\$807,256,026
Cash Capital	14,253,979
Debt Service	<u>61,846,372</u>
Subtotal	883,356,377
Tax Reserve	<u>5,359,500</u>
Total	\$888,715,877

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2017-18 is hereby fixed and determined at \$769,615,877 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2017-18 providing for the raising of taxation on real estate for school purposes of the sum of \$119,100,000 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2017.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

Councilmember Conklin moved to discharge Int. No. 300 from Committee.

The motion was seconded by Councilmember McFadden.

Adopted unanimously.

Introductory No. 300 was introduced on August 9, 2016 and appears in its original form with its transmittal letter on page 317 of the 2016 Council Proceedings

Ordinance No. 2017-163
(Int. No. 300)

Amending Chapter 63 of the Municipal Code with regard to housing discrimination on the basis of source of income

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

Section 1. Chapter 63 of the Municipal Code, Human Rights, as amended, is hereby further amended by amending Sections 63-1, 63-2 and 63-5 as follows:

§ 63-1. Legislative findings.

The Council hereby finds and declares that the City has the responsibility to act to assure that every individual within this City is afforded an equal opportunity to enjoy a full and productive life and that the failure to provide such equal opportunity, whether because of discrimination, prejudice or intolerance in employment, housing, public accommodations and financing practices based upon age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, ~~or~~ marital status or source of income, not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the City and its inhabitants.

§ 63-2. Definitions.

When used in this chapter, the following terms shall have the following definitions:

DISCRIMINATION, DISCRIMINATE or DISCRIMINATORY

Any direct or indirect act, policy or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference based on, or the perception of, age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, ~~or~~ marital status or source of income; or the aiding, abetting, inciting, coercing or compelling thereof.

SOURCE OF INCOME

Payments from a lawful occupation or employment, as well as other payments including, but not limited to, pensions, annuities, public assistance, supplemental security income, social security disability insurance, unemployment benefits, Housing Choice Vouchers (formerly known as Section 8), other housing voucher or subsidy programs, and any other governmental or charitable subsidy.

§ 63-5. Discrimination in housing and commercial space.

A. It shall be unlawful, due to discrimination, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease real property, housing or commercial space, constructed or to be constructed, or any officer, agent or employee thereof:

- (1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any real property, housing or commercial space;
- (2) To discriminate against any person in the terms, conditions or privileges of the sale, rental or lease of any real property, housing or commercial space or in the furnishing of facilities or services in connection therewith; or
- (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of real property, housing or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of real property, housing or commercial space which expresses, directly or indirectly, any discrimination or any intent to discriminate, but nothing in this subsection prohibits using a form or making a record or inquiry for the purpose of required government reporting.

B. The provisions of this subsection A shall not apply:

- (1) To the rental of a dwelling unit in a two-family dwelling, if the owner or members of the owner's family reside in one of such dwelling units;
- (2) To the restriction of the rental of all rooms in a dwelling to individuals of the same gender;
- (3) To the rental of a room or rooms in a dwelling if the renter or lessee would share common living areas with the owner or lessor or members of the owner's or lessor's family; or

- (4) Solely with respect to age, to the restriction of the sale, rental or lease of housing exclusively to persons 55 years of age or older.

C. It shall be an unlawful discriminatory practice, based on the actual or perceived source of income, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease housing, constructed or to be constructed, or any officer, agent or employee thereof:

- (1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any housing;
- (2) To exclude, deny, restrict, limit, segregate, or otherwise differentiate against any person in the terms, conditions or privileges of the sale, rental or lease of any housing or in the furnishing of facilities or services in connection therewith; or
- (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of housing or to make any record or inquiry in connection with the prospective purchase, rental or lease of housing which expresses, directly or indirectly, any differentiation or intent to differentiate on the basis of source of income.

D. The following conduct shall not constitute an unlawful discriminatory practice under subsection C:

- (1) An inquiry, required disclosure, or required verification about a person's source of income that is necessitated by a Federal, State, or local law that is generally applicable, applicable to the housing at issue, or applicable to the financing or subsidies necessary to a person's purchase or leasing of such housing.
- (2) A refusal to rent or lease housing to a person due to one or more of the following conditions and such refusal is based on selection criteria that are applied equally to all tenants or prospective tenants or purchaser without regard to the category of income source:
 - [a] the person's income is insufficient to make the payments over the term of the lease; and/or
 - [b] the person is a tenant who has been unable to make timely lease payments in all or part of the preceding 18 months.

(3) A refusal to rent or lease housing to a person whose income is from an illegal source.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Spaul - 8.

Nays - Councilmember Patterson - 1.

By Vice President Miller
June 20, 2017

To the Council:

The Business & Economic Development Committee recommends for adoption the following entitled legislation:

Int. No. 183 - Authorizing the sale of vacant land on a portion of 83 Mortimer Street

The following entitled legislation is being held in Committee:

Int. No. 182 - Authorizing the sale of land parcel at 270 East Avenue

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul (Abstained on Int. No. 183)
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-164
Re: Sale of Real Estate - A Portion of
83 Mortimer Street

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the sale by request for proposal of a portion of 83 Mortimer Street to Patrick Dutton in the amount of \$375,000, as determined by an independent appraisal prepared by Jay Loson of Midland Appraisal Associates in September 2016.

The property being sold is the western portion of the Mortimer Street parcel. The City demolished the rear portion of the Mortimer Street garage several years ago, creating this vacant land that has remained unimproved and serves as the rear ingress/egress for the Mortimer Street Garage. The

City will retain ownership of the Mortimer Street Garage, including the rear ingress/egress area, and convey the balance of the parcel to Mr. Dutton.

Mr. Dutton owns several buildings in the block of East Main Street between North Clinton Avenue and St. Paul Street, more specifically 186 East Main Street, 190-194 East Main Street, 9-17 North Clinton Avenue, and recently purchased 34 St. Paul Street (Edwards Building) from Monroe County. The Edwards Building adjoins the parcel that the City is selling. Mr. Dutton intends to develop the Mortimer Street property as a surface parking lot for use by the tenants of the Edwards Building. Acquisition of the City property will allow Mr. Dutton to make necessary improvements to the rear of the Edwards Building in order to comply with New York State and City code requirements for lighting and ventilation. The parcel will be used initially as a staging area for the rehabilitation Mr. Dutton's East Main Street properties.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-97

Ordinance No. 2017-164
(Int. No. 183)

Authorizing the sale of vacant land on a portion of 83 Mortimer Street

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

Section 1. The Council hereby approves the negotiated sale with proposal of the Property comprising approximately 0.55 acres of vacant, unimproved land on the western portion of 83 Mortimer Street (SBL # 106.79-1-55.1), being more particularly bounded and described as follows:

Beginning at a point on the south ROW line of Mortimer Street (61' ROW), 227.0 feet east of the easterly ROW line of St. Paul Street (66' ROW), said point being the northwest corner of lands conveyed to the City of Rochester in Liber 3048 of Deeds, Page 117 and being the Point or Place of Beginning; thence

- 1) Easterly, along said ROW line of Mortimer Street, a distance of 145 feet, more or less, to a point; thence
- 2) Southerly, parallel with the west line of said lands of the City of Rochester and approximately along the east edge of an existing curblin, a distance of 165.0 feet, more or less, to the north ROW line of Division Street (33' ROW); thence
- 3) Westerly, along said ROW line of Division Street, a distance of 145 feet, more or less, to the southwest corner of said lands of the City of Rochester; thence
- 4) Northerly, along the west line of said lands of

the City of Rochester, a distance of 165.0 feet, more or less, to the northwest corner thereof, being the Point or Place of Beginning

to Patrick Dutton or an entity formed by him in order to provide a construction staging area and parking for the adjacent property located at 34 St. Paul Street. The sale price shall be \$375,000.

Section 2. The Mayor is hereby authorized to grant and accept any easements or licenses for utilities, ancillary development, or public access that the Mayor determines to be necessary or appropriate to effectuate the terms and purposes of the sale.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson - 8.

Nays - None - 0.

Councilmember Spaull abstained due to a professional relationship.

Vice President Miller moved to discharge Int. No. 182 from Committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-165
Re: Sale of Real Estate - Rocinnerloop 2 LLC, 270 East Avenue

Council Priority: Creating and Sustaining a Culture of Vibrancy; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the sale of one City-owned property at 270 East Avenue (the "Property") to Rocinnerloop 2 LLC (the "Developer"), with principals Robert C. Morgan and David Christa. This legislation will:

1. Authorize the sale of the Property to the Developer for the appraised value of \$600,000; and,
2. Authorize the granting and acceptance of any necessary easements for utilities, ancillary development, and for public access.

The sale price of the Property was determined by an independent appraisal completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates, in October 2016.

The Property is a new parcel resulting from the assembly of land due to the Inner Loop East Transformation Project. As part of the City's efforts to reintegrate the neighborhoods previously separated by the eight-lane highway on the eastern portion of the Inner Loop, a request for proposals for the purchase and redevelopment of this and four other parcels was issued on March 17, 2016, followed by an informational meeting on March 29, 2016. The purpose of this meeting was to provide developers with the opportunity to discuss the status of the parcel, its redevelopment potential, and answer questions. The City received two proposals which were evaluated by staff from the Department of Neighborhood and Business Development, Department of Environmental Services, Bureau of Assessment, and Law Department, as well as the City Council Chief of Staff. The Developer was recommended based on the proposed development program and its financial strength.

The selected proposal includes a mixed-use development stretching from East Avenue to Charlotte Street, consisting of two buildings, or "wings", connected by a glass entry link. One wing is five stories and will include retail and office tenants at street level with residential apartments above. The other wing is four stories of residential apartments and an urban green space located on the northern portion of the property. There will be a total of 120 apartments, one level of underground parking, and approximately 27,000 square feet of retail and office space. The Developer proposes commencing construction in the fall 2017.

The estimated sources and uses of funds for the Property are as follows:

<u>Sources</u>	
Bank Loan	\$26,575,024
Developer Equity	6,970,256
Total	\$33,545,280

Uses	
Land	\$ 600,000
Apartment Costs	25,327,696
Site Work	2,863,571
Amenities	1,488,200
Soft Costs	<u>3,265,813</u>
Total	\$33,545,280

The Developer has committed to demonstrating a good faith effort to achieve the City’s Minority, Women, Small, and Disadvantaged Business Enterprise goal of 20%; workforce minority goal of 20%; workforce female goal of 6.9%; and workforce city resident goal of 25%. The Developer will also ensure that rents charged on 10% of the apartment units will be affordable to households earning no more than 120% of the area median income.

The State Environmental Quality Review for the Inner Loop East Transformation Project included future development parameters. This project falls within those parameters, and is therefore covered by the Negative Declaration on issued December 23, 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-98

Ordinance No. 2017-165
(Int. No. 182)

Authorizing the sale of land parcel at 270 East Avenue

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

Section 1. The Council hereby approves the negotiated sale with proposal of 270 East Avenue (SBL# 121.25-01-52), comprising approximately 1.37 acres of vacant land that has been assembled from the Inner Loop East Transformation Project, to Rocinnerloop 2 LLC to establish a mixed use development extending from East Avenue to Charlotte Street. The sale price shall be \$600,000.

Section 2. The Mayor is hereby authorized to grant and accept any easements or licenses for utilities, ancillary development, or public access that the Mayor determines to be necessary or appropriate to effectuate the terms and purposes of the sale.

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 to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Ortiz
June 20, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 184 - Authorizing the sale of real estate

Int. No. 186 - Authorizing a professional services agreement for the Zombie and Vacant Property Remediation and Prevention Initiative

Int. No. 187 - Authorizing an amendatory agreement with The Center for Dispute Settlement, Inc. for the City’s housing and rehabilitation and repair programs

Int. No. 221 - Authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 185 - Amending the Zoning Code text for the Planned Development District No. 7 - Rochester Science Park

Int. No. 218 - Local Law amending the City Charter with respect to the organization of the Department of Neighborhood and Business Development

Int. No. 219 - Amending the Municipal Code with respect to the organization of the Department of Neighborhood and Business Development

The following entitled legislation is being held in Committee:

Int. No. 188 - Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to notification requirements for information meetings and public hearings

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & COMMUNITY
DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-166
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first two properties are vacant lots sold via request for proposal. The church will erect fences to enclose the lots and create a parking lot with landscaping for their adjoining property and will combine the lots with their existing properties.

The next two properties are vacant lots sold by negotiated sales to the adjacent owners. The purchasers will combine the lots with their existing properties and utilize them as green space.

The last four properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,308.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-99

Ordinance No. 2017-166
(Int. No. 184)

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 with proposal:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>
15 Loomis St	106.31-3-9.1	66 x 117	7730	\$500	Full Gospel Tabernacle Church
19 Loomis St	106.31-3-7.1	71 x 117	7683	\$500	Full Gospel Tabernacle Church

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

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>
772-776 Ave D	091.80.3-28.1	69 x 103	7121	\$500	Jose Torres
131 Masseth St	105.73-2-41	47 x 114	5347	\$450	Devin James Hutchings

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Purchaser</u>
85 Bloss St	105.51-3-10	42 x 84	3896	Michelle Vinson
227 Hebard St	106.50-2-18.3	55 x 93	2790	Maria Santos a/k/a Maria Maldonado
18 Lamont Pl	107.53-1-53	33 x 114	3779	Road Vultures Motorcycle Club, Inc.
410-412 Tremont St	120.52-1-30	45 x 46	2070	James I. McClary

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-167
Re: Zoning Text Amendment -
Planned Development No. 7 -
Rochester Science Park

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by adding professional offices and firms to the list of permitted uses in the Rochester Science Park Planned Development District No. 7, which is located at 1920 South Avenue. The Science Park is roughly 55 acres and was established in 1985. Approximately nine acres remain undeveloped. The first company moved into the park around 1990. Since then, the park has only permitted "high-tech" type uses. However, that has limited the City's ability to attract new tenants. Therefore, this amendment is seeking to add professional offices to the list of permitted uses in order to optimize the City's ability to attract new tenants and develop the remainder of the Park.

The City Planning Commission held an informational meeting on the proposed Text Amendment on Monday, May 1, 2017. The applicant spoke in support of the application.; no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended Approval.

A public hearing is required for the Zoning Text Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-100

Ordinance No. 2017-167
(Int. No. 185)

Amending the Zoning Code text for the Planned Development District No. 7 - Rochester Science Park

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in the text for Planned Development District No. 7 – Rochester Science Park, at Paragraphs A(2), C(1) and C(2), as follows:

A. Overview; introduction and statement of intent.

- (1) ...
- (2) Uses permitted in this PD district will be restricted to businesses of a scientific ~~purpose~~ or professional use or nature as outlined within this document under acceptable uses. Site amenities, including the woods and

trees of special interest or size, are to be retained to the maximum extent feasible. The district, to be identified as the "Rochester Science Park Subdivision" (and to be referred to herein as the "district" or the "Science Park"), will permit one or more subdivision lots (referred to herein as "sites" or "lots") with access from the main drive of the Science Park which intersects South Avenue. A controlled emergency access road connects the main drive's easterly cul-de-sac to a service drive located on the adjoining institutional property. The Science Park is to provide sites needed by expanding high technology firms and will provide an attractive setting conducive to the requirements of such firms for a quiet environment in close proximity to similar firms and research-related centers. Existing screening of the District's perimeter adjoining institutional and residential uses will be maintained, and additional landscape screening with trees, shrubs and planted berms is to be provided.

C. Uses.

- (1) Purpose and intent. These district regulations are intended to provide an area within the City of Rochester for businesses or uses of a scientific ~~purpose~~ or nature engaged in research, development, professional office training, administration, and light manufacturing activities. The district regulations are further intended to provide a low-intensity, parklike environment and well-landscaped sites that are in harmony with proximate residential, commercial and institutional uses.
- (2) Permitted uses:
 - (a) Research in the following:
 - [1] Pharmaceuticals.
 - [2] Antibody and antigen.
 - [3] Agricultural.
 - [4] DNA and genetic.
 - [5] Industrial chemicals to replace noxious chemicals that produce hazardous waste.
 - [6] Biosecurity.
 - [7] Environmental or organic pollutants.
 - [8] Fuel cell.
 - [9] Blood.
 - [10] Nanotechnology.
 - [11] Chemical constituents of body fluids.

- [12] Clinical and disease detection.
- [13] Those fields listed in Subsection C(2)(c) below.
- (b) Medical offices with a research component that is an integral part of the health care which they provide. The research component must consist of a minimum of 20% of the net floor area.
- (c) Manufacture, processing and assembly of the following:
 - [1] Communications equipment.
 - [2] Data processing equipment, including personal computers, mainframes, microcomputers, hand-held PCS (PDA), and/or the components found in each (including chips and semiconductors).
 - [3] Software.
 - [4] Electronic systems, components and accessories.
 - [5] Photographic/imaging equipment and systems.
 - [6] Optics.
 - [7] Photovoltaic and photonics (light absorption for energy).
 - [8] Fuel cell components.
 - [9] Networking equipment (switches, hubs, fiber and routers among similar components).
 - [10] Industrial and environmental control equipment.
 - [11] Nanotechnology.
 - [12] Products resulting from research as indicated in Subsection C(2)(a) above.
- (d) Professional offices and firms consisting of the following:
 - [1] Engineering
 - [2] Financial Assistance (consulting, banking and back office excluding branch and drive through locations)
 - [3] Accounting
 - [4] Insurance
 - [5] Architectural
 - [6] Legal

[7] Planning

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-168
Re: Agreement - Causewave Community Partners, Inc., Zombie and Vacant Property Remediation and Prevention Initiative

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation establishing \$44,000 as maximum compensation for an agreement with Causewave Community Partners, Inc. for a marketing campaign to connect residents facing foreclosure with The Housing Council's foreclosure prevention services. The term of the agreement will be for two years and funded through a previously authorized grant from the Local Initiatives Support Corporation (LISC) for the Zombie and Vacant Property Remediation and Prevention Initiative (Ord. No. 2016-365).

The LISC grant to the City was the result of the February 11, 2016 Settlement Agreement between Morgan Stanley and the New York Attorney General. LISC promotes the activities of the New York State Housing Stabilization Fund to support the work of municipalities or their housing finance agencies to enact Housing Quality Improvement and Enforcement Programs. This includes improving the marketing of foreclosure prevention efforts; increasing the capacity to manage the vacant property program and facilitating Abandonment Actions; providing support for the Monroe County Vacant Task Force; and assisting with the development of efficient and effective means of collaborating with State agencies to ensure compliance with the new Zombie Law.

On November 16, 2016, City Council authorized the grant agreement with LISC for \$350,000. To date, \$96,560 has been billed to cover the expenses associated with staffing and the Abandonment Action process. The proposed agreement with Causewave Community Partners, Inc. will fulfill the LISC's expectation for marketing foreclosure prevention services to citizens.

The consultant was selected through a request for proposals process, the summary of which is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-101

Ordinance No. 2017-168
(Int. No. 186)

Authorizing a professional services agreement for the Zombie and Vacant Property Remediation and Prevention Initiative

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 Causewave Community Partners, Inc. for a marketing campaign to advertise foreclosure prevention services as part of the Zombie and Vacant Property Remediation and Prevention Initiative. The maximum compensation for the agreement shall be \$44,000, which shall be funded from the funds appropriated for the Initiative in Ordinance No. 2016-365. The term of the agreement shall be 2 years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-169
Re: Amendatory Agreement - The Center for Dispute Settlement, Dispute Resolution Services for Housing Repair Programs

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with The Center for Dispute Settlement (CDS) that will extend the term of the original agreement by two years (Ord. No. 2014-361).

CDS provides arbitration and dispute resolution services to settle disagreements between property owners and contractors that arise out of the City's housing rehabilitation and repair programs. Extending this agreement enables CDS to continue providing these services, which have yet to be utilized. However, it is important to maintain this agreement in the event that these services are needed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-169
(Int. No. 187)

Authorizing an amendatory agreement with The Center for Dispute Settlement, Inc. for the City's housing and rehabilitation and repair programs

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with The Center for Dispute Settlement, Inc. to provide arbitration services that arise out of the City's housing and rehabilitation and repair programs. The amendatory agreement shall extend the term of the agreement originally authorized by Ordinance No. 2014-361 by two years.

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:

Local Law No. 2 and
Ordinance No. 2017-170
Re: Charter and Code Amendments

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation amending the City of Rochester Charter and Code to reflect the reorganization of the Department of Neighborhood and Business Development (NBD). The amendments will accomplish the following:

1. Realign the responsibilities in §10 of the City Charter by relocating the demolition functions in §10-3 to §10-6; relocating the Zoning functions from §10-4 to §10-6; renaming §10-4 the Division of Planning; and renaming §10-6 the Bureau of Buildings and Zoning;
2. Update all sections in the code where the Bureaus of Inspection and Compliance Services and Planning and Zoning are located; and
3. Replace the title of Director of Planning and Zoning in all applicable sections with the "Manager of Zoning".

These changes will insure that the applicable sections of the Charter and Code are in line with the proposed changes to NBD as reflected in the 2017-18 Budget.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 2
(Int. No. 218)

Local Law amending the City Charter with respect to the organization of the Department of Neighborhood and Business Development

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending the following provisions of Article X, Department of Neighborhood and Business Development:

§ 10-1 Department of Neighborhood and Business Development.

- D. There shall be in the Department of Neighborhood and Business Development a Bureau of Business and Housing Development, a Bureau of Planning and Zoning, a Bureau of Neighborhood Preservation, a Bureau of Buildings and Zoning Inspection and Compliance Services, and such other operating units as deemed necessary by the Commissioner and the Mayor for effective and efficient operation of the Department.

§ 10-3 Bureau of Business and Housing Development.

C. The Director of Development Services shall provide for the demolition of structures when necessary, so that such structures are no longer threats to the health, welfare and safety of the residents of the City.

DC. The Director of Development Services shall be responsible for the development of business and housing programs under the Community Development Block Grant and other federal and state programs and liaison with the Rochester Housing Authority and other housing corporations.

§ 10-4 Bureau of Planning and Zoning.

- A. There shall be a Bureau of Planning and Zoning, the head of which shall be the Director-Manager of Planning and Zoning.
- B. The Bureau of Planning and Zoning shall be responsible for the administration of the Zoning Code. The Bureau shall provide staff services to the Zoning Board of Appeals, the Planning Commission, the Preservation Board, the Rochester Environmental Commission and such other boards as may be established. The Director of Planning and Zoning shall have all powers necessary to the administration of the Zoning Code and shall, consistent with the expressed standards, purposes and intent of the Zoning

Code, promulgate, adopt and issue such procedural rules, regulations and forms as are necessary and shall from time to time recommend revisions and modifications to the Zoning Code. In addition, the Director of Planning and Zoning may, upon written request, for good cause shown and without any notice or hearing, extend any time limit imposed on an applicant or permittee by the Zoning Code of the City of Rochester or, unless the resolution shall expressly provide otherwise, by any resolution of any body acting pursuant to said ordinance for a period not to exceed the length of the original period. The Director of Planning and Zoning may delegate these responsibilities necessary to the administration of the Zoning Code to the Manager of Zoning, or said responsibilities may be assigned to the Manager of Zoning in the Zoning Code.

- C. The Bureau of Planning and Zoning shall assist the Planning Commission by conducting studies, performing reviews and making recommendations on matters before the Commission and shall provide such other general assistance as the Planning Commission may require in the discharge of its duties.
- D. The Director of Planning and Zoning shall have authority to permit minor adjustments or modifications to final plans for planned developments and cluster developments, and subject to the procedures, standards and limitations of the Zoning Code, the Director shall have the authority to issue administrative adjustments for variation of not more than 10% any numerical standard set forth in the Zoning Code, for five or fewer spaces for an alternative parking plan and for a minor parking area.
- E. The Director of Planning and Zoning shall have the authority to review and approve, approve with conditions or deny applications for site plan review, subject to the right of appeal of such decision to the City Planning Commission.
- F. The Director of Planning and Zoning shall have the authority to issue certificates of nonconformity, subject to the right of appeal of such decision to the Zoning Board of Appeals.
- G. The Director of Planning and Zoning shall have the authority to issue certificates of appropriateness for applications that conform to the preservation guidelines adopted by the Preservation Board.
- H. The Bureau of Planning and Zoning shall be responsible for reviewing plans and issuing permits pursuant to the Building Code for new construction, alterations and demolitions.

~~I.B.~~ The Bureau-Division of Planning and Zoning shall conduct and coordinate the City's physical, environmental and transportation planning. The ~~Director~~ Manager of Planning and Zoning shall undertake studies of the physical, economic and social factors relevant to the well-being of the City. The ~~Director~~ Manager shall be responsible for preparing and maintaining a Comprehensive Development Plan for the City; reviewing the conformity of municipal and private proposals to the City's development objectives; collecting, cataloging and analyzing data on demographic, economic and physical characteristics of the City; and coordinating the City's planning programs with those of the Genesee/Finger Lakes Regional Planning Council, the Monroe County Department of Planning and the Genesee Transportation Council.

~~I.C.~~ The Bureau Division of Planning and Zoning shall also be responsible for planning and coordinating projects and programs for the conservation and revitalization of the City's neighborhoods in accordance with the Comprehensive Development Plan.

§ 10-5. Bureau of Neighborhood Preservation.

~~There shall be a Bureau of Neighborhood Preservation, the head of which shall be the Neighborhood Service Centers Director. The Bureau of Neighborhood Preservation shall be responsible for the operation and management of the Neighborhood Service Centers. The Bureau shall facilitate resolution of neighborhood complaints, reduce nuisance activities, provide technical assistance in community organizing, plan and implement special projects, monitor City-owned vacant structures, issue Business Permits, issue parking permits for handicapped residents in accordance with Article 32 of the New York State Vehicle and Traffic Law, enforce the provisions of the Property Conservation Code, Zoning Code, Refuse and Sanitation Codes, the Anti-Litter Ordinance and the Streets Code, and promote crime prevention activities.~~

§ 10-6 Bureau of Buildings and Zoning Inspection and Compliance Services.

A. There shall be a Bureau of Buildings and Zoning ~~Inspection and Compliance Services~~, the head of which shall be the Director of ~~Buildings and Zoning Inspection and Compliance Services~~. The Director shall issue certificates of occupancy and certificates of compliance for new and existing structures and property.

B. The Bureau shall enforce or cause to be enforced all laws and ordinances relating to new construction and alterations and the maintenance, construction, use and occupancy of buildings, structures and property, as directed by the Commissioner or the Mayor or by law or ordinance.

C. The Bureau, together with the Commissioner of Environmental Services, shall enforce or cause to be enforced the Refuse and Sanitation Codes, the Anti-Litter Ordinance, and the Streets Code.

D. The Bureau shall conduct inspections for new construction and alterations for conformance with plans and shall perform property maintenance inspections of existing buildings and property.

~~E. The Director of Buildings and Zoning Inspection and Compliance Services shall have all powers necessary to administer the issuance of certificates of occupancy, certificates of compliance and any and all enforcement associated with the laws and ordinances enforced by the Bureau and shall, consistent with the expressed standards and purposes and intent of the applicable codes, promulgate, adopt and issue procedural rules and forms as are necessary and shall from time to time recommend revisions and modifications to the Building Code, Property Conservation Code, Plumbing Code, Electrical Code, and the Elevator Code.~~

~~F. The Director of Buildings and Zoning shall provide for the demolition of structures when necessary, so that such structures are no longer threats to the health, welfare and safety of the residents of the City.~~

~~G. The Bureau of Buildings and Zoning shall be responsible for the administration of the Zoning Code. The Bureau shall provide staff services to the Zoning Board of Appeals, the Planning Commission, the Preservation Board, the Rochester Environmental Commission, Project Review Committee and such other boards as may be established. The Director of Buildings and Zoning shall have all powers necessary to the administration of the Zoning Code and shall, consistent with the expressed standards, purposes and intent of the Zoning Code, promulgate, adopt and issue such procedural rules, regulations and forms as are necessary and shall from time to time recommend revisions and modifications to the Zoning Code. In addition, the Director of Buildings and Zoning may, upon written request, for good cause shown and without any notice or hearing, extend any time limit imposed on an applicant or permittee by the Zoning Code of the City of Rochester or, unless the resolution shall expressly provide otherwise, by any resolution of any body acting pursuant to said ordinance for a period not to exceed the length of the original period. The Director may delegate the responsibilities necessary to the administration of the Zoning Code, including those responsibilities set forth in this Subsection and in Subsections H, I, J, K, L, and M and in exercising responsibilities assigned to the Director under any provision of the Municipal Code that entails making any~~

evaluation, determination, certification, notification, or certification regarding compliance with or violation of the Zoning Code, to the Manager of Zoning, or said responsibilities may be assigned to the Manager of Zoning in the Zoning Code.

- H. The Bureau of Buildings and Zoning shall assist the Planning Commission by conducting studies, performing reviews and making recommendations on matters before the Commission and shall provide such other general assistance as the Planning Commission may require in the discharge of its duties.
- I. The Director of Buildings and Zoning shall have authority to permit minor adjustments or modifications to final plans for planned developments and cluster developments, and subject to the procedures, standards and limitations of the Zoning Code, the Director shall have the authority to issue administrative adjustments for variation of not more than 10% of any numerical standard set forth in the Zoning Code, for five or fewer spaces for an alternative parking plan and for a minor parking area.
- J. The Director of Buildings and Zoning shall have the authority to review and approve, approve with conditions or deny applications for site plan review, subject to the right of appeal of such decision to the City Planning Commission.
- K. The Director of Buildings and Zoning shall have the authority to issue certificates of nonconformity, subject to the right of appeal of such decision to the Zoning Board of Appeals.
- L. The Director of Buildings and Zoning shall have the authority to issue certificates of appropriateness for applications that conform to the preservation guidelines adopted by the Preservation Board.
- M. The Bureau of Buildings and Zoning shall be responsible for reviewing plans and issuing permits pursuant to the Building Code for new construction, alterations and demolitions.

§ 10-8 **Issuance of appearance tickets.**

State-certified Code Enforcement Officers in the Bureau of ~~Buildings and Zoning Inspection and Compliance Services~~ or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Streets Code, Refuse and Sanitation Codes, Property Conservation Code, Zoning Code, Fire Prevention Code, Building Code, Electrical Code, Elevator Code, and Plumbing Code and any other laws and ordinances enforced by the Department of Neighborhood and Business Development over which the Municipal

Code Violations Bureau has jurisdiction, including violations of the New York State Uniform Fire Prevention and Building Code. Code Enforcement Inspectors in the Bureau of Inspection and Compliance Services or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Refuse and Sanitation Codes, and Property Conservation Code. Neighborhood Service Centers Administrators are further authorized to issue appearance tickets for violations of the Noise Code.

Section 2. Section 2-18 of the City Charter, Code of Ethics, as amended, is hereby further amended by revising a portion of the list of City positions requiring the filing of a financial disclosure contained in subsection G(1) therein as follows:

Commissioner of Neighborhood and Business Development
Neighborhood Service Centers Director
 Neighborhood Service Centers Administrator
 Director of Development Services
Director of Buildings and Zoning
~~Director of Planning and Zoning~~
~~Director of Inspection and Compliance Services~~
Manager of Code Compliance
~~Director of Planning~~
Manager of Planning
 Manager of Zoning

Section 3. This local law shall take effect on July 1, 2017 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Councilmember Ortiz moved to amend Int. No. 219.

The motion was seconded by Councilmember Clifford.

Adopted unanimously.

Ordinance No. 2017-170
 (Int. No. 219, as amended)

Amending the Municipal Code with respect to the organization of the Department of Neighborhood and Business Development

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

Section 1. The following sections of Chapter 120 of the Municipal Code, Zoning, as amended, are hereby further amended by deleting the words "Director of Planning and Zoning" in each place they appear therein and by inserting in their place the phrase "Manager of Zoning" and by deleting the word "Director" in each place that it appears therein

when it is not part of the phrase "Director of Planning and Zoning" and by inserting in its place the word "Manager":

- § 120-5 Zoning Map.
- § 120-77.1 C-V Collegetown Village District.
- § 120-77.2 M-D Marina District.
- § 120-83 Special permit uses.
- § 120-97 Establishment of district.
- § 120-102 Variance.
- § 120-103 Special permit uses.
- § 120-120 Zoning designations and modifications.
- § 120-121 Urban Renewal District procedures.
- § 120-126 Procedures for planned development districts.
- § 120-142 Junkyards or salvage yards.
- § 120-143 Personal wireless telecommunication facilities.
- § 120-148.1 Shooting ranges.
- § 120-148.2 Solar energy system.
- § 120-149 Temporary uses.
- § 120-155 Waste stations.
- § 120-163 Accessory uses and structures.
- § 120-169 Landscaping, buffers and screening.
- § 120-172 Off-street loading.
- § 120-173 Off-street parking.
- § 120-174 Off-street stacking requirements.
- § 120-178 Site grading.
- § 120-179 Responsibility for administration.
- § 120-181 Project Review Committee
- § 120-182 Director of Planning and Zoning.
- § 120-184 Planning Commission.
- § 120-185 Preservation Board.
- § 120-186 Zoning Board of Appeals.
- § 120-188 Common review procedures.
- § 120-189 Certificate of zoning compliance.
- § 120-190 Procedures approved by the City Council.

§ 120-191 Procedures approved by the Director of Planning and Zoning.

§ 120-192 Procedures approved by the Planning Commission.

§ 120-193 Procedures approved by the Preservation Board and Planning Commission.

§ 120-194 Procedures approved by the Preservation Board.

§ 120-195 Procedures approved by the Zoning Board of Appeals.

§ 120-199 Nonconforming use.

§ 120-205 Enforcement Responsibility.

§ 120-208 Definitions.

Appendix 120r: Summary of Notice

Attachment PDD: Planned Development Districts 7, 8, 9, 10, 11, 12, 14, 15, 16

Section 2. Chapter 120 of the Municipal Code, Zoning, is hereby further amended in portions of §120-173F(6) as follows:

§ 120-173. Off-street parking.

F. Design and maintenance for vehicle parking. Except as provided in Chapter 78 of the Code of the City of Rochester, known as the "Parking Lot Ordinance," pertaining to the parking areas within the CCD District, every parking area, parking lot and garage shall be designed, constructed and maintained in accordance with the standards and requirements set forth herein.

...

(6) Surface.

(a) Off-street parking lots and parking areas shall be constructed in such a manner so as to provide an all-weather, durable and dustless surface. Individual stalls shall be clearly identified by markings four to six inches in width.

(b) Parking surfaces shall be graded and drained to dispose of all surface water accumulation in the area without shedding additional water on an adjoining property or right-of-way.

(c) The use of interior catch basins or a similar system linked to the Monroe County Pure Waters District facilities shall be approved by the Manager of Zoning-Plan-Review.

(d) The Manager of Zoning-Plan-Review shall approve the surface

material.

Section 3. Chapter 120 of the Municipal Code, Zoning, is hereby further amended in portions of §120-181A as follows:

§ 120-181. Project Review Committee.

A. Membership.

- (1) There shall be a Project Review Committee made up of the following individuals or a designee:
 - (a) ~~The Director of Planning and Manager of Zoning;~~
 - (b) ~~The Deputy Commissioner of Neighborhood and Business Development-Director of Development Services;~~
 - (c) The Manager of Planning;
 - (~~e~~-d) The Permit Office Manager;
 - (~~d~~-e) The City Engineer; ~~and~~
 - (f) The Manager of Code Enforcement; and
 - (~~e~~-g) Three urban design specialists, appointed by the Mayor, that could include, but not be limited to, an architect, an urban planner and a landscape architect.

Section 4. Chapter 120 of the Municipal Code, Zoning, is hereby further amended in Appendix 120q Summary of Authorities by deleting the words “Director of Zoning” in each place they appear therein and by inserting in their place the phrase “Manager of Zoning.”

Section 5. Chapter 21 of the Municipal Code, Real Estate, as amended, is hereby further amended in § 21-5C and D and § 21-9B as follows:

§ 21-5 **Public auction sales.**

- C. After approval by City Council, the successful bidder must conditionally close with the Law Department in a timely manner. At the conditional closing, the purchaser shall be required to deposit the balance of the purchase price with the City. From the date of conditional closing, the purchaser shall have by contract a specified time period to repair all building code violations cited by the Bureau of ~~Buildings and Zoning~~ NET, or complete construction of an improvement on the formerly vacant lot as signified by the issuance of a certificate of occupancy, or meet any other applicable condition imposed by the City. Extensions may be granted, in writing, by the Division of Real Estate. In such cases, the successful bidder must pay to the City additional in-lieu-of-tax payments and any other applicable City charges. In lieu of conditional

closing, the Director of Real Estate may provide for title to be passed through a reverter deed which permits the City to retake title in the event that the purchaser does not comply with conditions of the sale. The use of such reverter deeds shall be upon terms and conditions, including financial guaranties of rehabilitation, as the Director of Real Estate shall establish.

- D. After notification by the ~~Bureau of NET~~ or Bureau of Buildings and Zoning that a certificate of occupancy has been issued, or that other applicable City-imposed conditions have been met, the Division of Real Estate shall notify the Law Department to record the deed.

§ 21-9 **Sale by land contract.**

- B. A residential tenant must deposit 10% of the purchase price with the Division of Real Estate upon signing a land contract agreement. A commercial or industrial tenant must deposit 25% of the purchase price upon signing a land contract agreement. Purchasers at public auction must follow the procedures set forth in § 21-5 of the Municipal Code. Processing of such sale shall proceed in the manner set forth for the sale of real property at public auction. A land contract purchaser shall have nine months from the execution of the land contract agreement to complete rehabilitation of the property and eliminate code violations cited by the Bureau of ~~Buildings and Zoning Property Conservation and Inspection Services~~ NET. When the last payment is made under the land contract agreement, the deed shall be recorded in the purchaser's name. Until the deed is filed, the City shall retain the right to periodically inspect the property to ensure property code compliance.

Section 6. Chapter 39 of the Municipal Code, Building Code, as amended, is hereby further amended in § 39-215D, § 39-217B and § 39-218B as follows:

§ 39-215 **Issuance of certificate of occupancy or certificate of compliance.**

- D. An application for a certificate of occupancy shall be endorsed by the Director of ~~Buildings Planning~~ NET and Zoning.

§ 39-217 **Conditional certificate of occupancy.**

- B. The Commissioner must find that:
 - (1) The building is near substantial compliance with applicable regulation.
 - (2) The building is in compliance with the Zoning Code, Chapter 120, as certified by the Director of ~~Buildings Planning~~ NET and Zoning.

§ 39-218 **Partial certificate of occupancy.**

- B. The Commissioner must find that:
- (1) The portion of the building to be occupied is in substantial compliance with applicable regulations.
 - (2) That portion of the building to be occupied is in compliance with the Zoning Code, Chapter 120, as certified by the Director of Buildings Planning and Zoning.

Section 7. Chapter 66 of the Municipal Code, Junkyard Operators, Junk Dealers and Scrap Processors, as amended, is hereby further amended in § 66-5B and §66-7B as follows:

§ 66-5 Application procedure; inspections; license requirements.

- B. Upon receipt of an application for a junkyard operator, junk dealer, and/or scrap processor license, and after approval for Zoning Code compliance by the Director of Buildings Planning and Zoning, the Commissioner of Neighborhood and Business Development and the Fire Chief shall cause an inspection of the premises to be made to determine whether the applicant is complying with the laws and ordinances which they are charged with enforcing, and said Commissioner and Fire Chief and members of their staffs shall have the right to enter upon any premises for which a junkyard operator, junk dealer, and/or scrap processor license is sought for the purpose of making such an inspection during normal business hours.

§ 66-7 Restrictions on licensing and operation.

- B. Junkyard operators, junk dealers, or scrap processors shall comply with all the notices, orders, decisions and rules and regulations made by the Chief of Police, Fire Chief, Commissioner of Neighborhood and Business Development and the Director of Buildings Planning and Zoning governing the occupation and use of said premises.

Section 8. Chapter 90 of the Municipal Code, Property Code, as amended, is hereby further amended in § 90-3 to add a new definition, and in § 90-34C, § 90-37A and § 90-57I(1) as follows:

§ 90-3 Definitions.

DIRECTOR
The Director of Buildings and Zoning or legally designated representative.

§ 90-34 Application.

- C. The Director of ~~Planning and Zoning~~ shall cause a review of the location to ensure that the operation of the business at that location will be in compliance with the Zoning Code.

§ 90-37 Operation of businesses.

- A. The owner and operator of any business shall

comply with all the notices, orders, decisions and rules and regulations made by the Chief of Police, Fire Chief, Commissioner and the Director of ~~Planning and Zoning~~ governing the occupation and use of the premises.

§ 90-57 Standards for clearance examination and report.

- I. Rejection of clearance examination report/nonresponsibility of issuer.

(1) The Director of ~~Inspection and Compliance Services~~, or the Director's designee, is authorized to reject a lead clearance examination report that does not meet the requirements set forth herein or that is found after an inspection to not substantially represent the conditions present at the premises for which the report was prepared. The reasons for the rejection shall be set forth in writing to the issuer of the report and to the owner of the property to which the report pertains.

Section 9. Chapter 96 of the Municipal Code, Secondhand Dealers, as amended, is hereby further amended in § 96-3C and § 96-8B as follows:

§ 96-3 Application for license.

- C. Upon receipt of an application for a secondhand dealer's license, and after approval for Zoning Code compliance by the Director of Buildings Planning and Zoning, the Chief of Police shall cause an inspection to be made of the applicant's business premises to determine whether public safety problems exist, and the Chief of Police shall cause an investigation to be made of the background of the owner and operator of the business. Before the issuance of a license, the Chief of Police and his or her representatives shall have the right to enter upon such premises during normal business hours for the purpose of making inspections. After a license has been issued, further inspections of the premises, to ensure compliance with the laws, ordinances and rules and regulations relating to secondhand businesses, may be made in areas open to the public or other areas with consent, and the Chief of Police shall have the authority to seek warrants where the same are constitutionally required.

§ 96-8 General operation of secondhand dealer's businesses.

- B. Secondhand dealers shall comply with all the notices, orders, decisions and rules and regulations made by the Chief of Police, Fire Chief, Commissioner of Neighborhood and Business Development and the Director of Buildings Planning and Zoning governing the occupation and use of the premises.

Section 10. Chapter 128 of the Municipal Code, Land Subdivision Regulations, as amended, is hereby further amended in the definition of Director

in § 128-3 as follows:

§ 128-3 **Definitions of words and terms.**

DIRECTOR

The Director of ~~Buildings Planning~~ and Zoning of the City of Rochester or his or her designee.

Section 11. The following sections of the Municipal Code, as amended, are hereby further amended by deleting the words "Director of Planning and Zoning" in each place they appear therein and by inserting in their place the phrase "Manager of Zoning" and by deleting the word "Director" in each place that it appears therein when it is not part of the phrase "Director of Planning and Zoning" and by inserting in its place the word "Manager":

- § 29-3
- § 29-4
- § 29-14
- § 29-15
- § 29-19
- § 29-20
- § 39-209
- § 76-6
- § 76-7
- § 99-4

~~Section 12.~~ This ordinance shall take effect on July 1, 2017 or on the effective date of an accompanying local law that changes the titles and responsibilities of certain Department of Neighborhood and Business Development officials as provided herein, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-171
Re: Intermunicipal Agreement - Monroe County, Lead Paint Poisoning Prevention Inspection Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services in the amount of \$310,000. The term of the agreement is April 1, 2017 through March 31, 2018.

The funds associated with this agreement provide a reimbursement of expenses associated with enforcement of the City's Lead-Based Paint Poisoning Prevention Ordinance. These resources are part of the State's Lead Primary Prevention Grant dollars provided to Monroe County. The \$310,000 covers visual inspections for lead hazards in 2,950 units, 1,332 Lead Dust Wipe Sampling tests and \$30,142 for Clerical and IT support. This agreement has been in place since October 1, 2007.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-171
(Int. No. 221)

Authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Monroe County for the receipt and use of \$310,000 for lead paint poisoning prevention inspection and enforcement services.

Section 2. The term of the agreement is April 1, 2017 through March 31, 2018.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 188
Re: Amending Zoning Code - Notification Requirements

Transmitted herewith for your approval is legislation to amend the Zoning Code with regard to notification requirements for informational meetings and public hearings.

The current notification requirement is 300 feet, this legislation would change the requirement to 600 feet, and will increase the number of residents that are informed of proposed changes in their neighborhood. This legislation is in response to comments that Council has received from constituents regarding the notification process.

Respectfully submitted,
Loretta C. Scott
President

Michael A. Patterson
Northeast District
Councilmember

Introductory No. 188

AMENDING THE ZONING CODE, CHAPTER 120 OF THE MUNICIPAL CODE, WITH REGARD TO NOTIFICATION REQUIREMENTS FOR INFORMATION MEETINGS AND PUBLIC HEARINGS

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

Section 1. Chapter 120 of the Municipal Code,

Zoning, as amended, is hereby further amended so that Subsections K and L(1),(2) and (3) of Section 120-188, Common review procedures, read in their entirety as follows:

K. Informational meetings.

- (1) Informational meetings shall be required for the following:
 - (a) Planned development district designation;
 - (b) Comprehensive Plan, Official Map, Zoning Map or zoning text amendments; and
 - (c) Preservation district designation (by Planning Commission).

(2) Notification.

- (a) Mailed notice. Within 10 business days of receipt of the complete application, the Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within ~~300-600~~ feet from the property line and the official neighborhood contacts. For applications for Comprehensive Plan or text amendments, notice shall only be made to the official neighborhood contact.
- (b) Published notice. The Director of Planning and Zoning shall cause notice for such meetings to be placed in an official newspaper or a newspaper of general circulation in the City at least once, not more than 30 nor less than 10 business days before the date of the meeting.

L. Public hearings.

- (1) Public hearings shall be required for the following:
 - (a) Certificate of appropriateness approved by the Preservation Board;
 - (b) Special permit;
 - (c) Planned development district designation (by City Council);
 - (d) Cluster development;
 - (e) Adoption of neighborhood design guidelines;
 - (f) Comprehensive Plan, Official Map or Zoning Map or zoning text amendments (by City Council);
 - (g) Landmark designation;

- (h) Certificate of economic hardship;
- (i) Preservation district designation (by City Council);
- (j) Variances;
- (k) Appeals of administrative decisions;
- (l) Site plan referrals; and
- (m) Subdivisions per Chapter A128.

- (2) Setting hearing. For all matters properly brought before the Zoning Board of Appeals, the Planning Commission or the Preservation Board for which a public hearing is required by this chapter, the body charged with conducting the hearing shall, upon receipt of a completed application, select a reasonable time and place for such hearing; provided, however, that such time shall be not later than 62 days following the submission of the subject application, unless the applicant shall agree to some later time.

(3) Notification.

- (a) Mailed notice.

[1] The Director of Planning and Zoning shall be required to mail the appropriate notices for public hearings to property owners, both within and outside the municipal boundaries of the City of Rochester, within ~~300-600~~ feet of the property line. Where notice by mail is required, it shall be given at least 20 days in advance of the hearing date by regular United States mail, except that notice to City agencies or officials may be by interdepartmental memorandum.

[2] Where mailed notice is required, it shall be sent to the applicant, the owner of any property subject of the application as shown in the records of the office of the City Treasurer, the Department of Neighborhood and Business Development, the Official Neighborhood Contact and to any other person or persons deemed by the Director of Planning and Zoning to have a direct interest in the matter of the hearing.

[3] The time and manner for mailed notices for public hearings to be held by the City Council shall be determined by the City Clerk.

Section 3. This ordinance shall take effect with

regard to informational meetings and public hearings occurring on and after July 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Held in Committee.

By Councilmember Haag
June 20, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 189 - Appropriating funds and authorizing agreements for the 2017 Preventive Maintenance Contract #4 Project

Int. No. 190 - Appropriating funds and authorizing agreements for the 2017 Preventive Maintenance Contract #4 Project

Int. No. 191 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$100,000 Bonds of said City to finance the reconstruction of certain portions of Cleveland Street, Draper Street, Central Park, Merchants Road and Browncroft Boulevard related to the 2017 Preventive Maintenance Contract #4 Project

Int. No. 192 - Appropriating funds for the 2016 Preventive Maintenance Contract 2 street project

Int. No. 193 - Appropriating funds for the 2016 Preventive Maintenance Contract 2 street project

Int. No. 195 - Authorizing an agreement with LaBella Associates, D.P.C. for bridge and structural engineering services

Int. No. 196 - Authorizing an amendatory agreement for the Charlotte Street and Haags Alley Improvement Project

Int. No. 197 - Amending the authorization of a services agreement with the New York State Power Authority for the Five Cities Energy Plan Program

Int. No. 198 - Appropriating funds and authorizing an agreement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

Int. No. 199 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$428,000 Bonds of said City to finance a portion of the costs of the street reconstruction of the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

Int. No. 200 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$463,000 Bonds of said City to finance a portion of the costs of the water main replacement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

Int. No. 201 - Authorizing agreement for the

Flower City Park & Parkdale Terrace Curb Replacement Project

Int. No. 202 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$555,300 Bonds of said City to finance the street improvements related to the Flower City Park & Parkdale Terrace Curb Replacement Project

Int. No. 203 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$102,000 Bonds of said City to finance water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terrace related to the 2017 Flower City Park and Parkdale Terrace Curb Replacement Project

Int. No. 204 - Authorizing an agreement for the Rochester Riverside Convention Center Escalator Assessment, as amended

Int. No. 205 - Authorizing agreements for the Mt. Hope Avenue Phase 2 Improvement Project

Int. No. 206 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,880,000 Bonds of said City to finance the milling and resurfacing of certain portions of Marketview Heights streets related to the 2017 Marketview Heights Residential Milling and Resurfacing Program Project

Int. No. 207 - Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Ridgeway Avenue Transportation Improvement Project

Int. No. 208 - Authorizing agreements and funding for the Shared Mobility Program

Int. No. 209 - Authorizing an application to New York State for funding of water quality infrastructure projects

Int. No. 210 - Authorizing an agreement with the New York State Department of Environmental Conservation for the disposition of electronic waste material

Int. No. 211 - Authorizing a project participation agreement and funding to repair a support column at 99 Court Street

The following entitled legislation is being held in Committee:

Int. No. 194 - Approving geometric changes related to the Atlantic Avenue at Merriman Street Safety Improvements

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory Nos. 189,190, and 191
Ordinance No. 2017-172
Ordinance No. 2017-173
Re: 2017 Preventive Maintenance
Contract #4 Project

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the 2017 Preventive Maintenance Group #4 Project (Cleveland Street/Draper Street/Central Park/Merchants Road/Browncroft Boulevard.) This legislation will:

1. Appropriate \$1,720,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and construction inspection services for the Project;
2. Appropriate \$322,500 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of the construction and construction inspection services for the Project;
3. Authorize the issuance of bonds totaling \$100,000 and the appropriation of the proceeds thereof to partially finance the street portion of the Project; and
4. Establish \$300,000 as maximum compensation for a professional services agreement with Joseph C. Lu Engineering and Land Surveying, PC, Rochester, New York, for resident project representation (RPR) services.

This federal aid project, administered by the City under agreement with the NYS Department of Transportation (DOT) includes five locations:

- Browncroft Boulevard (Merchants Road- East City Line)
- Merchants Road (Browncroft Boulevard - Culver Road)
- Central Park (Portland Avenue- North Goodman Street)
- Cleveland Street (Hudson Avenue- North Street)
- Draper Street (North Street- Portland Avenue)

The Project was designed by LaBella Associates, D.P.C. as authorized in December 2014 (Ord. No. 2014-395). Joseph C. Lu Engineering was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement may extend until three months after project completion.

Bids for construction were received on April 18, 2017. The apparent low bid of \$1,567,524.60 was submitted by Villager Construction Corp., which is 10.9% less than the engineer's estimate. An additional \$279,825 will be allocated for Project contingencies.

Funding for the project is as follows:

<u>Source</u>	<u>Construction</u>	<u>Contingency</u>	<u>RPR</u>	<u>Total</u>
FHWA	\$1,254,020	\$225,980	\$240,000	\$1,720,000
NYS Marchiselli Aid	235,129	42,371	45,000	322,500
Bond to be issued	73,914	11,086	15,000	100,000
2011-12 Cash Capital	644	56	0	700
Rochester Pure Waters District (Ord. No. 2016-376)	3,818	332	0	4,150
Total	\$1,567,525	\$279,825	\$300,000	\$2,147,350

The Project will begin construction in summer 2017 and will be substantially complete by fall 2017. The Project's construction and RPR services will result in the creation and/or retention of the equivalent of 20 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-102

Ordinance No. 2017-172
(Int. No. 189)

Appropriating funds and authorizing agreements for the 2017 Preventive Maintenance Contract #4 Project

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

Section 1. The sum of \$1,720,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the 2017 Preventive Maintenance Contract #4 Project (Project).

Section 2. The sum of \$322,500 in anticipated reimbursements from the Marchiselli Aid Program is hereby appropriated to fund Project construction and inspection.

Section 3. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$300,000 which shall be funded from the appropriations authorized in Section 1 herein (\$240,000), in Section 2 herein (\$45,000), and from the proceeds of bonds (\$15,000) to be appropriated for the Project. The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Spaul moved to return Int. No. 190 to Committee.

The motion was seconded by Councilmember McFadden.

Adopted unanimously.

Introductory No. 190

APPROPRIATING FUNDS AND AUTHORIZING AGREEMENTS FOR THE 2017 PREVENTIVE MAINTENANCE CONTRACT #4 PROJECT

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

Section 1. The sum of \$1,720,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the 2017 Preventive Maintenance Contract #4 Project (Project).

Section 2. The sum of \$322,500 in anticipated reimbursements from the Marchiselli Aid Program is hereby appropriated to fund Project construction and inspection.

Section 3. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the

receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$300,000 which shall be funded from the appropriations authorized in Section 1 herein (\$240,000), in Section 2 herein (\$45,000), and from the proceeds of bonds (\$15,000) to be appropriated for the Project. The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 6. This ordinance shall take effect immediately.

Held in Committee.

Ordinance No. 2017-173
(Int. No. 191)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$100,000 Bonds of said City to finance the reconstruction of certain portions of Cleveland Street, Draper Street, Central Park, Merchants Road and Browncroft Boulevard related to the 2017 Preventative Maintenance Contract #4 Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling, resurfacing and reconstruction of certain portions of Cleveland Street (Hudson Avenue to North Street), Draper Street (North Street to Portland Avenue), Central Park ((Portland Avenue to N. Goodman Street), Merchants Road (Browncroft Boulevard to Culver Road) and Browncroft Boulevard (Merchants Road to East City Line) related to the 2017 Preventative Maintenance Contract #4 Project in the City, including new curbing, sidewalks, manholes, basins, water valve castings and other roadway improvements (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 \$2,147,350, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 bonds of the City to finance a portion of said appropriation, \$1,720,000 in anticipated reimbursements from the Federal Highway Administration, \$322,500 in NYS Marchiselli Aid Program reimbursements, \$700 from 2011-2012 Cash Capital and \$4,150 from Rochester Pure Waters District (Ordinance No. 2016-376) 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 \$100,000 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 \$100,000. 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. 20. 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:

Introductory Nos. 192 and 193
Ordinance No. 2017-174
Re: Amendment - 2016 Preventive
Maintenance Contract 2 Project

Transmitted herewith for your approval is legislation related to the 2016 Preventive Maintenance Contract 2 Project (Ames Street, Buffalo Road, West Main Street and West Avenue). This legislation will:

1. Appropriate \$19,200 from anticipated reimbursements from the Federal Highway Administration (FHWA) to fund a portion of the design services for the project;
2. Amend Ordinance No. 2014-392 to replace a portion of the City funded share (\$19,200) of the design agreement with Hunt Engineers, Architects and Land Surveyors related to the 2016 Preventive Maintenance Contract 2 Project (Ames Street, Buffalo Road, West Main Street and West Avenue) with the funds appropriated herein;
3. Appropriate \$160,000 from anticipated reimbursements from the FHWA to finance an additional federal construction share of the project.
4. Appropriate \$208,000 from anticipated New York State Marchiselli Aid for the construction of this project; and
5. Amend Ordinance No. 2016-196 to replace a portion of the City-funded share (\$39,300) of the resident project representation (RPR) agreement with Hunt Engineers, Architects & Land Surveyors related to the 2016 Preventive Maintenance Contract 2 Project (Ames Street, Buffalo Road, West Main Street and West Avenue) with the funds appropriated herein.

The 2016 Preventive Maintenance Contract 2 Project was designed by Hunt Engineers, Architects & Land Surveyors, P.C. via Ordinance Nos. 2014-392 and 2015-333. The project includes milling and resurfacing four arterial streets; intersection improvements; adjustments to catch basin frames and grates, and water valves and sewer castings; spot street base and sidewalk repair; installation of truncated domes at sidewalk ramps; installation of new pavement markings; and replacement of traffic loops.

This federal aid project, administered by the City under an agreement with the New York State Department of Transportation, includes four locations:

- Ames Street (West Avenue to Maple Street)
- Buffalo Road (Mt. Read Boulevard to West Avenue)
- West Main Street (York Street to Churchlea Place)

- West Avenue (Grover Street To York Street)

The project will begin construction in summer 2017 and will be substantially complete by winter 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Councilmember Haag moved to return Int. No. 192 to Committee.

The motion was seconded by Councilmember Clifford.

Adopted unanimously.

Introductory No. 192

APPROPRIATING FUNDS FOR THE 2016 PREVENTIVE MAINTENANCE CONTRACT 2 STREET PROJECT

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

Section 1. The sum of \$19,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the design services for the 2016 Preventive Maintenance Contract 2 on Ames Street, Buffalo Road, West Main Street and West Avenue (Project).

Section 2. Section 3 of Ordinance No. 2014-392 is hereby amended as follows to replace with the funds appropriated in Section 1 herein \$19,200 of City funds that were previously appropriated to the Project:

Section 3. The sum of \$140,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hunt Engineers, Architects and Land Surveyors, P.C. for design services for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$92,800 from funds to be received from the Federal Highway Administration (FHWA) appropriated herein, by \$19,200 in anticipated FHWA reimbursements to be appropriated in a subsequent ordinance, and by \$47,200 \$28,000 from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 3. The sum of \$160,000 in anticipated reimbursements from the FHWA is hereby appropriated to fund construction of the Project.

Section 4. The sum of \$208,000 in anticipated New York State Marchiselli Aid is hereby appropriated to fund construction of the Project.

Section 5. Section 1 of Ordinance No. 2016-196 is hereby amended as follows to replace with a portion of the Marchiselli Aid funds appropriated in Section 4 herein \$39,300 of City funds of that were previously appropriated to the Project:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of \$262,000 with Hunt Engineers, Architects & Land Surveyors, P.C., for resident project representation services related to the 2016 Preventive Maintenance Group #2 (Project) authorized by Ordinance Nos. 2014-392 and 2015-333. The agreement shall be funded by \$209,600 from the FHWA reimbursements appropriated in Section 4, ~~\$43,492~~ \$10,873 from a bond ordinance to be authorized for the Project, ~~\$3,353.60~~ \$838.40 from 2011-12 Cash Capital, ~~and \$5,554.40~~ \$1,388.60 from Rochester Pure Waters District funds authorized by Ordinance No. 2016-160, ~~and \$39,300 in anticipated New York State Marchiselli Aid to be appropriated in a subsequent ordinance.~~

Section 6. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Held in Committee.

Ordinance No. 2017-174
(Int. No. 193)

Appropriating funds for the 2016 Preventive Maintenance Contract 2 street project

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

Section 1. The sum of \$19,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the design services for the 2016 Preventive Maintenance Contract 2 on Ames Street, Buffalo Road, West Main Street and West Avenue (Project).

Section 2. Section 3 of Ordinance No. 2014-392 is hereby amended as follows to replace with the funds appropriated in Section 1 herein \$19,200 of City funds that were previously appropriated to the Project:

Section 3. The sum of \$140,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hunt Engineers, Architects and Land Surveyors, P.C.

for design services for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$92,800 from funds to be received from the Federal Highway Administration (FHWA) appropriated herein, ~~by \$19,200 in anticipated FHWA reimbursements to be appropriated in a subsequent ordinance,~~ and by ~~\$47,200~~ \$28,000 from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 3. The sum of \$160,000 in anticipated reimbursements from the FHWA is hereby appropriated to fund construction of the Project.

Section 4. The sum of \$208,000 in anticipated New York State Marchiselli Aid is hereby appropriated to fund construction of the Project.

Section 5. Section 1 of Ordinance No. 2016-196 is hereby amended as follows to replace with a portion of the Marchiselli Aid funds appropriated in Section 4 herein \$39,300 of City funds of that were previously appropriated to the Project:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of \$262,000 with Hunt Engineers, Architects & Land Surveyors, P.C., for resident project representation services related to the 2016 Preventive Maintenance Group #2 (Project) authorized by Ordinance Nos. 2014-392 and 2015-333. The agreement shall be funded by \$209,600 from the FHWA reimbursements appropriated in Section 4, ~~\$43,492~~ \$10,873 from a bond ordinance to be authorized for the Project, ~~\$3,353.60~~ \$838.40 from 2011-12 Cash Capital, ~~and \$5,554.40~~ \$1,388.60 from Rochester Pure Waters District funds authorized by Ordinance No. 2016-160, ~~and \$39,300 in anticipated New York State Marchiselli Aid to be appropriated in a subsequent ordinance.~~

Section 6. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-175
Re: Agreement - LaBella Associates,
D.P.C., Bridge and Structural
Engineering Services

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum annual compensation for an agreement with LaBella Associates, D.P.C., Rochester, New York, for bridge and structural engineering services. The agreement will have an initial term of one year with the option for four, one-year renewals. The cost of the initial agreement will be financed from 2016-17 Cash Capital, with subsequent renewals financed from future Cash Capital, contingent upon adoption of said budgets.

Under the City's Annual Bridge Inspection Program, the City is responsible for whole and partial maintenance of 61 bridges and 10 tunnels, which are examined on a yearly basis and any required maintenance is identified and scheduled for repair. In accordance with this agreement, LaBella Associates will provide bridge and tunnel inspections, miscellaneous structural investigations, design and construction reviews, contract preparation, resident project representation and general consultation services.

LaBella Associates was selected through a request for proposals process, the summary of which is attached.

The agreement results in the creation and/or retention of the equivalent 1.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-103

Ordinance No. 2017-175
(Int. No. 195)

Authorizing an agreement with LaBella Associates, D.P.C. for bridge and structural engineering 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 LaBella Associates, D.P.C., for bridge and structural engineering services. The agreement shall have a term of one year with four one-year renewal options.

Section 2. The agreement shall obligate the City to pay no more than \$150,000 annually and the cost of the initial term shall be funded from 2016-17 Cash Capital. The cost for any renewal terms shall be funded from future budget years' Cash Capital allocations of the Department of Environmental Services, contingent upon the adoption of said budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-176
Re: Amendatory Agreement - Passero
Associates Engineering & Architecture,
PLLC, Charlotte Street and Haags Alley
Improvements

Transmitted herewith for your approval is legislation establishing \$23,000 as maximum compensation for an amendatory agreement with Passero Associates Engineering & Architecture, PLLC, for additional resident project representation (RPR) services for the reconstruction of Charlotte Street and Haags Alley. The original agreement was authorized on July 12, 2016 (Ord. No. 2016-244) for \$100,000; the amendatory amendment will increase the total amount to \$123,000. The cost of the amendatory agreement will be financed from the New York State Dormitory Authority Grant authorized via Ordinance No. 2015-120. The agreement may extend until two years after final acceptance of the project.

The project includes new asphalt pavement for Charlotte Street and new concrete pavement for Haags Alley. Both streets will have new granite curbs, concrete sidewalk replacement, new driveway aprons, catch basin upgrades, new water main and services, hydrants, and street lighting upgrades. The project will include some enhanced sidewalk and crosswalk materials that will coordinate with the materials used for the development at 14-80 Charlotte Street.

Passero Associates Engineering & Architecture, PLLC will provide additional RPR services, for the remainder of the roadway reconstruction on Charlotte Street and Haags Alley. Contract days were added to the project due to Rochester Gas & Electric's delays in relocating facilities, and New York State Department of Environmental Conservation's delays in brownfield remediation on Haags Alley, both of which extended the contractors' schedule past the original contract date.

Construction began in April 2017 with scheduled completion for August 2017. The amendatory agreement will result in the creation and/or retention of the equivalent of 0.25 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-176
(Int. No. 196)

Authorizing an amendatory agreement for the Charlotte Street and Haags Alley Improvement 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 Passero Associates Engineering & Architecture, PLLC for additional resident project representation services for the Charlotte Street and Haags Alley Improvement Project. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2016-244 by \$23,000 to a new total of \$123,000. Said amendatory amount shall be funded from the Dormitory Authority of the State of New York grant agreement authorized in Ordinance No. 2015-120.

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. 2017-177
Re: Amending Ordinance No. 2015-231 -
New York Power Authority's Five
Cities Energy Plan Program, Funding
for Energy Analyst

Transmitted herewith for your approval is legislation amending Ordinance No. 2015-231 by changing the source of funds for the provision of an Energy Analyst contract employee to assist the City with the implementation of the Rochester Energy Plan.

In July 2015, City Council authorized the Mayor to enter into an agreement with the New York Power Authority (NYPA) for the services of an Energy Analyst contract employee in connection with the NYPA Five Cities Energy Plan Program via Ordinance No. 2015-231. The legislation stated that the Five Cities Energy Plan Program Formula Grant would fund the Energy Analyst contract employee, however, this contract employee is supplied and paid by NYPA. As a result, the proposed amendment will correct and change the source of funding from the Five Cities Energy Plan Program Formula Grant to NYPA.

The Energy Analyst began working at the City in October 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-177
(Int. No. 197)

Amending the authorization of a services agreement with the New York State Power Authority for the Five Cities Energy Plan Program

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

Section 1. Section 2 of Ordinance No. 2015-231 regarding the New York Power Authority (NYPA) Five Cities Energy Plan Program (Program) is hereby amended as follows to provide that the services of a Program Energy Analyst shall be provided to the City by an employee under contract to the NYPA rather than through an employee who is compensated by the City's Program grant funds:

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Power Authority (NYPA) for the services of an Energy Analyst ~~contract employee~~ in connection with the Five Cities Energy Plan Program ~~Formula Grant~~. The Energy Analyst shall be compensated by the NYPA and at no cost to the City cost of said agreement shall be funded from the funds appropriated in Section 1 herein. Said agreement shall have a term of two years with an option to extend for up to three additional years.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-178,
Ordinance No. 2017-179 and
Ordinance No. 2017-180

Re: Dewey Avenue/Driving Park Avenue
Intersection Realignment Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Dewey Avenue/Driving Park Avenue Intersection Realignment Project. This legislation will:

1. Appropriate \$2,909,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) Highway Safety Improvement Program (HSIP) to finance a portion of the construction and construction inspection services for the project;
2. Appropriate \$450,000 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of the construction and construction inspection services for the project;
3. Authorize the issuance of bonds totaling \$428,000 and the appropriation of the proceeds thereof to partially finance the street portion of the project;
4. Authorize the issuance of bonds totaling \$463,000 and the appropriation of the proceeds thereof to partially finance the water portion of the project;
5. Establish \$670,000 as maximum compensation for an agreement with Joseph C. Lu Engineering and Land Surveying, PC, Rochester, New York, for resident project representation (RPR) services; and
6. Establish \$70,000 as maximum compensation for an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, for construction phase design services for the project. The cost of the amendatory agreement will be funded from 2014-15 Cash Capital, and the term may extend until six months after completion and acceptance of the construction of the project.

Lu Engineering was selected for RPR services through a request for proposals process, which is described in the attached summary.

The original agreement with Bergmann Associates for design services was for \$433,600, as authorized in March 2014 (Ord. No. 2014-16). This was followed by two amendatory agreements in the amounts of \$90,000 (Ord. No. 2016-112) and \$42,000 (Ord. No. 2017-70), which combined with the proposed amendatory agreement of \$70,000 herein, brings total maximum compensation to \$635,600. This project includes the design and construction of a locally administered federal aid project consolidating the offset intersection at Dewey and Driving Park Avenues, enhancing overall mobility for all users, reducing congestion, and improving highway safety. The project also includes street reconstruction, new curbing, sidewalks, access ramps, bike facilities, landscaping, a partial replacement of the water main and services, hydrants, receiving basins, new traffic signal, a new street lighting system and geometric changes.

Below is a legislative history of previous Council actions taken for this project:

<u>Purpose</u>	<u>Month</u>	<u>Ordinance No.</u>
NYS Master Agreement & Appropriations	January	2014-16
Amending Ord. No. 2014-16	April	2014-94
Adoption of Determination & Findings	August	2015-267
Authorize Marchiselli Aid	December	2015-408
Amendatory Agreement A	April	2016-112
Appropriations	May	2016-158
Acquisitions Authorized	August	2016-274
Official Map Amendment	August	2016-275
Geometrics	October	2016-348
Amendatory Agreement B	March	2017-70

Landscape and streetscape enhancements for the project will include concrete and exposed aggregate concrete on

portions of the sidewalks; construction of an open-space area; construction of flush and raised tree pits; and various plantings and furnishings.

Bids for construction were received on May 22, 2017. The apparent low bid of \$3,342,591.35 was submitted by Ramsey Constructors, Inc. which is 3.89% more than the engineer's estimate. An additional \$251,758.65 will be allocated for project contingencies.

The costs for the categories of work for the project based upon the bid amount are as follows:

<u>Category</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Federal HSIP	\$2,470,843.88	\$438,156.12	\$ -0-	\$2,909,000
State Aid	205,903.66	41,165.48	202,930.86	450,000
General Debt	292,408.46	116,309.37	19,282.17	428,000
Water Debt	360,927.60	73,203.91	28,868.49	463,000
Rochester Pure Waters District (Ord. No. 2016-376)	6,346.45	-0-	353.55	6,700
2013-14 Cash Capital	6,161.30	1,165.12	323.58	7,650
Total	\$3,342,591.35	\$670,000.00	\$251,758.65	\$4,264,350

Public informational meetings were held on May 19, 2014, June 23, 2014 and July 20, 2015. The minutes of these meetings have previously been forwarded to the City Clerk's Office.

It is anticipated that construction will begin in summer 2017, with completion scheduled by winter 2018. The project will result in the creation and/or retention of the equivalent of 46.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-104

Ordinance No. 2017-178
(Int. No. 198)

Appropriating funds and authorizing an agreement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

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

Section 1. The sum of \$2,909,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the Dewey Avenue/Driving Park Avenue Intersection Realignment Project (Project).

Section 2. The sum of \$450,000 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund Project construction and inspection.

Section 3. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$670,000 which shall be funded from the appropriations in Section 1 (\$438,156.12) and Section 2 (\$41,165.48) above, a street bond (\$116,309.37) and water bond (\$73,203.91) to be issued for the Project, and 2013-14 Cash Capital (\$1,165.12). The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows Project completion.

Section 5. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for construction phase design services. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2014-16 and amended by Ordinance Nos. 2016-112 and 2017-70 by \$70,000 to a new total of \$635,600. Said amendatory amount shall be funded by 2014-15 Cash Capital. The term of the agreement shall end six months after completion and acceptance of the construction of the Project.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-179
(Int. No. 199)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$428,000 Bonds of said City to finance a portion of the costs of the street reconstruction of the Dewey Avenue/Driving Park Avenue Intersection Realignment 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 design and construction of consolidating the offset intersection at Dewey Avenue and Driving Park Avenue in the City, including street reconstruction, new curbing, sidewalks, access ramps, bicycle facilities, landscaping and street lighting (the "Project"). The estimated maximum cost of this portion of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,787,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$428,000 bonds of the City to finance a portion of said appropriation, \$2,909,000 in anticipated Federal Highway Safety Improvement Program funds, \$450,000 from the NY State Marchiselli Aid Program 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 \$428,000 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 \$428,000. 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. 20. 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.

Ordinance No. 2017-180
(Int. No. 200)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$463,000 Bonds of said City to finance a portion of the costs of the water main replacement for the Dewey Avenue/Driving Park Avenue Intersection Realignment 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 a partial replacement of the water main and services, hydrants and receiving basins in connection with consolidating the offset intersection at Dewey Avenue and Driving Park Avenue in the City (the "Project"). The estimated maximum cost of this portion of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$477,350, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$463,000 bonds of the City to finance a portion of said appropriation, \$6,700 from the Rochester Pure Waters District (Ordinance No. 2016-376), \$7,650 from 2013-2014 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 \$463,000 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 \$463,000. 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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-181,
Ordinance No. 2017-182 and
Ordinance No. 2017-183
Re: Flower City Park & Parkdale Terrace
Curb Replacement Project

Transmitted herewith for your approval is legislation related to Flower City Park & Parkdale Terrace Curb Replacement Project. This legislation will:

1. Establish \$90,000 as maximum compensation for an agreement with Passero Associates Engineering & Architecture, PLLC, Rochester, New York, for resident project representation (RPR) services; and
2. Authorize the issuance of bonds totaling \$657,300 and the appropriation of the proceeds thereof to partially finance the rehabilitation of Flower City Park and Parkdale Terrace from Lake Avenue to Maplewood Drive.

The proposed improvements include replacement of the existing curbs, underdrain, driveway aprons, repair or replacement of catch basins, spot sidewalk repair on Flower City Park and full sidewalk replacement on Parkdale Terrace. Additionally lead and galvanized water services will be replaced on Parkdale Terrace.

Bids for construction were received on May 9, 2017. The apparent low bid of \$551,390 was submitted by Hewitt Young Electric, LLC which is 4.32% greater than the engineer's estimate. An additional \$54,099 will be allocated for project contingencies.

The costs for the categories of work for the project based upon the bid amount are as follows:

	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Street Lighting And Parking Signs</u>	<u>Total</u>
Bonds to be issued	\$433,030	\$76,500	\$43,794	\$1,976	\$555,300
Water bonds to be issued	80,495	13,500	8,005	0	102,000
Pure Waters Reimbursement (Ord. No. 2016-376)	<u>37,865</u>	<u>0</u>	<u>2,300</u>	<u>0</u>	<u>40,165</u>
Total	\$551,390	\$90,000	\$54,099	\$1,976	\$697,465

Passero Associates Engineering & Architecture, PLCC was selected for RPR services through a Request for Proposal process, which is described in the attached summary.

A public meetings was held on November 22, 2016; a copy of the meeting minutes are attached.

Construction is anticipated to commence in the summer of 2017 and be completed in the fall of 2017. The project will result in the creation and/or retention of the equivalent of 7.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-105

Ordinance No. 2017-181
(Int. No. 201)

Authorizing agreement for the Flower City Park & Parkdale Terrace Curb Replacement 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 Passero Associates Engineering & Architecture, PLLC for resident project representation (RPR) services

for the Flower City Park & Parkdale Terrace Curb Replacement Project between Lake Avenue and Maplewood Drive, comprised of the replacement of existing curbs, underdrain, and driveway aprons, the repair or replacement of catch basins, and spot sidewalk repairs on Flower City Park and the full replacement of sidewalks and of lead and galvanized water service pipes on Parkdale Terrace (collectively, the Project). The maximum compensation for the agreement shall be \$90,000, consisting of funds to be appropriated to the Project by a street bond ordinance (\$76,500) and by a water bond ordinance (\$13,500). The term of the agreement shall continue to 3 months after completion of a two year guarantee inspection of the Project.

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.

Ordinance No. 2017-182
(Int. No. 202)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$555,300 Bonds of said City to finance street improvements related to the Flower City Park & Parkdale Terrace Curb 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"), is hereby authorized to finance the cost of replacement of existing curbs, underdrain, street lighting and driveway aprons including spot sidewalk repair on Flower City Park and full sidewalk replacement on Parkdale Terrace (from Lake Avenue to Maplewood Drive) related to the Flower City Park & Parkdale Terrace Curb Replacement Project (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 \$555,300, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$555,300 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 \$555,300 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 \$555,300. 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. 20. c. 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.

Ordinance No. 2017-183
(Int. No. 203)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$102,000 Bonds of said City to finance water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terrace related to the 2017 Flower City Park and Parkdale Terrace Curb 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"), is hereby authorized to finance the cost of water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terrace (from Lake Avenue to Maplewood Drive) related to the 2017 Flower City Park and Parkdale Terrace Curb Replacement Project (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 \$142,165. The plan of financing includes the issuance \$102,000 bonds of the City, the proceeds of which are hereby appropriated to the Project, \$40,165 in anticipated reimbursements from the Rochester Pure Waters District appropriated in Ordinance No. 2016-376, 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 \$102,000 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 \$102,000. 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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-184
Re: Agreement - Stantec Consulting Services, Inc. Joseph A. Floreano
Rochester Riverside Convention Center (R RCC) Escalator Assessment

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for architectural and engineering services related to the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Escalator Modernization Project. The cost of the agreement will be funded from 2016-17 Cash Capital and the term will extend through the completion and acceptance of the consultant's escalator conditions assessment.

The purpose of this analysis is to determine the most efficient, cost effective solution to modernize and maintain the escalators at this City facility for future decades. The consultant will perform a conditions survey and assessment for each of the RRCC's 10 escalators. A decision matrix of alternatives will be developed that will include related schematic designs and cost estimates.

Stantec Consulting Services Inc. was selected through a request for proposals process which is described in the attached summary. The assessment portion of the project will begin in summer 2017 with scheduled completion in fall 2017. This agreement is estimated to result in the creation and/or retention of the equivalent of 1 full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-106

Ordinance No. 2017-184
(Int. No. 204, as amended)

Authorizing an agreement for the Rochester Riverside Convention Center Escalator Assessment

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 Stantec Consulting Services Inc. to prepare an assessment of the escalators located at the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) in support of the RRCC Escalator Modernization Project. The maximum compensation for the agreement shall be \$100,000, which shall be funded from ~~2016-17~~ 2015-16 Cash Capital. The term of the agreement shall continue through to the completion and the Department of Environmental Services' acceptance of the assessment.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-185
Re: Mt. Hope Avenue Phase 2
Improvement Project

Transmitted herewith for your approval is legislation related to the Mt. Hope Avenue Phase 2 Improvement Project. This legislation will:

1. Authorize an agreement with the New York State Department of Transportation (NYSDOT) to provide Right of Way (ROW) acquisition and incidental services for the project;
2. Authorize the Mayor to accept the terms of NYSDOT's project agreement for ROW acquisitions and incidental services for the project, including associated schedule, appendices, exhibits and attachments;
3. Authorize the City Engineer to execute reimbursement requests with NYSDOT; and
4. Authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to reflect that the State is performing the property acquisition work by decreasing maximum compensation by \$179,973 to a new total of \$571,027. The funding reduction is comprised as follows: \$143,978 in federal aid (Ord. No. 2015-243), \$30,972.21 in 2012-13 Cash Capital (Ord. No. 2016-268), and \$5,022.79 in 2014-15 Cash Capital (Ord. No. 2016-198). The term of the amendatory agreement is six months after completion and acceptance of the construction of the project.

The Mt. Hope Avenue Phase 2 Improvement Project will reconstruct Mt. Hope Avenue from Rossiter Road to the south City line. The project includes street reconstruction, new curbing, sidewalks, water main and services, hydrants, receiving basins, street lighting and tree plantings.

It is expected that there will be multiple *de minimis* property takings for this project. The NYSDOT has offered to perform the work to secure these acquisitions, which includes securing title abstracts and property appraisals, communications and negotiations with the property owners, paying property owners for the takings, and filing the titles. The City agrees to accept and take title to all permanent property rights the State acquires for the project. In order to pay for this work, the State will apply the federal aid earmarked for ROW incidentals to itself, once the Federal Highway Administration authorizes aid for the ROW acquisitions. The City is required to deposit to the State the local match for ROW incidentals aid, which is \$35,995. This amount reflects a portion of the decrease in maximum compensation for Bergmann Associates. (\$30,972.21 from 2012-13 Cash Capital and \$5,022.79 from 2014-15 Cash Capital via Ordinance Nos. 2016-268 and 2016-198,

respectively.) The local share amount for the ROW acquisitions phase of the work will be calculated once the federal aid is authorized, and that figure will be transmitted as part of the approval of a supplemental NYSDOT agreement that will be needed at that time.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-107

Ordinance No. 2017-185
(Int. No. 205)

Authorizing agreements for the Mt. Hope Avenue Phase 2 Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) to provide Right of Way (ROW) acquisition and incidental services for the Mt. Hope Avenue Phase 2 Improvement Project (Project). The maximum compensation for the agreement shall be \$179,973, which shall be funded by \$143,978 in Federal Highway Administration funds appropriated in Ordinance No. 2015-243, \$30,972.21 in 2012-13 Cash Capital and \$5,022.79 in 2014-15 Cash Capital.

Section 2. The City Engineer is hereby authorized to execute reimbursement requests with

NYSDOT.

Section 3. The Mayor is hereby authorized to accept the terms of NYSDOT's Project agreement for ROW acquisitions and incidental services for the Project, including associated schedule, appendices, exhibits, and attachments.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to reflect that the State is performing the property acquisition work. The amendatory agreement shall decrease the maximum compensation of the agreement originally authorized by Ordinance No. 2015-198 and amended by Ordinance Nos. 2016-243 and 2016-268 by \$179,973 to a new total of \$571,027. Said amendatory amount shall reduce funding from federal funds appropriated in Ordinance No. 2015-243 by \$143,978, 2012-13 Cash Capital appropriated in Ordinance No. 2016-268 by \$30,972.21 and 2014-15 Cash Capital appropriated in Ordinance No. 2016-198 by \$5,022.79. The term of the agreement shall end six months after completion and acceptance of the construction of the Project.

Section 5. The agreements 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. 2017-186
Re: Residential Milling and
Resurfacing - Marketview Heights
Improvement Project

Council Priority: Jobs and Economic Development,
Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,880,000 and the appropriation of the proceeds thereof to partially finance street milling and resurfacing in Marketview Heights.

The Residential Milling and Resurfacing - Marketview Heights Improvement Project includes the milling and resurfacing of various city streets in Marketview Heights; spot sidewalk and curb repair; and, pavement markings. (A list of the impacted streets is attached.) The project improves the street system, extends the useful life of the streets, and reduces long term maintenance costs.

Bids for construction were received on May 16, 2017. The apparent low bid of \$1,474,000.00 was submitted by Sealand Contractors Corp. which is 9.84% higher than the engineer's estimate. An additional \$287,518 will be allocated for project contingencies. Resident project representation services will be provided by Bergmann Associates Architects, Engineers, Landscape Architects & Surveyors, D.P.C. per Ordinance No. 2016-342.

The costs for the categories of work for the project based upon the bid amount are as follows:

Source	Construction	Contingency	RPR	Total
Street Bond	\$1,382,832	\$268,686	\$244,482	\$1,880,000
2013-14 Cash Capital	9,250	5,750	1,518	16,518
Rochester Pure Waters District (Ord. No. 2016-376)	81,918	13,082	0	95,000
Total	\$1,474,000	\$287,518	\$230,000	\$1,991,518

Construction will begin in summer 2017, with anticipated completion in fall 2017. The project will result in the creation and/or retention of the equivalent of 15.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-108

Ordinance No. 2017-186
(Int. No. 206)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,880,000 Bonds of said City to finance the milling and resurfacing of certain portions of Marketview Heights streets related to the 2017 Marketview Heights Residential Milling and Resurfacing Program Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling, resurfacing and reconstruction of certain portions of Marketview Heights streets, including those portions specified on the attached Exhibit A, related to the 2017 Marketview Heights Residential Milling and Resurfacing Program Project in the City, including new curbing, sidewalks, manholes, basins and other roadway improvements (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 \$1,991,518, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,880,000 bonds of the City to finance a portion of said appropriation, the application of \$16,518 from 2013-2014 Cash Capital, \$95,000 from Rochester Pure Waters (Ordinance No. 2016-376) 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 \$1,880,000 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 \$1,880,000. 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. 20. 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. 2017-187
Re: Amendatory Agreement - Stantec Consulting Services Inc., Ridgeway Avenue Transportation Improvement Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services Inc., Rochester, New York, for additional construction phase design and resident project representation (RPR) services required for the Ridgeway Avenue Transportation Improvement Project from Ramona Street to Minder Street. The amendatory agreement extends the term through June 2017, and the cost will be financed as follows:

Federal Highway Administration (Ord. No. 2015-129)	\$160,000
New York State Marchiselli Aid (Ord. No. 2015-129)	30,000
Debt (Ord. No. 2015-130)	<u>10,000</u>
Total	\$200,000

The original agreement with Stantec was for \$998,000 (Ord. No. 2015-129); the proposed amendatory agreement brings maximum compensation to \$1,198,000.

The project will install new granite curbs, concrete sidewalks and driveway aprons. Topsoil and seeding will be placed to restore areas impacted by construction. Drainage improvements include new catch basins and lateral connections. Street lighting improvements include new foundations, conduit, pullboxes, poles, luminaires and wiring. Traffic signal improvements at two locations will include new signal poles, controllers, conduit, pullboxes, traffic signal heads, pedestrian signals, loop wires and fiber optic inner connect cable. A new 12" PVC water main will be installed from east of the CSX Railroad Crossing to Minder Street. New water mains will be installed within the limits of the work area on most of the side streets. Existing services and hydrants will be replaced throughout the project limits. A 16" ductile iron water main will also be replaced at the intersection of Ridgeway and Dewey Avenues.

Stantec will provide additional construction phase design and RPR services due to a project time extension, longer inspection duration, unforeseen conditions, additional overtime and design support.

Construction began after winter shutdown in spring 2017 and is scheduled for completion in summer 2017. The amendatory agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-187
(Int. No. 207)

Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Ridgeway Avenue Transportation Improvement 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. for additional construction phase design and resident project representation services for the Ridgeway Avenue Transportation Improvement Project. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2015-129 by \$200,000 to a new total of \$1,198,000. Said amendatory amount shall be funded by \$160,000 from the anticipated reimbursements of the Federal Highway Administration grant authorized in Ordinance No. 2015-129, \$30,000 from anticipated reimbursements of Marchiselli Aid authorized in Ordinance No. 2015-129, and \$10,000 from bonds authorized in Ordinance No. 2015-130.

The term of the agreement is hereby extended through June 2017.

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. 2017-188
Re: Shared Mobility Program - Authorize Agreements and Appropriate Funds

Council Priority: Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the City of Rochester Shared Mobility Program. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the City of Rochester Shared Mobility Program; and
2. Appropriate \$1,004,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) Congestion Mitigation & Air Quality (CMAQ) program, administered

by NYSDOT, to partially finance the development, implementation, and/or expansion of bikeshare, carshare, and vanpool services; and

- 3. Authorize the Mayor to enter into a three-year intermunicipal agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) with respect to their sponsorship of six bikeshare stations at an annual cost of \$12,240; and
- 4. Authorize the receipt and use of \$12,240 annually for three years (\$36,720 total) from RGRTA for bikeshare station sponsorships.

This federally-funded project will enable the City to launch and/or expand three shared mobility initiatives: bikeshare, carshare, and a commuter vanpool program. Together, these initiatives will reduce traffic congestion, improve air quality, enhance the quality of life, and connect residents to jobs and services. These shared mobility initiatives complement each other and supplement existing transit service in order to provide new mobility options for Rochester’s residents and visitors.

With respect to bikeshare specifically, these funds will be used to further expand the Zagster-operated system that is set to launch in summer 2017. An intermunicipal agreement with RGRTA will facilitate their sponsorship of bikeshare stations located at six high priority Regional Transit Service (RTS) bus stop locations, including the RTS Transit Center. The total annual cost of these six stations is \$61,200; RGRTA will provide \$12,240 annually, which represents the required 20% local match for the associated CMAQ funds (\$48,960).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-188
(Int. No. 208)

Authorizing agreements and funding for the Shared Mobility Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to receive and NYSDOT to administer funding from the Federal Highway Administration (FHWA) Congestion Mitigation & Air Quality Improvement program (CMAQ) to support the City’s Shared Mobility Program.

Section 2. The sum of \$1,004,000 in anticipated reimbursements from CMAQ is hereby appropriated to finance a portion of the development, implementation, and/or expansion of bikeshare, carshare, and vanpool services under the Shared Mobility Program.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) for the receipt and use of \$12,240 annually (\$36,720 total) with respect to RGRTA’s sponsorship of six bikeshare stations within the Rochester Public Bikeshare System network. The term of the agreement shall be 3 years. Said amount is hereby appropriated for the Shared Mobility Program.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-189
Re: Grant Applications - Water
Improvement Projects

Transmitted herewith for your approval is legislation authorizing the Mayor to apply to New York State for grants under the New York State Water Infrastructure Improvement Act (NYS WIIA) program. This program provides grants to assist municipalities in funding water quality infrastructure projects that focus on improving water quality and protecting public health. Municipalities may receive up to \$3 million or 60% of the total project cost, whichever is less. The balance of the funds needed to finance the projects will be funded from the Capital Improvement Program.

The City is preparing applications for grant assistance under NYS WIIA Grant Programs for the following projects:

- Lead water service line replacements
- Water Main Renewal Project - Extensions & improvements of aged water mains
- Water main replacement on Scottsville Rd.
- Cathodic protection of water transmission conduits

Grant applications must be submitted by June 23, 2017 to be considered for funding during the State Fiscal Year, SFY 2017-2018. Construction for eligible projects must be completed during or after Federal Fiscal Year 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-109

Ordinance No. 2017-189
(Int. No. 209)

Authorizing an application to New York State for funding of water quality infrastructure projects

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 New York State for grants under the New York State Water Infrastructure Improvement Act to fund a portion of the costs of water quality infrastructure projects that focus on improving water quality and protecting public health.

Section 2. The application 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. 2017-190
Re: Agreement - NYS Electronic
Waste Assistance Grant

Transmitted herewith for your approval is legislation authorizing a grant agreement with the New York State Department of Environmental Conservation (NYSDEC). The grant will reimburse the City for up to 50% of direct costs paid to an e-waste recycler in the disposition of electronic waste material as outlined in the NYS Electronic Equipment Recycling and Reuse Act. The eligible period for cost reimbursement was April 1, 2016 through March 31, 2017.

NYS has affirmed the City has met its eligibility requirements for the grant assistance and has approved an agreement with the City. The total amount of reimbursement for this grant will be \$25,140.23. The total amount of the costs incurred was \$50,280.47.

NYS has indicated that there will be a second phase of grant assistance reimbursement for these types of

costs, which will cover the period April 1, 2017 through December 31, 2017. The City intends to apply for this second phase of grant assistance as well once the grant opportunity is officially extended to prospective applicants.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-190
(Int. No. 210)

Authorizing an agreement with the New York State Department of Environmental Conservation for the disposition of electronic waste material

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 Environmental Conservation to reimburse the City for direct costs paid to an electronic waste recycler for the disposition of electronic waste material as outlined in the New York State Electronic Equipment Recycling and Reuse Act. The agreement shall cover a reimbursement period from April 1, 2016 through March 31, 2017. The total reimbursement to the City shall not exceed \$25,140.23.

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.

Councilmember Haag moved to amend Int. No. 211.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-191
Re: Agreement - Store Master Funding
XI, LLC, Column Support Repairs

Transmitted herewith for your approval is legislation related to structural repairs to a column underpinning the Dinosaur Bar-B-Que Restaurant (99 Court Street). This legislation will:

1. Authorize a Project Participation Agreement with Store Master Funding XI, LLC for reimbursement costs and access associated with column repairs underpinning the Dinosaur Bar-B-Que Restaurant at 99 Court Street; and

2. Appropriate a maximum of \$100,000 in anticipated reimbursements from Store Master Funding XI, LLC to finance their share of construction, inspection services and administrative costs.

Recent inspections uncovered significant and advance deterioration in the underpinning column supporting the western end of the Dinosaur Bar-B-Que Restaurant (formerly known as the Lehigh Valley Railroad (LVRR) Station - Circa 1905). The City shares joint maintenance responsibility with Store Master Funding XI, LLC for the column. The column is affixed to the Court Street Bridge (circa 1893) and was built around 1920 to support an addition to LVRR Station. The City maintains the original stone base upon which the column is situated, while Store Master Funding XI, LLC owns and maintains the upper portion of the column and corresponding steel framing system.

The Project Participation Agreement pertains to partial shoring of the building at 99 Court Street (known as the Dinosaur Bar-B-Que Restaurant) along with the demolition and reconstruction of a concrete and stone masonry column that is jointly owned and maintained by both parties. The agreement contains provisions for allowing the City access to the building through a temporary construction easement. The column is directly connected to Pier No. 4 of the Court Street Bridge and serves a dual function as both a debris deflector and column support for 99 Court Street. This agreement contains language related to the shoring, demolition, and reconstruction of said column, a temporary construction easement, cost sharing, maintenance, ownership, liability, insurance, and indemnification.

The project is taking advantage of having cofferdams in the river bed as part of the Promenade at Erie Harbor Project. Use of these cofferdams is imperative, and significantly reduces the overall costs and time otherwise involved in this undertaking.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-191
 (Int. No. 211, as amended)

Authorizing a project participation agreement and funding to repair a support column at 99 Court Street

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

Section 1. The Mayor is hereby authorized to enter into a project participation agreement with Dinosaur Restaurants, LLC and Store Master Funding XI, LLC for the sharing of costs, provision of access, and other factors necessary to repair or replace a support column underpinning a restaurant building located at 99 Court Street. The term of the agreement

shall continue until both the parties to the agreement have accepted the support column work as complete.

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

Section 3. The sum of up to \$100,000 in anticipated reimbursements from ~~Store Master Funding XI, LLC~~ Dinosaur Restaurants, LLC under the agreement is hereby appropriated for the costs of construction, inspection and administrative services to repair or replace said support column.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Introductory No. 194
 Re: Pavement Width Changes - Atlantic at Merriman Safety Improvements Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to changes in pavement width required for the Atlantic at Merriman Safety Improvements Project. This legislation will:

1. Authorize a reduction in pavement width of six feet along the north side of Atlantic Avenue, beginning approximately 50 feet west of Merriman Street and extending to the intersection of Merriman Street; and
2. Authorize a reduction in pavement width of four feet along the north side of Atlantic Avenue, beginning at the intersection of Merriman Street and tapering east for approximately 90 feet to the existing curb line.

Residents of the neighborhood requested this change to improve pedestrian access to the playground located on the corner of Atlantic Avenue and Merriman Street. In addition to pavement width changes, this project includes new pavement marking and a cross walk, drainage improvements, ADA accessible curb ramps, and sidewalk improvements. The project is being designed by the City's Department of Environmental Services, Bureau of Architecture and Engineering.

No additional right-of-way is required to accommodate the changes in pavement width.

A public meeting was held on March 29, 2017; the meeting minutes are attached. The pavement width changes were endorsed at the May 16, 2017 Traffic Control Board meeting.

It is anticipated the construction will be completed

in summer 2017.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 194

**APPROVING GEOMETRIC CHANGES
RELATED TO THE ATLANTIC AVENUE AT
MERRIMAN STREET SAFETY
IMPROVEMENTS**

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

Section 1. In furtherance of the Atlantic at Merriman Safety Improvements project, Council hereby approves the following pavement width changes for Atlantic Avenue:

- a) a decrease of 6 feet along the northerly side of Atlantic Avenue, beginning approximately 50 feet west of the intersection with the westerly line of Merriman Street and extending in an easterly direction to said intersection; and
- b) a decrease of 4 feet along the northerly side of Atlantic Avenue beginning at the intersection with the easterly line of Merriman Street, extending in an easterly direction and tapering down to the existing curb line approximately 90 feet from said intersection.

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

Section 3. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember McFadden
June 20, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 212 - Authorizing an agreement with the Center for Governmental Research Inc. to study the process and performance of the Civilian Review Board

Int. No. 213 - Authorizing a professional services agreement for Skate Park design and grant seeking

Int. No. 214 - Authorizing agreements for the Teenage Pregnancy Prevention Program

Int. No. 215 - Authorizing an equipment funding agreement for the Police Department

Int. No. 216 - Authorizing agreements and appropriating funds for veterinary services

Respectfully submitted,
Molly Clifford
Matt Haag
Adam McFadden (*Absent*)
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-192
Re: Agreement - Center for
Governmental Research

Council Priority: Public Safety

Transmitted herewith for Council approval is legislation for an agreement with Center for Governmental Research to examine the current Civilian Review Board and provide information for improvements.

The evaluation will take 60 days and will be funded by both the City of Rochester and the Center for Governmental Research. The contact will not exceed \$25,000; \$5,000 will be paid by Center for Governmental Research and \$20,000 from Undistributed.

A Request for Proposals was not done and a justification statement is attached.

Respectfully submitted,
Loretta C. Scott
President
At-Large Councilmember

Adam C. McFadden
Chair, Public Safety, Youth &
Recreation Committee
South District Representative

Attachment No. AQ-110

Ordinance No. 2017-192
(Int. No. 212)

Authorizing an agreement with the Center for Governmental Research Inc. to study the process and performance of the Civilian Review Board

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Center for Governmental Research Inc. (CGR) to perform an independent study of the Civilian Review Board, which was established by Resolution No. 92-40 and modified by Resolution No. 95-8 to investigate complaints of police misconduct. In addition to considering the Board's procedures and operations, CGR shall also factor in best practices derived from other cities. The compensation paid by the City shall not exceed \$20,000, which amount shall be funded from the 2016-17 Budget for Undistributed Expense. In addition, CGR shall contribute \$5,000 of in-kind services to the study.

Section 2. The agreement shall have a term of one year and 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. 2017-193
Re: Agreement - Stantec Consulting Services Inc., Skate Park Design and Fundraising

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for the preliminary design of and fundraising assistance for a planned downtown skate park. The cost of this agreement will be funded from 2016-17 Cash Capital and the term will be for two years.

Under this agreement, Stantec will provide site analysis, design assistance, and grant writing and fundraising assistance for the planned downtown skate park. Stantec has a division which specializes in skate park design and fundraising, and has provided skate park conceptual design work for the City under a 2012 agreement (Ord. No. 2013-33).

The consultant was chosen for this work based on the firm's ongoing familiarity with the downtown skate park project and prior experience. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-111

Ordinance No. 2017-193
(Int. No. 213)

Authorizing a professional services agreement for Skate Park design and grant seeking

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 Stantec Consulting Services Inc. for preliminary design and fundraising assistance for a planned downtown skate park. The maximum compensation for the agreement shall be \$30,000, which shall be funded from 2016-17 Cash Capital. The term of the agreement shall be 2 years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-194
Re: Agreements - Federal Teenage Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention (TPP) program. This legislation will:

1. Authorize an agreement with the U.S. Department of Health and Human Services for the receipt and use of a \$999,999 grant for TPP; and
2. Establish maximum compensation of \$454,944, to be funded from the grant authorized herein, for one year agreements with the following organizations to provide related services:

Baden Street Settlement of Rochester, Inc.	\$165,653
The Center for Youth, Inc.	48,508
Family Resource Center of Hillside Children's Center	53,171
Ibero American Investors Corporation	48,356
Highland Hospital of Rochester (Family Planning - clinical partner)	69,256

Ann G. T. Young (evaluation partner)	70,000
Total	\$454,944

An additional \$260,400 was anticipated and included in the 2017-18 Budget of the Department of Recreation and Youth Services, contingent upon approval of said budget, to cover staff costs associated with the City's role as lead agency, including the salary and wage costs for a Project Director, four Pregnancy Prevention Trainers, and one Grant Support Associate. Employee fringe costs of \$132,775 were also anticipated and included in the 2017-18 Budget of Undistributed Expenses, contingent upon approval of said budget. The remaining \$151,880 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel costs such as travel, program and office supplies, printing and indirect costs.

The official name of this federal program is the Teenage Pregnancy Prevention Replication of Evidence-Based Programs to Scale in Communities with the Greatest Need (Tier 1B). Approval by the U.S. Department of Health and Human Services is anticipated by the end of June 2017. This will be year three of a five year grant spanning from July 1, 2015 to June 30, 2020. The program was last approved by City Council in June 2016 via Ordinance No. 2016-214.

The goals of TPP are to: (1) successfully plan, develop, and implement TPP to scale using evidence-based curriculum with fidelity; (2) reduce adolescent pregnancy rates; and (3) improve high school graduation rates. The program, locally promoted as THRIVE (Teens Helping to Reinvent Identity, Values and Empowerment), will serve a combined 1,875 girls and boys each year in the remainder of the grant cycle. Services will be provided in areas with the highest teen birth rates (zip codes 14605, 14608, 14611, 14613, and 14621).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-112

Ordinance No. 2017-194
(Int. No. 214)

Authorizing agreements for the Teenage Pregnancy Prevention 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 United States Department of Health and Human Services for the receipt and use of \$999,999 in funding for the operation of the Teenage Pregnancy Prevention Program (Program).

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations for the following not-to-exceed amounts to provide Program services:

Baden Street Settlement of Rochester, Inc.	\$165,653
The Center for Youth Services, Inc.	48,508
Family Resource Center of Hillside Children's Center	53,171
Ibero American Investors Corporation	48,356
Highland Hospital of Rochester	69,256
Ann G. T. Young	70,000
Total	\$454,944

Section 3. The Program service agreements shall obligate the City to pay an amount not to exceed \$454,944, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein. The agreements shall have a term of one year.

Section 4. The sum of \$151,880 is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein to fund non-personnel expenses of the Program.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson - 8.

Nays - None - 0.

Councilmember Spaul abtained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-195
Re: Agreement - Federal Bureau of Investigation, Equipment Reimbursement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Federal Bureau of Investigation (FBI) for the receipt and use of up to \$41,100 for the purchase of equipment.

The FBI will reimburse the Police Department in an amount not to exceed \$7,400 for the purchase of eligible equipment that is to be used by members of the FBI Child Exploitation Task Force. These funds will be used to purchase items such as binoculars, a video camera, two desktop workstations, a laptop, and a document scanner. The FBI will also reimburse the department in an amount not to exceed \$33,700 for the purchase of eligible equipment that is to be used by members of the FBI Rochester Area

Major Crimes Task Force. These funds will be used to purchase items such as a Cellbrite UFED Touch2 unit (which captures forensic cell phone data), laptops, and audio/video equipment for interview rooms at the Public Safety Building.

Reimbursements from this award must be requested by August 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-195
(Int. No. 215, as amended)

Authorizing an equipment funding agreement for the Police Department

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 Federal Bureau of Investigation (FBI) for the receipt and use of up to \$41,100 to reimburse the Rochester Police Department for its purchases of equipment to be used as part of its participation in the Rochester Area Major Crimes Task Force and the FBI Child Exploitation Task Force. The term of the agreement shall be for up to one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-196
Re: Agreements - Veterinary Services for
Rochester Animal Services

Transmitted for your approval is legislation establishing \$46,300 as maximum compensation for veterinary services agreements for Rochester Animal Services (RAS). The term of these agreements will be for one year, and the cost will be funded from the 2017-18 Budget of the Police Department (\$8,000), contingent upon adoption of said budget, and by an appropriation from the Animal Control Gifts Fund (\$38,300). The table below summarizes the use of these funds:

<u>Use</u>	<u>Police Budget</u>	<u>Gifts Fund</u>	<u>Total</u>
On-site veterinary services	\$ 0	\$34,300	\$34,300
Monroe Veterinary Associates	8,000	2,000	10,000
Lollypop Farm	0	2,000	2,000
Total	\$8,000	\$38,300	\$46,300

RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during the absence of the regular veterinarian and veterinary technicians. The consultants will provide on-site veterinary services including, but not limited to: examinations, treatments, vaccinations, and the surgical sterilization of animals in custody at the shelter on Verona Street. The consultants may also provide surgical sterilization on animals owned by city residents. Each of the consultants will provide services on a part-time or on-call basis.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-196
(Int. No. 216)

Authorizing agreements and appropriating funds for veterinary services

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

Section 1. The Mayor is hereby authorized to enter into agreements with Lollypop Farm, Monroe Veterinary Associates, and other on-site veterinary service providers to provide veterinary services at the Rochester Animal Shelter. The sum of \$46,300, or so much thereof as may be necessary, is hereby established as maximum compensation to be paid for such services. Said amount shall be funded by \$8,000 from the 2017-18 Budget of the Police Department, contingent upon approval of such budget, and by \$38,300 from the Animal Control Gifts Fund, which amount is hereby appropriated for that purpose. The maximum compensation and funding source for each agreement shall be as follows:

<u>Use</u>	<u>Police Budget</u>	<u>Gifts Fund</u>	<u>Total</u>
On-site veterinary services	\$ 0	\$34,300	\$34,300
Monroe Veterinary Associates	8,000	2,000	10,000
Lollypop Farm	0	2,000	2,000
Total	<u>\$8,000</u>	<u>\$38,300</u>	<u>\$46,300</u>

Section 2. The agreements shall have a term of one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:18 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *
REGULAR MEETING
JULY 18, 2017

Present - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson Spaul - 9.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

Environmental Services

Mary Vande Logt
*Albert Giglio
*Mark D. Gregor
*Kathleen M. Witzel

Finance Department

Gwendolyn Kelley
*Robert Kubera

Police Department

Captain Lynn M. Johnston
*Lisa M. Hayes
*Kevin W. Wehbring

**Did not attend.*

APPROVAL OF THE MINUTES

By Councilmember Clifford

RESOLVED, that the minutes of the Special Meeting of June 5, 2017 and the Regular Meeting of June 20, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. No. 246, Int. No. 257, and Int. No. 258, Councilmember Conklin on Int. No. 264, Councilmember Spaul on Int. No. 264, and Councilmember McFadden on Int. No. 274.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Conklin presented a petition with 71 signatures from taxi drivers against Uber (ride sharing) Pet. No. 1742

Councilmember Spauld presented a petition with 200 Signatures opposing Rochester Management/Cobbs Hill Pet. No. 1743

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
July 18, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

- Int. No. 234 - Establishing maximum compensation for a professional services agreement with General Code, LLC for publication of the City Charter and Code
- Int. No. 235 - Establishing maximum compensation for a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council meetings
- Int. No. 236 - Authorizing a professional services agreement for payroll processing services
- Int. No. 237 - Authorizing an agreement with Media Impressions Limited to act as the City's advertising buying agent
- Int. No. 238 - Authorizing ~~funding and~~ agreements relating to the City's Shared Mobility Program, as amended
- Int. No. 289 - Amending Municipal Code Chapters 60 and 62 with regard to vending from trucks and trailers

Respectfully submitted,
Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-197
Re: Publication of the City
Charter and Code

Transmitted herewith for your approval is legislation establishing maximum compensation of \$57,600 for a three-year professional services agreement with General Code, LLC for maintenance and publication of the City Charter and Code in both paper and Internet versions. The cost of the proposed agreement will be funded from the 2017-18 and future budgets of the City Council/City Clerk.

The proposed agreement will provide for continued maintenance of the Charter and Code through the preparation of new sections and amendments as approved by the City Council and signed into law by the Mayor, including both the paper and Internet versions of these volumes. As part of this agreement, General Code will continue to work with the City's Law Department to ensure that both the Internet and paper versions of the City Charter and Code accurately reflect laws as adopted.

The agreement has a provision for the publication of pamphlets, containing reprints of specified sections of the Code, for individual departments and bureaus, the cost to be borne by the offices requesting such pamphlets. In addition, the agreement provides for the printing and delivery to the City, on a quarterly basis, of all revisions to the Charter and Code.

This agreement also includes monthly updates on the Internet version of the Charter and Code. The agreement with General Code will be funded from the 2017-18 budget as well as future budgets of the City Council/City Clerk.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Attachment No. AQ-113

Ordinance No. 2017-197
(Int. No. 234)

Establishing maximum compensation for a professional services agreement with General Code, LLC for publication of the City Charter and Code

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

Section 1. The sum of \$19,200 is hereby established as the maximum annual compensation to be paid for a professional services agreement with General Code, LLC to publish the City Charter and Code and to provide for continued maintenance of the Charter and Code in paper and electronic versions including monthly updates to the electronic version for a term of three years. Said amounts shall be funded from the 2017-18 and subsequent budgets of the City Council/City Clerk, contingent upon adoption of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-198
Re: Agreement with WXXI to Broadcast
City Council Meetings

Transmitted herewith for your approval is legislation establishing \$58,500 as maximum compensation for a three-year professional services agreement with WXXI Public Broadcasting Council to continue to provide technical staff for the live broadcasts of City Council Meetings.

WXXI has been operating the equipment since the inception of live broadcasts in January 2008. These contract services have enabled a seamless feed from the Chambers to the City Channel 12, which is operated by WXXI.

As part of this contract, WXXI staff will set up the City’s broadcast equipment prior to each Council session, test the audio/video signal being transmitted to WXXI’s State Street studio, and provide technical direction, video recording, master control, and closed captioning services. The agreement will provide funding for the broadcast of regular monthly City Council meetings, City Council committee meetings, two full-day budget hearings, web streaming, plus an allocation for two organization meetings and contingency. The WXXI agreement will be funded from the 2017-18 budget as well as future budgets of the City Council/City Clerk.

The basic fees for each of the years of the agreement are as follows:

<u>Service</u>	<u>Item Cost</u>	<u>Total Annual Cost</u>
Council meetings	\$600	\$ 7,200
Committee meetings	\$600	7,200
Budget hearings	\$1,350	2,700
Web streaming, monthly	\$100	1,200
Organization meetings and contingency		<u>1,200</u>
Total		\$19,500

Respectfully submitted,

Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Attachment No. AQ-114

Ordinance No. 2017-199
(Int. No. 236)

Ordinance No. 2017-198
(Int. No. 235)

Establishing maximum compensation for a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings

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

Section 1. The sum of \$19,500, or so much thereof as may be necessary, is hereby established as the maximum annual compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting Council for the broadcast of City Council Meetings for a term of three years. Said amounts shall be funded from the 2017-18 and subsequent budgets of the City Council/City Clerk, contingent upon adoption of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-199
Re: Processing of Election
Inspector Payroll

Transmitted herewith for your approval is legislation establishing \$10,000 annual maximum compensation for a professional services agreement with USA Payroll, Inc. for processing the payroll for Election Inspectors. The initial term of the agreement is for one year, with the option for two one-year renewals.

The proposed agreement includes the issuance of checks, providing a check register, issuing 1099 forms as needed, replacement checks, replacement 1099 forms, issuing stop payments and delivering paychecks ready for mailing to the City within a specified timeline.

A request for proposal was posted on the City's web site. We received responses from USA Payroll, Inc. and Certified Payroll and Visa Services. Each proposal was rated on price, services offered, MWBE status and their location. After being reviewed by the committee established for this purpose, USA Payroll was chosen because it was the lower bidder, their ability to provide all of the services requested in a timely manner and our pre-existing relationship with them. The agreement with USA Payroll Inc. will be funded from the 2017-18 budget as well as future budgets of the City Council/City Clerk.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Authorizing a professional services agreement for payroll processing services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with USA Payroll Inc. for payroll processing services for election inspectors in a maximum annual amount not to exceed \$10,000. The agreement shall have a term of one year, with an option of two one-year renewals. The cost of the agreement shall be funded by \$10,000 from the 2017-18 budget of the City Clerk and, if renewed, from subsequent budgets of the City Clerk, contingent upon adoption of said budgets.

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. 2017-200
Re: Agreement - Media Impressions Ltd.,
Advertising Buying Agent

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum annual compensation for a retainer fee for an agreement with Media Impressions, Ltd., Penfield, New York, to act as the City's advertising buying agent. Compensation will be based largely on a percentage of City advertising expense. The term of the agreement will be for three years, with the option for one, three-year renewal. The cost of the annual retainer will be funded from the 2017-18 and subsequent budgets of the Bureau of Communications, contingent upon approval of the subsequent budgets, and the commission will be funded from the annual budgets of the departments requesting advertising services.

The Bureau of Communications is responsible for marketing and promoting a wide variety of City programs, events and services. The consultant will serve as the City's advertising buying agent, procuring advertising on behalf of the City. The consultant will, upon request, provide the following services, including, but not limited to:

- Provide detailed marketing plans and marketing planning and consultations
- Negotiate the best possible value for the City's advertising dollars
- Order and reserve advertising on the City's behalf

- Inform the Bureau of Communications of advertising specials and opportunities as well as media target market, ratings and rate sheet information

Media Impressions, Ltd. was selected through a request for proposals process, the summary of which is attached.

Over the last five years, the City has spent an average of \$213,000 annually on advertising, of which about \$28,000 was paid to the advertising broker through commissions and retainer fees.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-115

Ordinance No. 2017-200
(Int. No. 237)

Authorizing an agreement with Media Impressions Limited to act as the City's advertising buying agent

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 Media Impressions Limited to act as the City's advertising buying agent for a term of three years, with the option to renew for one additional three-year term. The agreement shall obligate the City to pay an annual retainer of \$10,000 and compensate the consultant a percentage of the City's advertising expenses. The annual retainer shall be funded from the 2017-18 and subsequent Budgets of the Bureau of Communications, contingent upon approval of the subsequent budgets and the commissions shall be funded from the annual budgets of the departments requesting the advertising.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-201
Re: Agreement - Congestion Mitigation and Air Quality Improvement Program Grant, Rochester Shared Mobility Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the New York State Department of Transportation (NYSDOT) and Federal Highway Administration's Congestion Mitigation and Air Quality Improvement (CMAQ) Program. This legislation will:

1. Authorize an agreement with NYSDOT for the receipt and use of \$1,004,000 from the Federal Highway Administration's CMAQ Program to support planning and implementation of the Rochester Shared Mobility Program.

2. Establish \$354,000 as maximum compensation for an agreement with the Rochester-Genesee Regional Transportation Authority to provide commuter vanpool services in the greater Rochester region. The cost of the agreement will be funded from the appropriation made herein, and the term will be for three years with an option to extend for two, one-year terms, provided funding remains in the original appropriation (\$354,000).

The CMAQ funds will be used to expand or introduce new shared transportation options, collectively called the Rochester Shared Mobility Program, within the city of Rochester including commuter vanpooling (see above), bike sharing, and car sharing. The use of these transportation alternatives will improve air quality by reducing private automobile dependence and single occupancy vehicle trips within and around the city. The Rochester Shared Mobility Program will build a more connected public transportation network in Rochester.

The remainder of the grant funds will be allocated between several other vendors to provide shared mobility services through future agreements.

Planning and implementation of the Rochester Shared Mobility Program is anticipated to be completed by 2021.

Respectfully submitted,
Lovely A. Warren
Mayor.

Ordinance No. 2017-201
(Int. No. 238, as amended)

Authorizing funding and agreements relating to the City's Shared Mobility 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 Transportation for the receipt and use of \$1,004,000 from the Federal Highway Administration's Congestion Mitigation and Air Quality Improvement (CMAQ) Program and that amount is hereby appropriated to support the planning and implementation of the City's Shared Mobility Program.~~

Section 2.1. The Mayor is hereby authorized to enter into an agreement with Rochester-Genesee Regional Transportation Authority in a maximum amount of \$354,000 to provide commuter vanpool

services. The agreement shall be funded from the Shared Mobility Program funds that were appropriated in Section 4.2 of Ordinance No. 2017-188. The term of the agreement shall be three years with an option to extend for up to 2 additional terms of 1 year each if funds from the original authorization of \$354,000 remain.

Section 3.2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4.3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-202
Re: Vending from Trucks and Trailers Longer than 28 Feet

Transmitted herewith for your approval is legislation that amends the Chapter 60 food vending code and the Chapter 62 solicitors code to allow trucks and trailers longer than 28 feet to vend at special events and at temporary events on private property.

Last month two food truck permit applicants submitted their trucks to the Police Department licensing unit for inspection and were denied temporary permits to vend at the Rochester Xerox International Jazz Festival because the trucks' lengths exceeded the 28-foot length limit set forth in the Chapter 60 Food Trucks, Trailers and Carts code. Relying on a provision in Section 60-8 (A), the Chief of Police suspended the permit requirement to allow the trucks to vend at the Rochester Xerox International Jazz Festival because the event sponsor had approved spots at the Festival that were large enough to accommodate the trucks.

The Food Truck committee, which consists of staff from RPD, RFD, Special Events, and the City Clerk's Office who are involved in administering and overseeing the licensing and regulation of food trucks and trailers, held a meeting to discuss how to address this issue going forward. The committee agreed that increasing the permissible length of the trucks and trailers for on-street vending would have adverse impacts on public safety and fairness because the on-street locations are limited in number and size. However, those safety and fairness issues are not present for special events and private events when the event sponsor or the private property owner has enough space to accommodate the longer trucks and trailers.

Moreover, the committee agreed that the same factors apply with regard to the 28-foot length limit that applies to the vending of non-food items from trucks and trailers under the Chapter 62 solicitors code.

Therefore, the proposed legislation eliminates the

length limitation and allows for vending from trucks or trailer up to 61 feet long at special events and private events provided that the special event sponsor or the private property owner confirms that there is sufficient space for the longer truck or trailer. The 28-foot limit remains for on-street vending.

To account for the additional regulatory review involved and for the competitive advantage that the longer trucks and trailers might enjoy, the legislation also increases the temporary permit fees in increments based on the length of the truck or trailer. Therefore, although the temporary permit fee for vending at multiple special or private events for a year will remain at \$100 for trucks and trailers that are up to 28 feet long, the fee increases in the following increments for the units that are over 28 feet long: \$150 for a unit that is up to 39 feet long, \$200 for a unit that is more than 39 feet and up to 50 feet long, and \$250 for a unit that is more than 50 feet and up to 61 feet long.

Similarly, the temporary permit fee for vending at a single special or private event will remain at \$56 for trucks and trailers that are up to 28 feet long and increases in the following increments for the units that are over 28 feet long: \$84 for a unit that is up to 39 feet long, \$112 for a unit that is more than 39 feet and up to 50 feet long, and \$140 for a unit that is more than 50 feet and up to 61 feet long.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Ordinance No. 2017-202
(Int. No. 289)

Amending Municipal Code Chapters 60 and 62 with regard to vending from trucks and trailers

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

Section 1. Chapter 60 of the Municipal Code, Food Trucks, Trailers and Carts, Article I, Food Truck and Food Trailer Vendors, as amended, is hereby further amended by amending Sections 60-1, 60-2, 60-3, 60-4, 60-5, 60-6, 60-8, and 160-11 to read in their entirety as follows:

§ 60-1. Definitions. As used in this article, the following terms shall have the meanings indicated:

CENTER CITY VENDING DISTRICT
Includes all of the Center City Zoning District, as established pursuant to Chapter 120, Zoning Code, and in addition, as set forth in a map on file in the City Clerk's office, an area extending generally easterly from the Center City Zoning District which is bounded on the west and north by the Center City Zoning District boundary extending from the southerly side of East Avenue to the center of Alexander Street at approximately 417 Alexander Street, then continuing southerly down the center of Alexander Street to the center of University Avenue, then continuing easterly along the center of University Avenue to the center of Goodman Street, then

continuing southerly along the center of Goodman Street to and including the southerly side of East Avenue, then continuing westerly along the southerly side of East Avenue to the Center City Zoning District boundary. The Center City Vending District shall also include both sides of Alexander Street southerly from Gardiner Park to the southerly side of Tracy Street and its extension westerly, as set forth in the map on file in the City Clerk's office.

FOOD TRAILER

A nonmotorized vehicle, designed to be towed by a motorized vehicle, registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution. ~~Food trailers shall not exceed 28 feet in length.~~

FOOD TRAILER VENDOR

The owner or operator of a food trailer or the owner's agent; hereinafter referred to as "vendor."

FOOD TRUCK

A motorized vehicle, registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution. ~~Food trucks shall not exceed 28 feet in length.~~

FOOD TRUCK VENDOR

The owner or operator of a food truck or the owner's agent; hereinafter referred to as "vendor."

HARBORTOWN VENDING DISTRICT

Includes all of the H-V Harbortown Village Zoning District as established pursuant to Chapter 120, Zoning Code, which is north of the O'Rorke Bridge, and those lands zoned O-S Open Space which border the southern boundary of Ontario Beach Park and are east of Estes Street.

MARINA VENDING DISTRICT

Includes all of the M-D Marina District as established pursuant to Chapter 120, Zoning Code.

SPECIAL EVENT

A special public event that is either sponsored by the City or granted a permit by the City, including but not limited to a festival, parade, concert, or celebration.

§ 60-2. General provisions.

- A. No food truck vendor shall operate within the public rights-of-way within the City without first having obtained a valid food truck vending license or permit as prescribed in this article.
- B. No food trailer shall be operated within the public right-of-way, except to the extent that vending is authorized in a specified space as part of either a special event pursuant to §60-9(A) or

servicing a private event pursuant to §60-10.

- C. Operation of a food truck or food trailer on property that is not public right-of-way or a public park shall be regulated in accordance with all applicable provisions of Municipal Code Chapter 120, Zoning. Food trailers operating on private property shall comply with the same requirements as food trucks pursuant to Municipal Code § 120-149.
- D. Food trucks and food trailers vending in the City shall not be greater than 28 feet in length, except that a food truck or food trailer exceeding 28 feet in length may be authorized to vend by means of a temporary permit that is issued for special events and permitted temporary uses pursuant to §60-6(D). ~~and~~ Food trucks shall be licensed as a motor vehicle and able to be operated on the public streets of New York State.
- E. Each individual designated as an operator on a vendor's license or permit pursuant to §60-3 shall wear a visible identification badge issued by the City Clerk when working on a food truck or food trailer. The form of the badge shall be established by the City Clerk.
- F. Each person working on a food truck or food trailer shall complete a fire safety training program offered by the Rochester Fire Department within 60 days after commencing employment. At all times at least one worker on each food truck and food trailer shall have completed the fire safety training program offered by the Rochester Fire Department. When the worker has completed the safety training program, the Rochester Fire Department shall present him or her with a written notice confirming that the employee has completed the training and specifying the worker's name and the date that training was completed. At all times when working on a food truck or food trailer that is vending, each person who has completed the safety training program shall carry and be prepared to present the training confirmation notice and, for purposes of verifying his or her identity, the worker shall also carry a New York State driver's license, New York State non-driver's identification card, police identification card or other means of identification approved by the Chief of Police, provided, however, that a worker who has not been issued a suitable form of identification shall not be required to obtain, carry and present one for purposes of this article.
- G. No food truck or food trailer shall operate within any public right-of-way within 100 feet of any property zoned Low-Density Residential (R-1), Medium-Density Residential (R-2), or High-Density Residential (R-3).
- H. Each food truck and food trailer must at all times carry on the vehicle a measuring device with a measuring capacity of no less than 500 feet as a condition of its licensure. The failure of any food truck or food trailer to carry such a measuring device or to abide by the proximity distance restrictions included in this article shall constitute a violation of this article.

- I. All food trucks and food trailers must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, including but not limited to any durational requirements in force and effect at that time and location. Except for locations within the Center City, Marina and Harbortown Vending Districts, a food truck may operate in any legal parking space except as restricted by any ordinance, law, rule or regulation, including § 60-2F. Locations within the Center City, Marina and Harbortown Vending Districts shall be limited to those approved pursuant to § 60-7.
- J. No food truck or food trailer shall operate within 100 feet of an approved vending cart location.
- K. No food truck shall operate within 100 feet of the closest point of any sidewalk cafe seating area approved by the Department of Environmental Services.
- L. No food truck or food trailer shall operate within 500 feet of the boundary line of any festival, special event or civic event that is permitted or sponsored by the City, except when the vendor has obtained a permit to so operate from the City.
- M. No food truck or food trailer shall operate in a location that has the effect of obstructing access to or egress from any structure or the free flow of vehicular and pedestrian traffic.
- N. All food trucks and food trailers must be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.
- O. No vendor shall cry out or make loud noises in any public street, sidewalk or place for the purpose of selling any food or merchandise.
- P. No vendor shall chain or otherwise attach any signs, goods, merchandise, chairs, stools or food cart or other equipment used in vending to any tree, parking meter, hydrant, sign or post, light pole, telephone pole or other street appurtenance or leave any such items unattended on a public street, sidewalk or place. Items left in violation of this subsection shall be seized by the police.
- Q. No vendor shall dispose of any litter or trash generated from the vending operation in public trash receptacles. Vendors shall store such litter or trash during the day in a trash receptacle firmly attached to the vending unit and carry the same with them at the end of the day. Vendors shall also be responsible for keeping the immediate area of their food cart free and clear of any litter, trash or spillage from the unit.
- R. No vendor shall conduct any vending activities in violation of any rule or regulation promulgated by the Chief of Police, Commissioner of Environmental Services or Fire Marshal pursuant to this article or by the Monroe County

Health Department with respect to vending of food or food products.

§ 60-3. License or permit required; application.

- A. Any person desiring to operate a food truck or food trailer shall obtain from the City Clerk and place on prominent display during vending activities either an annual license obtained in accordance this Section or a temporary permit obtained in accordance with § 60-6(C) and (D). The application for a license or temporary permit shall be on forms provided by the City Clerk and shall include the following:
 - (1) Name and address of each applicant and each corporate officer of the food truck or food trailer vending corporation, or owner of an unincorporated business. If the applicant is an individual, he or she shall be designated as the vendor's operator and the individual applicant may also designate one or more additional operators during or after the application process. If the applicant is not an individual, it shall specify and provide the name, address and telephone number of at least one person who shall be the designated operator. A designated operator shall be a person who is directly responsible for supervising the operation of the food truck or food trailer. At least one designated operator shall be present at all times that a food truck or food trailer is being set up and used for food vending. Every designated operator shall be required to obtain a vendor's identification badge. In the event that a vendor's designated operator is no longer serving in that capacity and the vendor has no additional designated operator to serve in that capacity, the vendor shall promptly (and no later than the latter within five business days after the individual operator has ceased service or at least three business days prior to the next date at which the licensee operates the food truck or food trailer) notify the City Clerk, designate a replacement individual operator and submit to the City Clerk the replacement's application for an identification badge.
 - (2) Address of the commissary used in the supply and preparation of food for this food truck or food trailer.
 - (3) A valid copy of all necessary licenses, permits or certificates required by the County of Monroe, or the State of New York, including, but not limited to, a valid New York State Department of Motor Vehicles registration and vehicle insurance and valid driver's licenses of all vehicle drivers.
 - (4) A copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the applicant to collect both the New York State sales and compensating use taxes.
 - (5) A description, including where applicable

the length, make, model and production year, of the food truck or food trailer that the applicant will use. An additional license or temporary permit shall be required for each additional truck or trailer from which the applicant proposes to vend.

- B. All license and temporary permit applicants and their designated operators shall be required to consent to a background check by the Rochester Police Department. A license An application may be denied by the Chief of Police if the background check demonstrates that the applicant or designated operator has been convicted of criminal offenses that have a direct relationship to the license or that would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Any decision to deny an application for this reason shall be made in compliance with Article 23-A of the Correction Law after considering the factors set forth in that law. An applicant who is denied shall be entitled to a hearing in the manner provided for a revocation of a license by Chapter 68 of the Municipal Code.
- C. All license and temporary permit applicants and applicants for renewals thereof shall present each vehicle to the Fire Department to determine that the vehicle meets all applicable New York State Fire Codes and rules and regulations required by the Fire Marshal. The Fire Marshal is hereby authorized to promulgate such additional rules and regulations as may be necessary to assure the fire safety of vending units.
- D. License and temporary permit applicants must have a current permit from the Monroe County Department of Health and must comply with all laws, rules and regulations of said Department.

§ 60-4. Insurance. Before any license or permit authorized herein shall be issued, the applicant shall file with the City proof of insurance, issued by an insurance company licensed to do business in the State of New York and approved by the Director of Finance as to form, which insurance must be kept continuously in force during the term of the license or permit. At the time of application, applicants shall provide proof of insurance that extends for the entire license period. The insurance shall be not less than \$1,000,000 comprehensive/general liability insurance. Such insurance shall not expire, nor be canceled, altered or amended except on 10 days' written notice to the City Treasurer served personally or by certified mail. Municipal operations, employees and property shall not be excluded from coverage. The insurance must name the City as an additional insured party.

§ 60-5. Form and condition of license. Every food truck or food trailer vending license or permit shall contain the following conditions:

- A. Each food truck or food trailer vending license shall expire on December 31 after their date of issuance. License fees shall not be prorated.
- B. The license or permit shall not be transferable

from person to person without the written approval of the City Clerk.

- C. The license or permit is valid for one food truck or food trailer only.
- D. There shall be issued to each vendor a suitable decal or tag that shall be permanently and prominently affixed to the vehicle.

§ 60-6. Fees.

- A. Application: All applicants for food truck and food trailer licenses or permits shall pay an application fee of \$7, which shall be credited against the cost of the license fee if a license is issued.
- B. Annual licenses License fees for trucks and trailers no longer than 28 feet:
- (1) Food All food truck vendors shall pay an annual fee of \$330 for each license, except that vendors applying for a license that includes the Center City, Marina and Harbortown Vending Districts shall pay an annual fee of \$1,000.
 - (2) Food All food trailer vendors shall pay an annual fee based on one of the following three options:
 - (a) \$100 for vending at private events pursuant to § 60-10 and at events conducted on private property pursuant to a temporary zoning permit issued pursuant to Zoning Code § 120-149(A)(10);
 - (b) \$100 for vending only at special events authorized in accordance with § 60-9; or
 - (c) \$150 for vending at all events fitting within either of the two categories described in clauses (a) and (b) above.
 - (3) Licenses issued under § 60-6(B) shall be limited to food trucks and food trailers that are no longer than 28 feet. Vendors using longer trucks and trailers are limited to vending at special events pursuant to § 60-9 or on private property in accordance with a temporary zoning permit issued pursuant to Zoning Code § 120-149(A)(10) and must obtain a temporary vending permit issued under § 60-6(D).
- C. Temporary permits for units no more than 28 feet long: Any ~~food truck or food trailer~~ vendor wishing to vend from a food truck or food trailer that is no more than 28 feet long at one or more special events pursuant to § 60-9, private events pursuant to § 60-10, or on private property pursuant to a temporary zoning permit issued pursuant to Zoning Code § 120-149(A)(10), and that does not have a license, shall apply to the City Clerk for one of the following two types of temporary food truck or food trailer permits:
- (1) pay a fee of \$100 for a permit valid for

vending only at the aforementioned special events, private events, and temporary zoning permitted events for the remainder of the calendar year;

- (2) pay a fee of \$56 for a three-day temporary permit valid only during the remainder of and at the location of a particular special event, private event, or temporary zoning permitted event.

The temporary permit shall be placed on prominent display on the food truck or food trailer during the vending activities that it authorizes.

D. Temporary permits for units more than 28 feet long: Any vendor wishing to vend from a food truck or food trailer that is more than 28 feet long at one or more special events pursuant to § 60-9 or on private property in accordance with a temporary zoning permit issued pursuant to Zoning Code § 120-149(A)(10) shall apply to the City Clerk for one of the following two types of temporary food truck or food trailer permits:

- (1) pay a fee of \$150 for a unit that is up to 39 feet long, \$200 for a unit that is more than 39 feet and up to 50 feet long, and \$250 for a unit that is more than 50 feet and up to 61 feet long, for a permit valid for vending only at the aforementioned special events and temporary zoning permitted events for the remainder of the calendar year; or

- (2) pay a fee of \$84 for a unit that is up to 39 feet long, \$112 for a unit that is more than 39 feet and up to 50 feet long, and \$140 for a unit that is more than 50 feet and up to 61 feet long, for a three-day temporary permit valid only during the remainder of and at the location of a particular special event or temporary zoning permitted event.

A temporary permit under this § 60-6(D) shall not be used to authorize vending from a food truck or food trailer that is more than 61 feet long. A temporary permit under this §60-6(D) shall not authorize the applicant to vend at a special event unless the applicant provides to the City Clerk a written statement from the event's sponsor authorizing the applicant to vend at a spot that is large enough to accommodate the specified length of the applicant's truck or trailer. A temporary permit shall be placed on prominent display on the food truck or food trailer during the vending activities that it authorizes.

D.E. Vendor identification badge: All food truck and food trailer vendors shall pay a fee of \$24 for each identification badge, except for one badge issued with the license at no cost.

D.F. Replacement license or identification badge: All food truck and food trailer vendors shall pay a fee of \$10 for each replacement license or identification badge.

D.G. Vendors who are eligible veterans and who

have a Soldiers' and Sailors' Certificate issued by the Monroe County Clerk pursuant to § 32 of the General Business Law or who are disabled veterans as defined by § 35 of the General Business Law holding such a certificate shall be exempt from the fees contained in this section.

§ 60-8. Parades and special events; parks.

- A. The Chief of Police is authorized to promulgate rules and regulations governing vending during parades and special events in the City. Such rules and regulations may require vending activities to be conducted in areas located so that citizens may be able to have unobstructed views of the parade or special event. In conjunction with such activities, including any street closing for a special event, the Chief of Police may suspend the applicability of the regulations found in this article to allow for the operation of the special event.
- B. The Commissioner of Recreation and Youth Services shall establish requirements for food trucks and food trailers in parks regulated by the City. Any food truck or food trailer operating in such a park shall have a valid license or permit pursuant to this article.
- C. The County of Monroe shall establish requirements for food trucks and food trailers in parks regulated by the county.

§ 60-11. General licensing provisions; revocation of licenses.

- A. The provisions of City Code Chapter 68, Licenses - Business and Trades, being general licensing provisions relating to business and trades, shall be applicable to all licenses under this article the same as if specifically set forth herein.
- B. The Chief of Police shall revoke, without a hearing, the license or permit of any person found guilty of five or more violations of this article during any period of two years. Nothing herein shall prevent the Chief of Police from revoking a license or permit of any person with fewer than five violations, on written charges and an opportunity for a hearing thereon, pursuant to City Code § 68-10, Revocation of licenses and permits.

Section 2. Chapter 62 of the Municipal Code, Commercial Travelers, Solicitors and Special Events, as amended, is hereby further amended by amending Sections 62-1 and 62-3 to read in their entirety as follows:

§ 62-1. Definitions. For the purposes of this chapter, the terms used herein are defined as follows:

CENTER CITY VENDING DISTRICT
Shall include all of the Center City Zoning District, as established pursuant to Chapter 120, Zoning Code, and in addition, as set forth in a map on file in the City Clerk's office, an area extending generally easterly from the Center City

Zoning District which is bounded on the west and north by the Center City Zoning District boundary extending from the southerly side of East Avenue to the center of Alexander Street at approximately 417 Alexander Street, then continuing southerly down the center of Alexander Street to the center of University Avenue, then continuing easterly along the center of University Avenue to the center of Goodman Street, then continuing southerly along the center of Goodman Street to and including the southerly side of East Avenue, then continuing westerly along the southerly side of East Avenue to the Center City Zoning District boundary. The Center City Vending District shall also include both sides of Alexander Street southerly from Gardiner Park to the southerly side of Tracy Street and its extension westerly, as set forth in the map on file in the City Clerk's office.

COMMERCIAL TRAVELER

A person or group of persons doing business through the act of renting a room or suite of rooms in a hotel, motel or inn, commercial building or private dwelling within the City of Rochester for a period of less than 90 consecutive days for the purpose of using said premises to sell, offer for sale or solicit orders for goods, services or merchandise, including vendors of food or food products and persons in the home improvement industry, to or from members of the public. This definition shall not apply to the renting of rooms, halls, auditoriums or open spaces for the sole purpose of demonstrating or exhibiting goods to businesses and/or the public in connection with sales promotions or marketing campaigns or for the purpose of exhibiting and selling works of art.

HARBORTOWN VENDING DISTRICT

Includes all of the H-V Harbortown Village Zoning District as established pursuant to Chapter 120, Zoning Code, which is north of the new O'Rourke Bridge, and those lands zoned O-S Open Space which border the southern boundary of Ontario Beach Park and are east of Estes Street.

MARINA VENDING DISTRICT

Includes all of the M-D Marina District as established pursuant to Chapter 120, Zoning Code.

PUBLIC PLACE

Any area or building owned, operated or controlled by or on behalf of any government, municipality or public authority or corporation within the boundaries of the City of Rochester, or portion of such place, which is generally accessible to the public, including but not limited to streets, sidewalks, skywalks, parking garages and lots, parks, playgrounds, recreation areas, cemeteries, places of employment or operations and schools and school grounds, as well as private property, other than inside a building, upon which members of the public are solicited.

SOLICITOR

A person doing business through the acts of vending, selling or offering for sale, soliciting orders for, demonstrating or making estimates of

goods, services or merchandise, and persons in the home improvement industry, directly to the public in the public streets, sidewalks or public places from a vending truck, vending trailer, vending cart or special event table, or by going from house to house, whether by appointment, referral, uninvited solicitation, route sales or party plan, within the City of Rochester.

SPECIAL EVENT

A special public event that is either sponsored by the City or granted a permit by the City, including but not limited to a festival, parade, concert, or celebration.

VENDING CART

A nonmotorized, wheeled vending unit that is built and licensed in such a manner that it may be operated to offer nonfood merchandise for sale on a public sidewalk in accordance with § 62-6A(5) of this chapter.

VENDING TRAILER

A nonmotorized vending unit ~~not greater than 28 feet in length~~ that is designed to be towed by a motorized vehicle that is built, registered and licensed to be operated on the public streets of New York State and to offer nonfood merchandise for sale.

VENDING TRUCK

A motorized vending unit ~~not greater than 28 feet in length~~ that is built, licensed and operated in such a manner that it may be operated to offer nonfood merchandise for sale from a public street in accordance with § 62-6A(6) of this chapter.

VENDING UNIT

A cart, vehicle, trailer or table from which a solicitor may lawfully conduct business in accordance with the requirements of this chapter.

§ 62-3. Fees and expiration of license or permit.

A. License fees shall be as follows:

- (1) Commercial traveler: \$150.
- (2) Solicitor: \$330 for a vending truck or vending trailer license and \$250 for a vending cart license which is valid outside of the Center City Vending District, the Marina Vending District and the Harbortown Vending District, and \$1,000 for a vending truck or vending trailer license and \$750 for a vending cart license which includes the Center City Vending District, the Marina Vending District or the Harbortown Vending District, which licenses shall include a solicitor's license and a license for one vending unit. Each additional vending unit shall require payment of a full fee. Solicitor licenses for vending from trucks and trailers issued under this § 62-3(A)(2) shall be limited to units that are no longer than 28 feet. Solicitors using longer trucks and trailers are limited to vending at special events pursuant to § 62-9 or on private property in

accordance with a temporary zoning permit issued in accordance with Zoning Code § 120-149 and must obtain a temporary solicitor permit issued under § 62-3(D).

- (3) Identification: \$24 each; provided, however, that there shall be no charge for the first identification badge that is issued for each license.
- B. All licenses shall expire on December 31 after their date of issuance. License fees shall not be prorated.
- C. Temporary permit. Any solicitor wishing to conduct business from a vending unit at one or more special events and who does not have a license shall apply to the City Clerk for a temporary vending unit permit and pay a fee of \$100 for a permit valid for the calendar year. Any solicitor wishing to conduct business from a vending unit at a single special event and who does not have a license shall apply to the City Clerk for a three-day temporary vending unit permit and pay a fee of \$56 for a permit valid for that event. Such a permit shall allow vending only during and at the location of a specified special event. Temporary permits for vending from trucks and trailers issued under this § 62-3(C) shall be limited to units that are no longer than 28 feet. Solicitors using longer trucks and trailers shall obtain a temporary permit issued under § 62-3(D).
- D. Temporary permit for over-length vending trucks and trailers. Any solicitor wishing to conduct business from a vending truck or vending trailer that is more than 28 feet long at one or more special events pursuant to § 62-9 or on private property in accordance with one or more temporary zoning permits issued pursuant to Zoning Code § 120-149 shall apply to the City Clerk for a temporary solicitor's permit and pay a fee that is based on the length of the vending unit as follows: \$150 for a unit that is up to 39 feet long, \$200 for a unit that is more than 39 feet and up to 50 feet long, and \$250 for a unit that is more than 50 feet and up to 61 feet long. Any solicitor wishing to conduct business from a vending truck or vending trailer that is more than 28 feet long at a single special event pursuant to § 62-9 or on private property in accordance with a single temporary zoning permit issued pursuant to Zoning Code § 120-149 shall apply to the City Clerk for a three-day solicitor's permit and pay a fee that is based on the length of the vending unit as follows: \$84 for a unit that is up to 39 feet long, \$112 for a unit that is more than 39 feet and up to 50 feet long, and \$140 for a unit that is more than 50 feet and up to 61 feet long. The three-day permit shall allow vending only during and at the location of a specified special event. A temporary permit issued under this § 60-6(D) shall not be used to authorize vending from a truck or trailer that is more than 61 feet long. It shall not authorize the applicant to vend at a special event, unless the solicitor provides to the City Clerk a written statement from the event's

sponsor authorizing the solicitor to vend at a spot that is large enough to accommodate the specified length of the applicant's truck or trailer. It shall not authorize the applicant to vend at an event on private property that has been granted a temporary zoning permit, unless the solicitor provides to the City Clerk a written statement from the private property owner authorizing the solicitor to vend at a spot that is large enough to accommodate the specified length of the applicant's truck or trailer.

- ~~DE.~~ A nonrefundable fee of \$7 shall be required for the receipt of application materials. Said fee shall be credited toward the license fee upon submission of an application.
- ~~EE.~~ There shall be a fee of \$10 for replacement of a lost license or identification badge.
- ~~FG.~~ A solicitor who is an eligible veteran and has a Soldiers' and Sailors' Certificate issued by the Monroe County Clerk pursuant to § 32 of the NYS General Business Law or who is a disabled veteran as defined by § 35 of the General Business Law holding such a certificate shall be exempt.

Section 3. Chapter 120 of the Municipal Code, Zoning, Article XVIII, Additional Requirements for Specified Uses, as amended, is hereby further amended in Section 120-149, Temporary uses, so that Subsection 120-149(A)(10)(h) reads in its entirety as follows:

- (h) The temporary certificate of zoning compliance shall only approve operation for food trucks and food trailers that possess a valid ~~solicitor's license or temporary permit to vend issued by the City Clerk's office in accordance with Municipal Code Chapter 60, Food Trucks, Trailers and Carts.~~

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Vice President Miller
July 18, 2017

To the Council:

The Business & Economic Development Committee recommends for adoption the following entitled legislation:

Int. No. 239 - Authorizing the acquisition of 239 Silver Street

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-203
Re: Acquisition of 239 Silver Street -
Bull's Head Revitalization Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation of 239 Silver Street for a total cost of \$37,000 (purchase price and closing costs) to be funded from 2016-17 Cash Capital. The property is situated adjacent to other City-owned properties and within the Bull's Head Revitalization target area (see attached map).

239 Silver Street consists of a 0.09 acre parcel with a single family residential dwelling. The building is currently occupied by tenants. The property is adjacent to three City-owned properties located at 64, 68-70, and 76 York Street.

The current owner of the property is Mr. Dave Streeter. Mr. Streeter approached the City with expressed interest to sell his property. As part of the Bull's Head Revitalization project, the City intends to prepare this property and other adjacent properties for future redevelopment. Activities for such preparation may include tenant relocation, environmental testing, environmental clean-up and demolition.

The City has hired R.K. Hite & Co., Inc. to provide relocation and moving assistance related services for the tenants of the property. The associated tenant relocation benefits and eligible moving costs will be funded from 2016-17 Cash Capital.

A purchase price of \$35,000 was established by an independent appraisal prepared by Stropp Appraisal, on June 27, 2017, and an appraisal review was completed by R.K. Hite & Co., Inc. on June 27, 2017.

A Phase I Environmental Site Assessment (ESA) dated June 28, 2017, was completed for the property by Day Environmental, Inc. Upon review by the City's Division of Environmental Quality, the Phase I ESA report identified recognized environmental conditions associated with nearby properties consistent with typical developed urban sites. There were not however, any recognized environmental conditions that would preclude the City's acquisition of the property.

Upon acquisition by the City, the 2017-18 City taxes will be cancelled. The property will be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-116

Ordinance No. 2017-203
(Int. No. 239)

Authorizing the acquisition of 239 Silver Street

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below. The acquisition costs shall not exceed \$37,000, including closing costs, and shall be funded from 2016-17 Cash Capital.

Address: 239 Silver Street
S.B.L. #: 120.42-2-77
Lot Size: ±0.09 acre
Owner: Dave Streeter

Section 2. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be cancelled. The properties shall be conveyed to the City with no other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Ortiz
July 18, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 240 - Authorizing the sale of real estate

Int. No. 241 - Authorizing amendatory agreements for appraisal and auctioneer services

Int. No. 246 - Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS Program

Int. No. 247 - Authorizing an agreement and an appropriation for the Helping Elders Law Project

Int. No. 248 - Authorizing an agreement and appropriation for the Aging in Place Home Modification Program

Int. No. 249 - Authorizing an agreement and appropriating funds for landlord/tenant services

Int. No. 250 - Appropriating funds and authorizing agreements for foreclosure prevention services

Int. No. 251 - Authorizing an agreement for the HOME Rochester Program

Int. No. 252 - Appropriating funds and authorizing agreements for the HOME Rochester Program

Int. No. 253 - Authorizing an amendatory agreement with The Center for Dispute Settlement, Inc. for hearing officer services related to the City demolition program

Int. No. 254 - Authorizing funding for Demolition Program

Int. No. 255 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$723,000 Bonds of said City to finance a portion of the costs of continuation of the City Demolition Program

Int. No. 256 - Authorizing funding and agreements for the Southwest Quadrant Historic Resource Survey

Int. No. 257 - Authorizing an agreement for the Urban Fellow Program Summer Session 2017

Int. No. 258 - Authorizing an agreement for neighborhood projects for Wilson Day 2017

Int. No. 259 - Appropriating funds and authorizing agreements for the Buyer Assistance Program

Int. No. 260 - Authorizing agreements and appropriating funds for the Homebuyer Training Program

Int. No. 261 - Appropriating funds and authorizing agreements for business programs

Int. No. 262 - Authorizing grant agreements to support housing quality improvement and enforcement programs

Int. No. 288 - Resolution supporting Consolidated Funding Grant Application

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 243 - Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan

Int. No. 244 - Authorizing submission of the Consolidated Community Development Plan/2017-18 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development

Int. No. 245 - Appropriation of funds for the City Development Fund

The following entitled legislation is being held in Committee:

Int. No. 242 - Amending the Municipal Code with respect to the building owner's registry

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & COMMUNITY
DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-204
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first property is a vacant lot sold by negotiated sale to the adjacent owners. The purchasers will combine the lot with their existing property and utilize it as green space.

The next seven properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,517.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ- 117

Ordinance No. 2017-204
(Int. No. 240)

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 of the negotiated sale of the following parcels of vacant land:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>
1294-1296 E Main St	107.69-1-70	42 x 125	5312	\$450	James & Barbara Candella

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Purchaser</u>
676 W Broad St	105.84-1-7	30 x 100	3000	Jeffrey Jones
200-202 Durnan St	091.74-4-35	35 x 80	2800	Joseph Peter Johnson
175 Friederich Pk	106.25-1-48	35 x 65	2283	Donna L. Deppert
E/H 76-78 Leighton Av	107.78-1-40	17 x 138	2415	Cynthia Irene Coyle
W/H 76-78 Leighton Av	107.78-1-40	17 x 138	2415	Peter C. Robinson
230 Rauber St	106.40-1-60	50 x 77	2843	Theodore Wester
240 Rauber St	106.40-1-59	57 x 103	4090	Theodore Wester

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. 2017-205
Re: Amendatory Agreements - Appraisal
and Auctioneer Services

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to amendatory agreements increasing compensation and extending by one year the terms for appraisal and auctioneer services. This legislation will extend by one year, agreements with Midland Appraisal Associates, Inc., Bruckner, Tillet, & Rossi, Inc., and Monroe Barrie Corp. as authorized via Ordinance No. 2016-191. The cost of additional services is shown below and will be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development.

<u>Firm</u>	<u>Original</u>	<u>Balance</u>	<u>Amendatory</u>	<u>New Total</u>
Midland Appraisal Associates, Inc.	\$12,500	\$4,730	\$13,270	\$25,770
Bruckner, Tillet, & Rossi, Inc.	\$12,500	\$2,550	\$15,450	\$27,950
Monroe Barrie Corp. d/b/a Metro Appraisal Associates	\$3,000	\$1,687.50	0	\$3,000
Pogel, Schubmehl & Ferrara, LLC	\$12,500	\$7,050	0	\$12,500

These agreements are for appraisal services including, but not limited to, broker price opinions and/or comparative market analyses for commercial, industrial, and residential property related to acquisitions, sales, easements, and other property transactions as well as real estate services including, but not limited to, auctioneer services at various real estate auctions.

These firms will also complete appraisal services on behalf of the Rochester Land Bank Corporation in accordance with the Shared Services Agreement between the City of Rochester and the Rochester Land Bank Corporation.

These firms were selected through a request for qualifications process, the summary of which is attached. It should be noted that Pogel, Schubmehl & Ferrara, LLC informed the City of Rochester that are merging with Midland Appraisal Associates, Inc. on July 1, 2017 and will no longer conduct business under that name, precluding any new agreements with the firm.

Respectfully submitted,
Lovely A. Warren
Mayor.

Attachment No. AQ-118

Ordinance No. 2017-205
(Int. No. 241)

Authorizing amendatory agreements for appraisal and auctioneer services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Midland Appraisal Associates, Inc. to provide appraisal services for the City. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2016-191 by \$13,270 to a new total of \$25,770 and shall extend the term by one year. Said amendatory amount shall be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Bruckner, Tillet, & Rossi, Inc. to provide appraisal services for the City. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2016-191 by \$15,450 to a new total of \$27,950 and shall extend the term by one year. Said amendatory amount shall be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Monroe Barrie Corp. to provide auctioneer services for the City. The amendatory agreement shall extend the term of the agreement originally authorized by Ordinance No. 2016-191 by one year.

Section 4. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Community input was solicited at public meetings held on March 8, 2017.

TO THE COUNCIL
Ladies and Gentlemen:

The estimated total of funds available for 2017-18 is \$11,954,963 from the following sources:

Ordinance No. 2017-206,
Ordinance No. 2017-207 and
Ordinance No. 2017-208
Re: 2017-18 Annual Action Plan,
Consolidated Community
Development Plan

CDBG	\$ 7,487,072
HOME	1,839,492
Emergency Solutions Grant	692,579
HOPWA	785,820
CDF	300,000
CDBG Program Income	750,000
HOME Program Income	100,000
Total	<u>\$11,954,963</u>

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

The amount of federal allocations, program income, and CDF available to address the priority needs and strategies is estimated to be \$11,954,963. These funds will be used for the following purposes: Promote Economic Stability, Improve the Housing Stock, General Community Needs, and Other.

Transmitted herewith for your approval is legislation related to the 2017-18 Annual Action Plan of the 2015-16 through 2019-20 Consolidated Community Development Plan. This legislation will:

Significant allocation highlights include:

1. Approve the 2017-18 Annual Action Plan of the Consolidated Community Development Plan
2. Authorize the submission of the plans to the U.S. Department of Housing and Urban Development (HUD).
3. Authorize agreements with HUD for the receipt and use of grants to fund the Annual Action Plan.
4. Appropriate \$300,000 in Urban Development Action Grant principal and interest repayments projected to be received during the 2017-18 program year for the City Development Fund (CDF).
5. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

- \$730,000 for Business Development Financial Assistance Program
- \$300,000 for the Buyer Assistance Program
- \$350,000 for Job Creation and Youth Development

Approval by the City Council of the Annual Action Plan is required by HUD. Approval of the CDF is required by Resolution 83-26 (adopted May 24, 1983).

A public hearing on the 2017-18 Annual Action Plan is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-119

The Consolidated Community Development Plan consists of a five-year strategic plan and annual action plans. The plan addresses the U.S. Department of Housing and Urban Development's planning and application requirements for their formula grant programs, which include the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Solutions Grants Program, and Housing Opportunities for Persons with AIDS (HOPWA). HUD requires jurisdictions to prepare multi-year strategies and one year action plans for the use of federal funds. The Annual Action Plan covers the period July 1, 2017 through June 30, 2018.

Ordinance No. 2017-206
(Int. No. 243)

**Approving the Consolidated Community
Development Plan/2017-18 Annual Action Plan**

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan to be financed with \$11,954,963 available to the City of Rochester from the federal Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, Housing Opportunities for Persons with AIDS Program, Urban Development Action Grant loan and interest repayments, other program income;

The Annual Action Plan describes specific projects and activities that will be undertaken in the coming year with federal funds to address priority needs.

WHEREAS, the proposed plan was prepared according to an approved Citizen Participation Plan and reflects public comments and consultations;

WHEREAS, notice of the proposed plan was published in the legal notices section of the Democrat and Chronicle on February 14, 2017;

WHEREAS, citizens, public agencies and other interested parties were invited to submit comments by March 8, 2017;

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff;

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan and the needs, strategies, proposed actions and annual performance; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby adopts the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-207
(Int. No. 244)

Authorizing submission of the Consolidated Community Development Plan/2017-18 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development

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

Section 1. The Mayor is hereby authorized to submit the Consolidated Community Development Plan/2017-18 Annual Action Plan to the United States Department of Housing and Urban Development.

Section 2. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2017.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-208
(Int. No. 245)

Appropriation of funds for the City Development Fund

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

Section 1. As part of the Consolidated Community Development Plan/2017-18 Annual Action Plan, the Council hereby appropriates the sum of \$300,000 in anticipated Urban Development Action Grant loan repayment funds and reversionary interest payments and interest, to be utilized as capital for the City Development Fund.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of programs funded by the appropriation made herein.

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

Section 4. The Director of Finance shall record all transfers herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-209
Re: 2017-18 Consolidated
Community Development Plan,
Housing Opportunities for Persons
with AIDS

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2017-18 Housing Opportunities for Persons with AIDS (HOPWA) program as described in the 2017-18 Consolidated Community Development Plan (Con Plan), contingent upon the adoption of the Con Plan. This legislation will:

1. Appropriate a total of the estimated \$785,820 from the 2017-18 Housing Choice Fund, HOPWA account of the Con Plan for program implementation.
2. Establish maximum compensation for agreements with the agencies below for program implementation. The cost of these agreements will be financed from the funds appropriated herein.

AC Center, Inc. d/b/a Trillium Health, Inc.	\$457, 348.00
Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services	304, 898.00
	\$762, 246.00

3. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Both providers maximize HOPWA assistance through the coordination of other funding sources and service providers. The HOPWA grant from HUD is awarded to the City to serve Livingston, Monroe, Ontario, Orleans, and Wayne counties. Trillium Health provides service to the five-county area, Catholic Charities Community Services serves the City and Monroe County.

These two organizations are uniquely qualified for this special needs population. Both receive additional State and federal HIV/AIDS- targeted funds, which provide for additional case management, housing placement, and other critical services. Both are active within the Rochester Area Task Force on AIDS which involves medical and support service providers, and have a long-standing, close working relationship with each other.

Households served with rental assistance and support services projected and provided, by number of households, are summarized below.

<u>Agency</u>	<u>2015-16 Actual</u>	<u>2016-17 Goal</u>	<u>2016-17 Actual*</u>	<u>2017-18 Goal</u>
Trillium Health, Inc.	77	72	78	83
Catholic Charities Community Services	83	74	45	45
Totals	160	146	123	128

**Actual data through March 2017*

If funds are different, not available, or prove to be less than originally advised, the agreement amounts and terms will be adjusted. The agreement terms will be for one year, with option to extend for an additional year if funds remain in the original appropriation.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

HOPWA related legislation was last authorized on August 9, 2016 via Ordinance No. 2016-265. This legislation supports Section 4 of the City of Rochester Housing Policy: *Promote Housing Choice*.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-120

Ordinance No. 2017-209
(Int. No. 246)

Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS Program

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

Section 1. The amount of \$785,820 is hereby appropriated from the Housing Choice Fund, Housing Opportunities for Persons with AIDS (HOPWA) allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan for HOPWA program implementation, contingent upon the adoption of said Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations for the specified maximum compensation amounts to provide services under the HOPWA Grant Program:

<u>Organization</u>	<u>Amount</u>
Trillium Health, Inc.	\$457,348
Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services	\$304,898

Section 3. The agreements' compensation in an aggregate amount not to exceed \$762,246 shall be funded from the amount appropriated in Section 1 herein.

Section 4. The agreements' term shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes - President Scott, Councilmembers Clifford, Conklin, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Haag abstained due to a familial relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-210
Re: 2017-18 Consolidated Community Development Plan, Seniors Program/Legal Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2017-18 Consolidated Community Development Plan for the Seniors Program/Legal Services, CDBG funds. This legislation will:

1. Appropriate \$20,000 in Community Development Block Grant funds from the Seniors Program/Legal Services allocation of the General Community Needs Goal for program implementation.
2. Establish \$20,000 as maximum compensation for an agreement with the Volunteer Legal Services Project of Monroe County to administer and manage the Helping Elders Law Project (HELP). The cost of the agreement will be financed from the appropriation herein, and the term will be for one year.

The local law firm of Harter Secrest and Emery LLP will provide pro bono services for the HELP project. Legal services will be provided on-site to elderly residents of Rochester Housing Authority units, relative to wills, healthcare proxies/living wills, powers of attorney and funeral wishes documents.

If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-210
(Int. No. 247)

Authorizing an agreement and an appropriation for the Helping Elders Law 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 agreement with the Volunteer Legal Services Project of Monroe County, Inc. to implement and manage the Helping Elders Law Project (the Project) for a maximum compensation of \$20,000.

Section 2. The sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated from the Seniors Program/Legal Services allocation of the General Community Needs fund of the Consolidated Community Development Plan/2017-18 Annual Action Plan, to fund the agreement, contingent upon the adoption of said Plan.

Section 3. The agreement shall have a term of one year.

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

Section 5. The City shall enter into agreements for the project only with organizations that are in compliance with federal regulations.

Section 6. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 7. This ordinance shall be effective immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-211
Re: Agreement - Lifespan of Greater Rochester, Inc., 2017-18 Consolidated Community Development Plan, Aging in Place Home Modification Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Aging in Place Home Modification Program of the 2017-18 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Appropriate \$30,000 from the Housing Development Fund, Aging in Place allocation of the 2017-18 Con Plan, contingent upon adoption, to address home safety modifications for income-eligible owner occupants, and
2. Establish \$30,000 as maximum compensation for an agreement with Lifespan of Greater Rochester, Inc. to implement the Aging in Place Home Modification Program, the cost of which will be funded from the appropriations made herein, and the term will be for one year.

The last agreement for the Aging in Place Home Modification Program was authorized by City Council on May 19, 2016 via Ordinance No. 2016-150.

A justification statement for not issuing a request for proposals for and a description of the Aging in Place Home Modification Program are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-121

Ordinance No. 2017-211
(Int. No. 248)

Authorizing an agreement and appropriation for the Aging in Place Home Modification 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 Lifespan of Greater Rochester, Inc. to implement the Aging in Place Home Modification Program (the Program).

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$30,000, and said amount, or so much thereof as may be necessary, is hereby appropriated for that purpose from the Housing Development Fund, Aging in Place allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan, contingent on adoption of that Plan. The term of the agreement shall be one year.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for the program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-212
Re: Agreement - Legal Aid Society of Rochester, New York, 2017-18 Consolidated Community Development Plan, Landlord Tenant Services Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2017-18 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Landlord Tenant Services Program, contingent upon adoption of the Con Plan. This legislation will:

1. Appropriate \$95,000 from the Rental Market Fund-Landlord Tenant Services allocation of the 2017-18 Con Plan for implementation of the Landlord Tenant Services Program; and
2. Establish \$95,000 as maximum compensation for an agreement with the Legal Aid Society of Rochester, New York to provide housing stabilization services to tenants and landlords. The term of the agreement will be one year and the cost will be financed from the appropriation herein.

The Legal Aid Society of Rochester, New York will serve as lead agency in partnership with Legal Assistance of Western New York, Inc. and The Housing Council at PathStone, Inc. Services for both landlords and tenants include:

- Training for landlords on operating rental property as a business, and compliance with fair housing quality standards; and
- Eviction prevention services for tenants to re-establish or maintain stable housing situations.

The City will enter into agreements for this program only with organizations that are in compliance with

federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-122

Ordinance No. 2017-212
(Int. No. 249)

Authorizing an agreement and appropriating funds for landlord/tenant services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Legal Aid Society of Rochester, New York in a maximum amount of \$95,000 to provide housing stabilization services to tenants and landlords. The term of the agreement shall be one year. The agreement shall be funded by \$95,000 from the Rental Market Fund-Landlord/Tenant Services allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan, contingent upon approval thereof, which amount is hereby appropriated for the program. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-213
Re: Agreements - The Housing Council at PathStone, Inc. and Empire Justice Center, 2017-18 Consolidated Community Development Plan, Foreclosure Prevention Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2017-18 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Foreclosure Prevention Program, contingent upon adoption of the Con Plan. This legislation will:

- 1. Appropriate a total of \$195,000 from the 2017-18 Homeownership Fund-Foreclosure Prevention allocation of the Community

Development Block Grant (CDBG) of the Con Plan for implementation of the Foreclosure Prevention Program.

- 2. Establish \$168,675 and \$26,325 as maximum compensation for The Housing Council at PathStone, Inc. and Empire Justice Center, respectively, to provide foreclosure prevention services. The term of these agreements will be one year and the cost will be financed from the funds appropriated herein.

These two organizations are uniquely qualified. The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include the review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services. The Empire Justice Center will provide legal advice and litigation services when required by analysis of clients' circumstances.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-123

Ordinance No. 2017-213
(Int. No. 250)

Appropriating funds and authorizing agreements for foreclosure prevention services

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

Section 1. The sum of \$195,000 is hereby appropriated from the Homeownership Fund-Foreclosure Prevention allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan for the provision of foreclosure prevention services, contingent upon adoption of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with The Housing Council at PathStone, Inc. in a maximum amount of \$168,675 to provide foreclosure prevention services.

Section 3. The Mayor is hereby authorized to enter into an agreement with Empire Justice Center in a maximum amount of \$26,325 to provide foreclosure prevention services.

Section 4. The amounts of said agreements, or so much thereof as may be necessary, shall be funded from the sum appropriated in Section 1. If funds are not available or are less than anticipated, the agree-

ment amounts and terms shall be adjusted accordingly.

Section 5. The agreements shall be for a term of one year.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for these services only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-214
Re: Agreement - Rochester Housing
Development Fund Corporation,
HOME Rochester Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$285,000 as maximum compensation for an agreement with the Rochester Housing Development Fund Corporation for development subsidies to serve HOME Rochester homebuyers with incomes up to 120% of area median income (AMI). The agreement will be funded from 2017-18 Cash Capital and the term will be for one year with the option to extend for an additional year if funds remain in the original appropriation.

These funds will provide subsidies averaging \$45,000 for the acquisition and rehabilitation of approximately seven vacant, single-family houses that will be sold to income-eligible households through the HOME Rochester program. The funds allocated through this agreement will allow the program to continue to market properties to buyers with incomes between 80% and 120% of AMI.

Participating agencies in HOME Rochester include the Urban League of Rochester Economic Development Corporation, PathStone, Marketview Heights Association, NCS Community Development Corporation, Group 14621, North East Area Development, Inc., ISLA Housing and Development Corporation, South Wedge Planning Committee, and Ibero-

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-215
Re: Agreement - Rochester Housing
Development Fund Corporation,
HOME Rochester Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

American Development Corporation.

Prior to 2010, HOME Rochester properties were available only to buyers who earned less than 80% of AMI. In 2010, the program secured financing sources that enabled it to expand service to buyers with incomes up to 120% of AMI. Since 2010, 41 HOME Rochester properties have been purchased by buyers with incomes between 81% and 120% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

This legislation supports the City’s Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-214
(Int. No. 251)

Authorizing agreement for the HOME Rochester 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 Rochester Housing Development Fund Corporation (RHDFC) for the administration of the HOME Rochester Program for housing development subsidies totaling \$285,000 for families whose incomes are greater than 80% and no more than 120% of the Area Median Income. The agreement shall be funded from 2017-18 Cash Capital.

Section 2. The agreement shall be for a term of one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and RHDFC shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Transmitted herewith for your approval is legislation related to the continuation of the HOME Rochester Program. This legislation will:

1. Appropriate a total of \$730,698 from the Housing Development Fund allocation of the 2017-18 Annual Action Plan of the Consolidated Community Development Plan as follows:

Amount	Source	Purpose
\$174,774	2017-18 Housing Development Fund: Housing Development Support [Community Development Block Grant (CDBG)]	Program Operation
\$275,924	2017-18 Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies – incomes no more than 80% of Area Median Income (AMI)
\$280,000	2017-18 Housing Development Fund: HOME Rochester (HOME funds)	Development subsidies – incomes no more than 80% of AMI

2. Establish \$174,774 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC) for operation of the HOME Rochester program. The cost of the agreement will be financed from the CDBG funds appropriated herein.
3. Authorize an agreement with the RHDFC, a qualified CHDO, for the administration of development subsidies totaling \$275,924 for families whose incomes are no more than 80% of AMI. The cost of the agreement will be financed from the HOME funds appropriated herein.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet U.S. Department of Housing and Urban Development (HUD) requirements pertaining to CHDOs.

4. Authorize an agreement with RHDFC for the administration of development subsidies totaling \$280,000 for families whose incomes are no more than 80% of AMI. These subsidies will be financed from the HOME funds appropriated herein.

The HOME Rochester Program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible households. RHDFC operates the HOME Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP), and neighborhood based, non-profit developers. RHDFC buys vacant homes and oversees home rehabilitation for sale to first-time homebuyers. Since its inception in 2001, 700 properties have been rehabilitated and sold to first-time homebuyers.

The total of \$555,924 proposed for development subsidies will provide an average of \$45,000 each for the acquisition and rehabilitation of approximately 12 vacant structures.

Participating agencies serving as construction managers for the properties developed through the HOME Rochester Program include:

- Group 14621
- Ibero-American Development Corporation
- Isla Housing and Development Corporation
- Marketview Heights Association
- NCS Community Development Corporation
- North East Area Development
- PathStone Corporation
- South Wedge Planning Committee
- Urban League of Rochester Economic Development Corporation
- CONEA

Properties rehabilitated through HOME Rochester will be marketed to families with incomes not exceeding 120% of AMI and the subsidy funds authorized herein will be used to support buyers with incomes at or below 80% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

These programs support the Housing Development Fund objective of the City Housing Policy.

Agreement terms will be for two years, with an option to extend for an additional year if funds remain in the original appropriation.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-215
(Int. No. 252)

Appropriating funds and authorizing agreements for the HOME Rochester Program

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

Section 1. The following funds are hereby appropriated from the Housing Development Fund of the Consolidated Community Development Plan/2017-18 Annual Action Plan, contingent upon the adoption thereof:

<u>Amount</u>	<u>Source</u>	<u>Purpose</u>
\$174,774	2017-18 Housing Development Fund: Housing Development Support (CDBG)	Program Operation
\$275,924	2017-18 Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies - incomes no more than 80% of the Area Median Income (AMI)
\$280,000	2017-18 Housing Development Fund: HOME Rochester (HOME funds)	Development subsidies - incomes no more than 80% of AMI

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Housing Development Fund Corporation (RHDFC) in a maximum amount of \$174,774 to administer the HOME Rochester Program. The agreement shall be funded from the CDBG Program Operation funds appropriated in Section 1.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC, a qualified CHDO, for the administration of housing development subsidies totaling \$275,924 for families whose incomes are no more than 80% of AMI. The agreement shall be funded from the CHDO HOME funds appropriated in Section 1.

Section 4. The Mayor is hereby authorized to enter into an agreement with RHDFC for the administration of housing development subsidies totaling \$280,000 for families whose incomes are no more than 80% of AMI. The agreement shall be funded from the HOME funds appropriated in Section 1.

Section 5. The agreements authorized herein shall be for a term of up to two years, with an option to extend for an additional year if funds remain in the original appropriation.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-216
Re: Amendatory Agreement - Center for
Dispute Settlement, Inc.,
Demolition Hearing Officers

Council Priority: Rebuilding and
Strengthening Neighborhood
Housing; Public Safety

Transmitted herewith for your approval is legislation establishing \$15,100, as maximum compensation for an amendatory agreement with the Center for Dispute Settlement, Inc. for demolition hearing officers. The amendatory agreement increases total maximum compensation from \$19,000 (Ord. Nos. 2015-321 and 2016-402) to \$34,100. The amendatory agreement will be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development (NBD) and will extend the term for an additional year, expiring June 30, 2018, with the option to extend for one year. The maximum compensation for the one-year extension, if exercised, would be \$13,680 funded from the 2018-19 Budget of NBD, contingent upon approval of said budget.

As part of the City's demolition program, NBD conducts demolition hearings against owners whose properties

are in a state of disrepair and a potential health and safety hazard. An important aspect of the demolition hearing process is an impartial, third party hearing officer. The hearing officer will listen to testimony and render written decisions for each privately owned property that the City schedules for a demolition hearing. Those hearing findings are the legal basis for further action, including demolition that the City may undertake.

The Center for Dispute Settlement is the current provider for demolition hearing services for the City. The requested funding will permit the Center for Dispute Settlement to conduct approximately 72 demolition hearings.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-124

Ordinance No. 2017-216
(Int. No. 253)

Authorizing an amendatory agreement with The Center for Dispute Settlement, Inc. for hearing officer services related to the City demolition program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with The Center for Dispute Settlement, Inc. for hearing officer services related to the City demolition program. The amendment shall increase the maximum compensation of the original agreement authorized in Ordinance No. 2015-321 and amended by Ordinance No. 2016-402 by \$15,100 to a new total of \$34,100 and shall extend the agreement's term by one year to June 30, 2018 with an option to extend the term for an additional term of one year and an additional maximum compensation of \$13,680.

Section 2. The sum of \$15,100, or so much thereof as may be necessary, is hereby appropriated from the 2017-18 Budget of the Department of Neighborhood and Business Development for the amendatory agreement. If the parties exercise the option to extend the term, the sum of \$13,680, or so much thereof as may be necessary, shall be funded from the 2018-19 Budget of the Department of Neighborhood and Business, contingent upon the approval of that future budget.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-217 and
Ordinance No. 2017-218
Re: Demolition Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

1. Authorize the issuance of bonds totaling \$723,000 and appropriating the proceeds thereof to finance the continuation of the City's demolition program; and
2. Appropriate \$700,000 from the Demolition - Commercial/Industrial allocation of the 2017-18 Community Development Block Grant (CDBG) Program and authorize the use of said funds for the continuation of the City's demolition program; and
3. Appropriate \$700,000 from Housing Development Fund - Demolition allocation of the 2017-18 CDBG Program and authorize the use of said funds for the continuation of the City's demolition program.

The combined funding of \$2,123,000 will allow the City to continue its demolition program which removes vacant, derelict and fire-damaged structures that are a public safety hazard and a blight to surrounding neighborhoods. These funds will enable the removal of approximately four commercial/industrial properties and 56 City-owned and privately-owned residential properties, and provide for three emergency demolitions whereby a structure poses an immediate threat to public health and safety.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-125

Ordinance No. 2017-217
(Int. No. 254)

Authorizing funding for Demolition Program

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

Section 1. The Council hereby appropriates \$700,000 from the Demolition - Commercial/Industrial allocation of the 2017-18 Community Development Block Grant (CDBG) program and \$700,000 from the Housing Development Fund-Demolition allocation of the 2017-18 CDBG Program for the Demolition Program to continue the removal of vacant, derelict and fire damaged structures in the City of Rochester. The appropriations authorized herein shall be contingent upon the adoption of the Consolidated Community Development Plan/2017-18 Annual Action Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-218
(Int. No. 255)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$723,000 Bonds of said City to finance a portion of the costs of continuation of the City Demolition Program

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 continuation of the City Demolition Program (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 \$2,123,000. The plan of financing includes the issuance of \$723,000 bonds of the City, which amount is hereby appropriated therefor, utilization of \$700,000 from the Demolition-Commercial/Industrial fund of the 2017-2018 Community Development Block Grant Program, \$700,000 from the Housing Development Fund-Demolition of the 2017-2018 Community Development Block Grant Program 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. Said appropriation will provide for the demolition of approximately four (4) commercial/industrial properties, fifty six (56) vacant, derelict and fire damaged structures that pose a public safety hazard and a blight to surrounding neighborhoods and three (3) emergency demolitions constituting an immediate safety hazard.

Section 2. Bonds of the City in the principal amount of \$723,000 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 \$723,000. 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-a. 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 fore-going 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. 2017-219
Re: Agreement - Landmark Society of
Wester New York, Inc., Southwest
Quadrant Historic Resource Survey

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the implementation of the Southwest Quadrant Historic Resource Survey, which is the second phase of a four-phase survey to identify properties eligible for listing in the National Register of Historic Places. This legislation will:

- 1) Authorize the receipt and use of a \$25,000 grant from the State Historic Preservation Office (SHPO) to conduct the second year of survey work;
- 2) Authorize the receipt and use of an anticipated \$7,000 grant from the Preservation League of New York State;
- 3) Allocate \$15,000 from the 2017-18 Budget of the Department of Neighborhood and Business Development (NBD) as a partial grant match, to be supplemented with in-kind labor by City staff; and
- 4) Establish \$47,000 as maximum compensation for an agreement with the Landmark Society of Western New York, Inc. (LSWNY) to manage the grants, solicit and hire consultants, and coordinate findings with SHPO. The cost of the agreement will be funded from the above grants and the 2017-18 Budget allocation authorized herein. The term of the agreement will be for one year.

The last city-wide survey of this kind was completed in 1986. Pursuant to an agreement with SHPO, the City of Rochester is required to maintain an up-to-date inventory of historic resources. As a result, in 2016, the Southeast Quadrant was surveyed with a

grant from SHPO and a partial match by NBD. This second year survey will focus on properties in the Southwest Quadrant including downtown. Properties deemed eligible for listing in the National Register of Historic Places qualifies the owners for State and federal rehabilitation tax credits.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-126

Ordinance No. 2017-219
(Int. No. 256)

Authorizing funding and agreements for the Southwest Quadrant Historic Resource Survey

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 or agreements with the New York State Historic Preservation Office (SHPO) for the receipt and use of \$25,000 to fund a historic resource survey that focuses on properties in the City's Southwest Quadrant including downtown (the Project).

Section 2. The Mayor is hereby authorized to enter into an agreement with the Preservation League of New York State for the receipt and use of an anticipated grant of \$7,000 to fund the Project.

Section 3. The sum of \$15,000 is hereby appropriated from the 2017-18 Budget of the Department of Neighborhood and Business Development as a partial grant match for the Project, which shall be supplemented with in-kind labor by City staff.

Section 4. The Mayor is hereby authorized to enter into an agreement with The Landmark Society of Western New York, Inc. to implement the Project by managing the grants, soliciting and hiring consultants, and coordinating findings with the SHPO. The maximum compensation for the agreement shall be \$47,000, which shall be funded from the anticipated grants and City budget appropriation authorized herein.

Section 5. The agreements shall be for a term of one year.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-220
Re: Agreement- University of Rochester,
Urban Fellow Program Summer
Session 2017

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$1,000 as maximum compensation for an agreement with the University of Rochester - Urban Fellow Project for the assignment of two urban fellow members to building community awareness of refugee needs and assets in the Southeast Quadrant. The cost of the agreement was anticipated in the 2017-18 Budget of the Department of Neighborhood and Business Development, and the term will be for ten weeks, beginning July 24, 2017.

The urban fellows will make connections for refugee families with organizations, agencies and current resident families to create community at the block level and establish opportunities for neighborhood engagement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-220
(Int. No. 257)

Authorizing an agreement for the Urban Fellow Program Summer Session 2017

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 in the maximum amount of \$1,000 with the University of Rochester - Urban Fellow Project to provide two urban fellow members for the Urban Fellow Program Summer Session 2017. Said amount shall be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development. The term of the agreement shall be from July 24, 2017 to October 1, 2017.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-221
Re: Agreement - University of Rochester,
Wilson Day Neighborhood Projects

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$1,500 as maximum compensation for an agreement with the University of Rochester's Wilson Day program for miscellaneous supplies to support neighborhood led projects city-wide. The cost of the agreement was anticipated in the 2017-18 Budget of Neighborhood and Business Development, and the term will be from August 1 to October 1, 2017.

On August 28, 2017, the incoming freshman class of the University of Rochester, consisting of over 1,300 students, will spend one day doing service projects in each of the city's four quadrants. This is the first experience for some of the young people with community engagement in the Rochester area. Wilson Day often marks the beginning of student relationships with local, community-based organizations and/or people.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-221
(Int. No. 258)

Authorizing an agreement for neighborhood projects for Wilson Day 2017

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 in the maximum amount of \$1,500 with the University of Rochester- Wilson Day program for supplies to support neighborhood-led projects for Wilson Day City-wide. Said amount shall be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development. The term of the agreement shall be from August 1, 2017 to October 1, 2017.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-222
(Int. No. 259)

Ordinance No. 2017-222
Re: Buyer Assistance Program, 2017-18
Consolidated Community
Development Plan

Council Priority: Rebuilding and
Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Buyer Assistance Program of the 2017-18 Annual Action Plan of the Consolidated Community Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate \$300,000 from the Buyer Assistance allocation of the Homeownership Promotion Fund - HOME funds, of the 2017-18 Con Plan;
2. Appropriate \$57,000 from the Buyer Assistance allocation of the Homeownership Promotion Fund - City Development Fund (CDF) of the 2017-18 Con Plan;
3. Authorize agreements with the recipients of Buyer Assistance Funds for up to \$6,000 to purchase houses through the City's housing initiatives; and
4. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

The Buyer Assistance Program provides financial assistance up to \$6,000 to eligible homebuyers who purchase houses through the City's housing initiatives, as described in the Con Plan. The financial assistance provided by the Buyer Assistance Program is for closing costs and down payment.

Homebuyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds in the amount of a minimum of \$1,500 towards the purchase of the home. Each buyer must complete a pre-purchase education class before closing and attend post-purchase classes as well.

The 2017-18 HOME allocation will serve up to 100 eligible homebuyers with incomes of no more than 80% median family income (MFI) through June 30, 2018. The \$57,000 CDF allocation will serve up to 19 homebuyers with incomes above 120% MFI participating in our Employer Assisted Housing Initiative program.

The Homeownership Promotion Fund supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,
Lovely A. Warren
Mayor

Appropriating funds and authorizing agreements for the Buyer Assistance Program

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

Section 1. The following amounts are hereby appropriated for the Buyer Assistance Program as described in the Consolidated Community Development Plan/2017-18 Annual Action Plan (2017-18 Con Plan): \$300,000 from the Buyer Assistance allocation of the Homeownership Promotion Fund - HOME fund of the 2017-18 Con Plan; and \$57,000 from the Buyer Assistance allocation of the Homeownership Promotion Fund-City Development Fund of the 2017-18 Con Plan. Both appropriations shall be contingent upon adoption of the 2017-18 Con Plan.

Section 2. The Mayor is hereby authorized to enter into such agreements with recipients of Buyer Assistance funds as may be necessary to implement the Program, with each having a maximum amount of \$6,000 to be funded from the amounts appropriated herein.

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

Section 4. The Director of Finance is hereby authorized to record all transfers herein and to make adjustments to the amounts set forth herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-223
Re: Homebuyer Training Program,
2017-18 Consolidated Community
Development Plan

Council Priority: Rebuilding and
Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Training Program of the 2017-18 Annual Action Plan of the Consolidated Community Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate \$45,000 of HOME funds from the Homebuyer Training allocation of the Homeownership Promotion Fund of the 2017-18 Con Plan;
2. Appropriate \$40,000 of the City Development Fund (CDF) from the Homebuyer Training allocation of the Homeownership Promotion Fund of the 2017-18 Con Plan;

3. Amend agreements with the following organizations by increasing aggregate funding by the amounts appropriated herein to continue providing Homebuyer training for a three-year term of July 1, 2015 to June 30, 2018:

- NeighborWorks® Rochester
- The Home Store, Urban League of Rochester, NY, Inc.
- Consumer Credit Counseling Service of Rochester, Inc.
- The Housing Council at PathStone, Inc.

These four organizations were first engaged via Ordinance No. 2015-184, which was amended by Ordinance Nos. 2015-256 and 2016-149, to provide additional funds to continue to provide pre- and post-purchase training at a cost of \$350 and \$150 per person, respectively, to all recipients of City closing cost grants. The proposed amendatory agreements will allow up to 190 individuals to receive the training described above at the same cost.

These providers were selected through a request for proposals process in spring 2015. The City enters into agreements with organizations that are in compliance with federal regulations.

The Homeownership Promotion Fund supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-223
(Int. No. 260)

Authorizing agreements and appropriating funds for the Homebuyer Training Program

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

Section 1. The following amounts are hereby appropriated for the Homebuyer Training Program (Program) from the Consolidated Community Development Plan/2017-18 Annual Action Plan (2017-18 Con Plan):

- a. \$45,000 of HOME funds from the Homebuyer Training allocation of Homeownership Promotion Fund;
- b. \$40,000 of the City Development Fund from the Homebuyer Training allocation of the Homeownership Promotion Fund.

Both appropriations shall be contingent upon the adoption of the 2017-18 Con Plan.

Section 2. Ordinance No. 2015-184, as amended by Ordinance No. 2015-256 and by Ordinance No.

2016-149, is hereby further amended by adding the funds appropriated in Section 1 herein to the prior aggregate appropriations for the Program implementation agreements entered into with the following organizations for terms that continue through June 30, 2018:

- NeighborWorks Rochester
- The Home Store, Urban League of Rochester, N.Y., Inc.
- Consumer Credit Counseling Service of Rochester, Inc.
- The Housing Council at PathStone, Inc.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-224
Re: 2017-18 Consolidated Community
Development Plan - Business Programs

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation related to implementing the City of Rochester's Business Programs as described in the 2017-18 Consolidated Community Development Plan (Con Plan), contingent upon its approval. This legislation will:

- 1. Appropriate \$1,254,398 from the Promote Economic Stability fund of the 2017-18 Con Plan to fund the following business programs:

Business Development Financial Assistance Loan and Grant Program	\$1,004,398
Neighborhood Commercial Assistance Program	<u>250,000</u>
	\$1,254,398

- 2. Authorize agreements necessary to implement the programs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-224
(Int. No. 261)

Appropriating funds and authorizing agreements for business programs

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

Section 1. The sum of \$1,254,398 is hereby appropriated from the Promote Economic Stability fund of the Consolidated Community Development Plan/2017-18 Annual Action Plan (2017-18 Action Plan) to fund the following business programs in the amounts specified:

Business Development Financial Assistance Loan and Grant Program	\$1,004,398
Neighborhood Commercial Assistance Program	<u>250,000</u>
Total	\$1,254,398

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs authorized herein.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-225
Re: Grant Agreements - Local Initiatives Support Corporation and Enterprise Community Partners, Inc., BuildingBlocks Data Platform and Support

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Public Safety

Transmitted herewith for your approval is legislation related to accepting technology grants that support Housing Quality Improvement and Enforcement Programs. This legislation will:

1. Authorizing a grant agreement with the Local Initiatives Support Corporation (LISC) for the use of the Building Blocks data platform of Opportunity Space and related onboarding and technical support services for a term of two

years; and

2. Authorize a grant agreement with Enterprise Community Partners, Inc. for technological and capacity building support through their consultant, Spruce Technology, Inc., for the implementation and advancement of the Building Blocks platform and the City of Rochester's overall data interface with the public for a term of two years.

The grants are being made as part of the activities of the New York State Housing Stabilization Fund, a LISC program that is funding the work of municipalities or their housing finance agencies to support housing quality improvement and enforcement programs. The funds are the result of the February 11, 2016 Settlement Agreement between Morgan Stanley and the New York Attorney General.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-126

Ordinance No. 2017-225
(Int. No. 262)

Authorizing grant agreements to support housing quality improvement and enforcement programs

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the Local Initiatives Support Corporation for the use of the BuildingBlocks data platform of OpportunitySpace and related onboarding and technical support services. The agreement shall have a term of two years.

Section 2. The Mayor is hereby authorized to enter into a grant agreement with Enterprise Community Partners, Inc. for technological and capacity building support through their consultant, Spruce Technology, Inc. for the implementation and advancement of the BuildingBlocks platform and the City's overall data interface with the public. This agreement shall have a term of two years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-16
Re: Grant Application Endorsement -
2017-18 New York State Consolidated
Funding Application

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Jobs and Economic
Development

Transmitted herewith for your approval is legislation endorsing the 2017-18 New York State Consolidated Funding Application (CFA) by the Ibero-American Development Corporation (IADC) to renovate 200 Clifford Avenue into a community space for the El Camino community. They are requesting a total of \$854,661 in CFA resources. This project supports the goals of the City of Rochester’s comprehensive plan, current zoning district, and the neighborhood’s revitalization plan. It is also consistent with the Five-Year Strategic Consolidated Community Development Plan.

The CFA is the single point of entry for accessing up to \$800 million in State funding from 11 State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and, Council on the Arts. Applications are due on July 28, 2017.

IADC proposes the adaptive reuse of the former Giordano Lumber Co. (200 Clifford Avenue) into the El Camino Community Center (ECCC). The new community center will include an atrium, conference rooms, training room, a 75-person community room/multipurpose room, and approximately 10 offices. El Camino Community Center will provide social and economic opportunities for area residents. ECCC will create jobs in workforce development and provide space for neighborhood incubation of new ideas and opportunities. The project will provide quality public space, utilize existing infrastructure, expand training program opportunities, and bring significant investment to the area.

The project specifically supports several strategies that are included in the City’s current comprehensive plan:

- 1.E(1) “Encourage establishment and improvement of public spaces that can function as public gathering places for arts and cultural activities and events.”
- 5.F(2) “Encourage/promote regional growth and development that uses existing infrastructure.”
- 6.D(1) “Develop work training programs for employment fundamentals including work ethics and job readiness.”
- 9.D(1) “Encourage neighborhood-based centers or committees that would take the lead in coordinating human service programs and activities in line with neighborhood priorities.”

Additionally, the El Camino Revitalization Area Vision Plan identified “development of a community center as an important next step toward neighborhood stabilization.”

The former Giordano Lumber Co. at 200 Clifford Avenue is situated along the El Camino Trail immediately adjacent to the Conkey Corner Park. The subject parcel is located within Planned Development District No.3 (Buena Vista Planned Development/PD#3), the intention of which is to “recognize and permit a defined area for the unified and integrated development of the administration and community services of the Ibero-American Action League and Development Corporation.”

The City’s endorsement will ensure that IADC has the opportunity to compete for CFA grant funds as listed below:

<u>Agency</u>	<u>Project</u>	<u>State Funding Programs</u>	<u>Total Project Cost</u>	<u>State Request</u>
Ibero-American Development Corporation	Adaptive reuse and renovation of 200 Clifford Avenue	Empire State Development, Main Street Program and NYSERDA	\$1,272,303	\$854,661

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution supporting Consolidated Funding Grant Application

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

Section 1. The Council hereby endorses the application for funding not to exceed the following amount through the 2017-18 New York State Consolidated Funding Application by an external organization for the following project in the City, and the Council finds that the application and project are consistent with City policies, goals and plans:

<u>Agency</u>	<u>Project</u>	<u>State Funding Programs</u>	<u>Total Project Cost</u>	<u>State Request</u>
Ibero-American Development Corporation	Adaptive renovation and reuse of 200 Clifford Avenue	Empire State Development, Main Street Program and NYSERDA	\$1,272,303	\$854,661

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 242
Re: Code Amendment- Section 90-20,
Building Owner Registry

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Public Safety

Transmitted herewith for your approval is legislation amending §90-20 of the City of Rochester Municipal Code to add the following:

1. Require all residential rental property owners to register the name and contact information of a manager, agent or principal maintenance person to be responsible for and in control of the property. The owner may designate him or herself for this role unless he or she lives outside of the 13020 to 13905 or 14001 to 14925 zip code areas, in which case the owner must register a person who resides within Monroe County;
2. Require all residential rental property owners to list a business phone number that will be accessible to the public; and
3. Make the failure to submit the required registry information a medium-level violation subject to the penalties set forth in §13A-11D(1)(b) of the Municipal Code.

These changes will be effective September 1, 2017, and will ensure an established point of contact for all residential rental properties and a local person who is responsible for property maintenance issues that arise.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 242

**AMENDING THE MUNICIPAL CODE WITH
RESPECT TO THE BUILDING OWNER'S
REGISTRY**

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

Section 1. Section 90-20 of the Municipal Code,

Building owner's registry required, is hereby amended to read in its entirety as follows:

§ 90-20. Building owner's registry required.

- A. The owners of all buildings shall register with the City as required herein.
- B. The owners of all buildings existing as of the

effective date of this section shall register upon notice by the Director or upon submission of an application for a new or renewal certificate of occupancy.

- C. The owner of a new building shall register the building prior to allowing occupancy thereof.
- D. The owner of any building already registered with the City shall reregister within 10 days after any change occurs in registration information. A new owner of a registered building shall reregister the building within 10 days of assuming ownership.
- E. The City shall maintain a registry of all buildings containing the following information which shall be provided by the owner on forms available from the City:
- (1) Name, street address and business telephone number of the owner.
 - (2) If the owner is not a natural person or is a natural person and the building is required to have a Certificate of Occupancy pursuant to section 90-16, the name, street address and business telephone number of the agent, manager or principal maintenance person to be responsible for and in control of the property shall also be provided on the application. If a principal, partner or the owner resides in a 13020 through 13905 or 14001 through 14925 zip code, he or she may designate him or herself as such property maintenance person. If a principal, partner or the owner does not reside in a 13020 through 13905 or 14001 through 14925 zip code, he or she must designate a person who resides in Monroe County as such property maintenance person. Such designation can be a responsible employee of a property maintenance company located in Monroe County. Any designation made pursuant to this section shall remain in full force and effect until changed or terminated.
 - ~~(3) If the owner is a natural person who has designated an agent, manager or principal person responsible for the property, the name, street address and telephone number of such person shall also be provided on the application.~~
 - ~~(4-3) For purposes of this section, a post office box shall not be accepted as a street address. A telephone number may be designated as a business number, home number or cellular number.~~
 - ~~(54) All notices of violation and other service of process upon an owner, if mailed, shall continue to be mailed to the owner's tax mailing address if such address has been provided by the owner to the City.~~

~~(6) The Council finds that the release of home or cellular telephone numbers provided in accordance with this section would constitute an unwarranted invasion of personal privacy, as these telephone numbers serve the primary purpose of allowing the City to contact responsible persons in an emergency or when property concerns arise.~~

(75) It shall be a violation of this chapter for an owner to fail to provide the information or to provide inaccurate information required herein for the registry. A ticket may be served on the owner of a building who fails to register, reregister or otherwise comply with the provisions of this section. The violation shall be considered a medium-level violation for which the penalties set forth in § 13A-11D(1)(b) of the Municipal Code shall apply.

- F. This section shall not apply to buildings that are owner-occupied one-family dwellings or owner-occupied two-family dwellings; buildings owned by federal, state or local government units; hospitals; schools, colleges or universities; or commercial or industrial buildings that maintain operations for 24 hours each day or that have security on site 24 hours each day. A single registration shall be required for all buildings on a property.

Section 2. This ordinance shall take effect on September 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Held in Committee.

By Councilmember Haag
July 18, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 263 - Authorizing a professional services agreement for Animal Services Repairs and Modernization Assessment

Int. No. 264 - Authorizing Consolidated Funding Grant applications and agreements

Int. No. 265 - Authorizing an amendatory agreement for the Elmwood Avenue/Collegatown Cycle Track Project

Int. No. 266 - Appropriating funds for the Broad Street Bridge Preventive Maintenance Project

Int. No. 267 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of

\$560,000 Bonds of said City to finance replacement of the roof, windows, lighting and interior upgrades for the Genesee Valley Park Field House

Int. No. 268 - Authorizing an agreement for the renovation of 42-50 South Avenue

Int. No. 269 - Authorizing an amendatory agreement for planning, design and engineering services for the Vacuum Oil Brownfield Opportunity Area project

Int. No. 270 - Bond Ordinance of the City of Rochester, New York amending Ordinance Nos. 2014-253 and 2016-269 by authorizing the issuance of an additional \$57,000 Bonds of said City to finance a professional services agreement with Bergmann Associates for additional planning, design and engineering services for the Vacuum Oil Brownfield Opportunity Area project

Int. No. 271 - Authorizing an agreement for resident project representation services for the

Berlin Street Group Project

Int. No. 272 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$105,000 Bonds of said City to finance Resident Project Representation Services for the Berlin Street Group Project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-226
Agreement - Stantec Consulting
Services Inc., Animal Services
Repairs and Modernization
Assessment

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for architectural and engineering services for the Animal Services Repairs and Modernization Assessment. The cost of the agreement will be financed from 2016-17 Cash Capital and the term of the agreement shall continue until the two-year guarantee inspection that follows project completion.

The project includes a modernization assessment of and various high priority repair work for the Animal Services the facility on Verona Street. The consultant will provide a modernization assessment including programming, test fit evaluation schemes, cost estimating, and schematic design report. Also included will be design, construction, and construction administration for high priority repairs/improvements.

Stantec Consulting Services Inc. was selected for architectural and engineering services through a request for proposals process which is described in the attached summary.

Consultant services will begin in summer 2017, and it is anticipated that construction will begin in winter 2017 with scheduled completion in spring 2018. The agreement will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-127

Ordinance No. 2017-226
(Int. No. 263)

Authorizing a professional services agreement for Animal Services Repairs and Modernization Assessment

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 Stantec Consulting Services Inc. to provide architectural and engineering services for the Animal Services Repairs and Modernization Assessment project. The maximum compensation for the agreement shall be \$100,000, which shall be funded from 2016-17 Cash Capital. The term of the agreement shall continue until the two-year guarantee inspection that follows project completion.

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. 2017-227
Re: Consolidated Funding
Applications for 2017-18

Council Priority: Deficit Reduction and Long-Term Financial Stability; Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2017-18 New York State Consolidated Funding Application (CFA) process.

This legislation will:

1. Authorize the City's applications for approximately \$10 million in New York State funding through the CFA process; and
2. Authorize any necessary agreements with the State for the receipt of funding.

The CFA is the single point of entry for accessing over \$800 million in State resources to be made available in 2017 to support regional economic development priorities and spur job creation across the state, including \$225 million in competitive funds from Empire State Development.

This year, there are over 30 programs available through 12 state agencies, including Empire State Development; New York State Canal Corporation; New York State Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; New York Power Authority; Office of Parks, Recreation and Historic Preservation; Department of State; Department of Environmental Conservation; Department of Agriculture and Markets; and Council on the Arts.

City Applications

In May 2017, an interdepartmental team of City staff met to review CFA recommendations from each department. 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 in the 2018-19 Capital Improvement Plan.

Applications are due by July 28, 2017. The City of Rochester intends to submit up to 14 applications for the projects listed below:

2017 City Applications for CFA

<u>Project</u>	<u>Total Project Cost</u>	<u>State Request</u>	<u>Local Match</u>
Rundel Library Elevated Terrace Reconstruction	\$7,500,000	\$2,250,000	\$5,250,000
Commercial Corridor Planning Study	\$100,000	\$50,000	\$50,000
Rochester Heritage Trail - Phase II	\$750,000	\$550,000	\$200,000
Rundel Library Building Historic Preservation	\$1,400,000	\$500,000	\$900,000
Mt. Hope Cemetery 1912 Chapel Historic Preservation	\$500,000	\$250,000	\$250,000
CSX Corridor Acquisition (JOSANA and Seneca Trails)	\$1,000,000	\$500,000	\$500,000

ROC Paint Division	\$150,000	\$75,000	\$75,000
Erie Harbor Phase II Construction	\$1,700,000	\$850,000	\$850,000
Waterfront Public Art at Genesee Riverfront Terrace	\$300,000	\$225,000	\$75,000
F. Douglass Community Library Green Roof	\$550,000	\$375,000	\$175,000
Downtown Porous Tree Pits Phase 2	\$478,000	\$358,500	\$119,500
Norris Drive Transformative Green Street	\$7,100,000	\$6,390,000	\$710,000
Climate Adaptation Plan	\$100,000	\$50,000	\$50,000
Shared Mobility Program Expansion Project	\$400,000	\$200,000	\$200,000

Project descriptions are provided in the attached summary.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-128

Ordinance No. 2017-227
 (Int. No. 264)

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 2017-18 Consolidated Funding Application for the following projects:

<u>Project</u>	<u>Total Cost</u>	<u>State Request</u>	<u>Local Match</u>
Rundel Library Elevated Terrace Reconstruction	\$7,500,000	\$2,250,000	\$5,250,000
Commercial Corridor Planning Study	\$100,000	\$50,000	\$50,000
Rochester Heritage Trail - Phase II	\$750,000	\$550,000	\$200,000
Rundel Library Building Historic Preservation	\$1,400,000	\$500,000	\$900,000
Mt. Hope Cemetery 1912 Chapel Historic Preservation	\$500,000	\$250,000	\$250,000
CSX Corridor Acquisition (JOSANA and Seneca Trails)	\$1,000,000	\$500,000	\$500,000
ROC Paint Division	\$150,000	\$75,000	\$75,000
Erie Harbor Phase II Construction	\$1,700,000	\$850,000	\$850,000
Waterfront Public Art at Genesee Riverfront Terrace	\$300,000	\$225,000	\$75,000
F. Douglass Community Library Green Roof	\$550,000	\$375,000	\$175,000
Downtown Porous Tree Pits Phase 2	\$478,000	\$358,500	\$119,500
Norris Drive Transformative Green Street	\$7,100,000	\$6,390,000	\$710,000
Climate Adaptation Plan	\$100,000	\$50,000	\$50,000
Shared Mobility Program Expansion Project	\$400,000	\$200,000	\$200,000

Section 2. City match funding shall be provided through Budget funds already allocated for these project purposes, or through the 2018-19 Capital Improvement Plan, contingent upon approval.

Section 3. The applications and agreements shall contain such 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. 2017-228
 Re: Amendatory Agreement - C & S
 Engineers, Inc. Elmwood
 Avenue/Collegetown Cycle Track Project

Council Priority: Jobs and Economic
 Development

Transmitted herewith for your approval is legislation establishing \$21,000 as maximum compensation for an amendatory agreement with C & S Engineers, Inc., Rochester, New York, for right of way incidentals phase services required for the Elmwood Avenue/Collegetown Cycle Track Project. The proposed amendatory agreement will be funded with \$13,649 in additional Federal Highway Administration (FHWA) aid and \$7,351 in 2013-14 Cash Capital (Ord. No. 2014-182), increasing the total maximum compensation from \$190,000 (Ord. No. 2014-182) to \$211,000. The term of the agreement may extend until three months after completion of a two year guarantee inspection of the project. The agreement will be financed as follows:

<u>Funding source</u>	<u>Original agreement (Ord. No. 2014-182)</u>	<u>Amendatory Agreement</u>	<u>Total Agreement</u>
FHWA (Ord. No. 2014-182)	\$119,260	\$13,649	\$132,909
2013-14 Cash Capital (Ord. No. 2014-182)	29,370	7,351	36,721
2011-12 Cash Capital	41,370		41,370
Total	<u>\$190,000</u>	<u>\$21,000</u>	<u>\$211,000</u>

This project consists of the design and construction of a physically-separated bicycle facility (a 10 foot wide path separated by a tree lawn from the traffic lanes) along Elmwood Avenue between Wilson Boulevard and Mt. Hope Avenue. The project will install new sidewalks and bicycle paths, upgrade street lighting, and modify traffic signals and pavement markings and signage along Elmwood Avenue. C & S Engineers, Inc. will provide additional right of way incidentals and construction phase design services.

It is anticipated that the project will be advertised for construction in summer 2017, with construction beginning in fall 2017. Substantial completion of construction should occur by fall 2018. The amendatory agreement will result in the creation and/or retention of the equivalent of a 0.1 full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-228
(Int. No. 265)

Authorizing an amendatory agreement for the Elmwood Avenue/Collegetown Cycle Track 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 C & S Engineers, Inc. for right of way incidental phase services for the Elmwood Avenue/Collegetown Cycle Track Project. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2014-182 by \$21,000 to a new total of \$211,000. Said amendatory amount shall be funded from \$13,649 in Federal Highway Administration Funds appropriated in Section 1 of Ordinance No. 2014-182 and \$7,351 in 2013-14 Cash Capital. The term of the agreement shall extend until three months after completion of a two year guarantee inspection of the Project.

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. 2017-229
Re: Marchiselli Aid - Broad Street Bridge
Preventive Maintenance Project

Transmitted herewith for your approval is legislation appropriating \$269,888 from anticipated New York State Marchiselli Aid to fund a portion of the construction of the Broad Street Bridge Preventive Maintenance Project.

The project is eligible under the New York State Department of Transportation (NYSDOT) Marchiselli Aid program for reimbursement of up to 75% of the eligible local share of the Surface Transportation

Program. In January 2016 (Ord. No. 2016-20), Council authorized the City to enter into any necessary agreements with NYSDOT for the receipt and use of Marchiselli Aid for future costs related to the project.

Construction started in spring 2016 and will be substantially completed in summer 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-229
(Int. No. 266)

Appropriating funds for the Broad Street Bridge Preventive Maintenance Project

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

Section 1. The Mayor is hereby authorized to accept and use \$269,888 in anticipated reimbursements from the New York State Department of Transportation (NYSDOT) Marchiselli Aid program, which amount is hereby appropriated to finance a portion of construction services for the Broad Street Bridge Preventive Maintenance Project.

Section 2. The Mayor is hereby authorized to enter into any agreement with NYSDOT that is necessary to effectuate the receipt and use of the Marchiselli Aid funds appropriated in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-230
Re: Bond Authorization - Genesee Valley Park Field House Renovation Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$560,000 and the appropriation of the proceeds thereof to finance construction for the Genesee Valley Park Field House Renovation Project.

The project includes replacement of the field house roof, interior upgrades to the restrooms to make them compliant with the Americans with Disabilities Act, new flooring, new windows and improvements to lighting.

A public meeting was held on April 13, 2017, for which the minutes are attached.

Construction is anticipated to begin in fall 2017 with scheduled completion in spring 2018. The project will result in the creation and/or retention of the equivalent of 6.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-129

Ordinance No. 2017-230
(Int. No. 267)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$560,000 Bonds of said City to finance replacement of the roof, windows, lighting and interior upgrades for the Genesee Valley Park Field House

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacement of the roof, windows, lighting and interior upgrades for the Genesee Valley Park Field House Renovation Project (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 \$560,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$560,000 bonds of the City authorized herein 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 \$560,000 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 \$560,000. 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. 13. of the Law, is ten (10) 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. 2017-231
Re: Agreement - Clark Patterson Engineers,
Surveyor, Architects and Landscape
Architect, D.P.C., 42-50
South Avenue Renovation

Transmitted herewith for your approval is legislation establishing \$250,000 as maximum compensation for an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., Rochester, New York, for architectural and engineering services for the renovation of 42-50 South Avenue, the current location of the Municipal Code Violations Bureau (MCVB). The cost of the agreement will be financed from 2015-16 Cash Capital, as authorized via Ordinance No. 2016-64, for the architectural services for the renovation of the South Avenue space. The agreement may extend until three months after project completion.

The project includes design and construction support services for the move of the MCVB out of 42-50 South Avenue into a new location, and the subsequent renovation of 42-50 South Avenue for the Department of Recreation and Youth Services (DRYS) Bureau of Employment Skills Training and Youth Services (BEST).

Clark Patterson has had the following agreements with respect to the renovation on South Avenue:

<u>Purpose</u>	<u>Date Authorized</u>	<u>Ord. No.</u>
Agreement for program development and schematic design of MCVB at 42-50 South Avenue (\$60,000)	April 2015	2015-100
Amendatory agreement for final design, bidding and construction oversight for MCVB at 42-50 South Avenue [additional \$250,000 funded with Dormitory Authority of the State of New York (DASNY) grant]	January 2016	2016-19

Budget amendment to change funding to 2015-16 Cash Capital and amend Ordinance No. 2016-19 to change from DASNY funds to Cash Capital

March 2016

2016-64

Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C. was selected for architectural and engineering services based on its familiarity with the project location and schematic design work completed to date for 42-50 South Avenue. A full justification for not issuing a request for proposal is attached.

Programming for BEST will begin in summer 2017, and construction will begin in spring 2018 with scheduled completion in spring 2019. It is anticipated that MCVB will be relocated and incorporate plans for the addition of a new traffic violations agency/bureau per enabling legislation passed by the State this month.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-130

Ordinance No. 2017-231
(Int. No. 268)

Authorizing an agreement for the renovation of 42-50 South Avenue

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 in the maximum amount of \$250,000 with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C. for architectural and engineering services for the renovation of 42-50 South Avenue. Said amount shall be funded from 2015-16 Cash Capital and the term of the agreement may extend until 3 months after project completion.

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. 2017-232 and
Ordinance No. 2017-233
Re: Amendatory Agreement - Bergmann
Associates, Architects, Engineers,
Landscape Architects & Surveyors,
D.P.C. - Vacuum Oil Site

Transmitted herewith for your approval is legislation related to additional services in support of advancing pre-development activities associated with the Vacuum Oil Brownfield Opportunity Area (BOA) project. This legislation will:

1. Establish \$57,000 as maximum compensation for an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, for additional services to advance the Vacuum Oil waterfront design plans from schematic design to 50% complete construction documents. This will increase the maximum cost of the agreement by \$57,000 to a total of \$832,000; and
2. Authorize the issuance of bonds in the amount of \$57,000 and appropriate the proceeds thereof to finance the cost of this amendatory agreement.

In August 2014, City Council authorized an agreement with Bergmann Associates (Ord. No. 2014-253) which established \$725,000 as maximum compensation for predevelopment phase studies, investigations and related services for the Vacuum Oil site. In August 2016, City Council authorized an amendatory agreement with Bergmann Associates in the amount of \$50,000 for planning, design and engineering services, including preparation of an application for a federal Transportation Investment Generating Economic Recovery (TIGER) grant.

Under this proposed amendatory agreement, Bergmann Associates will prepare a preferred riverfront improvement design that integrates flood protection, reconstructed portions of the West River Wall, riverfront public access, wetland mitigation, transportation improvements, public spaces and amenities including the Genesee River Trail. Bergmann Associates will advance design plans and drawings to a 50% design status. The preferred design will be based on the alternative selected from a schematic design alternatives report, completed as part of the Vacuum Oil Brownfield Opportunity Area planning project.

The additional level of design detail that will be achieved under the proposed amendatory agreement will be necessary in order to inform and guide the City's Brownfield Cleanup Program site remedial alternatives analysis (RAA) that will begin this fall. The RAA will lead to a New York State Department of Environmental Conservation approved cleanup plan for 15 acres of City-owned riverfront property located on the former Vacuum Oil refinery site south of Flint Street.

It is anticipated that the 50% waterfront design plans will be completed by December 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-232
(Int. No. 269)

Authorizing an amendatory agreement for planning, design and engineering services for the Vacuum Oil Brownfield Opportunity Area 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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to amend the professional services agreement providing planning, design and engineering services for the Vacuum Oil Brownfield Opportunity Area project (the Project), which was authorized in Ordinance No. 2014-253 and amended in Ordinance No. 2016-269. The amendatory agreement shall increase the agreement's maximum compensation by \$57,000 for a total of \$832,000 and shall provide for the preparation of a preferred riverfront improvement design for the project. The amendatory amount of \$57,000 shall be funded from the proceeds of a bond ordinance to be authorized for the project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-233
(Int. No. 270)

Bond Ordinance of the City of Rochester, New York amending Ordinance Nos. 2014-253 and 2016-269 by authorizing the issuance of an additional \$57,000 bonds of said City to finance a professional services agreement with Bergmann Associates for additional planning, design and engineering services for the Vacuum Oil Brownfield Opportunity Area 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 \$57,000 in additional costs of a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. relating to additional planning, design and engineering services for the Vacuum Oil Brownfield Opportunity Area generally bounded by Ford Street, South Plymouth Avenue and the westerly bank of the Genesee River (the "Project"), initially authorized in the amount of \$725,000 by Ordinance No. 2014-253 and amended by the increase of \$50,000 by Ordinance No. 2016-269. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$832,000, and the additional \$57,000 is hereby appropriated therefor. The plan of financing includes the issuance of \$57,000 bonds of the City, appropriating \$652,500 from the grant funds under the New York State Department of State Brownfield Opportunity Area program (Ordinance No. 2014-253), allocating \$22,305 in Prior Years' Cash Capital (Ordinance No. 2014-253, allocating \$8,090 in 2011-12 Cash Capital (Ordinance No. 2014-253), allocating \$42,105 in 2012-13 Cash Capital (Ordinance No. 2014-253), allocating \$50,000 in 2013-14 Cash Capital (Ordinance No. 2016-269), and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$57,000 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 author-

ized, 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 \$57,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 6-e of the Local Finance Law, is twenty (20) 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. 2017-234 and
Ordinance No. 2017-235
Re: Agreement- T.Y. Lin International
Engineering, Architecture & Land
Surveying, P.C., Berlin
Street Group Project

Transmitted herewith for your approval is legislation related to the Berlin Street Group Project (Berlin, Bradford and St. Jacob Streets). This legislation will:

- 1. Establish \$105,000 as maximum compensation for an agreement with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C., Rochester, New York, for resident project representation (RPR) services; and
- 2. Authorize the issuance of bonds totaling \$105,000 and the appropriation of the proceeds thereof to finance the agreement herein.

The Berlin Street Group Project includes the installation of new stone curbs including underdrain; spot sidewalk replacement and replacement of all driveway aprons; catch basin upgrades; and restoration of all lawn areas disturbed by the work. The project was designed in-house by the Department of Environmental Services Bureau of Architecture and Engineering. The agreement shall have a term of three months after a two year guarantee period.

T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. was selected for RPR services through a Request for Proposal process, which is described in the attached summary.

A public meeting was held on February 7, 2017, the minutes for which are attached.

Construction of this project is funded by the Community Block Development Grant, as appropriated in March 2017 via Ordinance No. 2017-69. Construction is anticipated to begin in summer 2017 with scheduled completion in fall 2017. The RPR agreement will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-131

Ordinance No. 2017-234
(Int. No. 271)

Authorizing an agreement for resident project representation services for the Berlin Street Group 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 T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. to provide resident project representation services for the Berlin Street Group project (the Project) consisting of curb and driveway apron replacements, spot sidewalk replacements and catch basin upgrades on Berlin Street, Bradford Street and St. Jacob Street. The agreement shall provide for a maximum compensation of \$105,000, which amount shall be funded from the proceeds of a bond ordinance to be authorized for the project. The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows project completion.

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.

Ordinance No. 2017-235
(Int. No. 272)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$105,000 Bonds of said City to finance Resident Project Representation Services for the Berlin Street Group Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of Resident Project Representation Services as a portion of the Berlin Street Group Project consisting of the installation of new stone curbs and underdrains, spot sidewalk replacement, catch basin upgrades and lawn and driveway repair along Berlin Street, Bradford Street and St. Jacob Street in the City (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

\$105,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$105,000 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. The balance of Project costs were appropriated as Community Development Block Grant funds under Ordinance No. 2017-69.

Section 2. Bonds of the City in the principal amount of \$105,000 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 \$105,000. 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. 20. c. 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.

By Councilmember McFadden
July 18, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 273 - Authorizing an agreement for implementing the Parent Leadership Training Institute

Int. No. 274 - Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids After School Program at City schools

Int. No. 275 - Authorizing an agreement with the County of Monroe for funding youth recreation and youth development programming

Int. No. 276 - Appropriating funds and authorizing an amendatory agreement for the Summer of Opportunity Program

Int. No. 277 - Appropriation for the 2017-18 Mural Arts Project

Int. No. 278 - Authorizing funding and agreements for the Science, Technology, Engineering, Arts and Mathematics (STEAM) Engine Project

Int. No. 279 - Authorizing a professional services agreement relating to real property acquisition for the Campbell Street R-Center Gateway Project

Int. No. 280 - Appropriating funds and amending the 2017-18 Police Department Budget for the operations of the Greater Rochester Area Narcotics Enforcement Team program

Int. No. 281 - Amending the 2017-18 Police Department Budget and appropriating federal forfeiture funds

Int. No. 282 - Authorizing an agreement with Monroe Community College for the Police Recruit Education Project

Int. No. 283 - Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services

Int. No. 284 - Authorizing an agreement for reimbursing Fire Department overtime

Int. No. 285 - Authorizing a grant agreement for the 2017 State Homeland Security Program

Int. No. 286 - Authorizing an intermunicipal agreement with the County of Monroe for use of the electronic pistol permit records system

Int. No. 287 - Authorizing an amendatory agreement for veterinary services

Respectfully submitted,
Adam C. McFadden (*Abstained on Int. No. 274*)
Molly Clifford
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-236
Re: Agreement - Rochester's Child, Inc.,
Parent Leadership Training Institute

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with Rochester's Child, Inc., a subsidiary of the Rochester Area Community Foundation, for the Parent Leadership Training Institute (PLTI). The agreement will be funded from the 2017-18 Budget of Undistributed Expenses, and the term will be for the remainder of this fiscal year, and with an option to renew for two additional one-year terms, contingent upon approval of the future budgets.

PLTI is an evidence-based program offered by Rochester's Child, Inc. in partnership with the Early Childhood Development Initiative, a more than 20

years old, voluntary collective of community experts in early childhood development. PLTI is designed to increase parents' involvement and engagement in the community, strengthen neighborhoods and families, and improve outcomes for children. Parents participate in a 20 week training program with topics that include child and adolescent youth development, public speaking, civics, and policy development. Twenty-five parents will be served during this year.

The most recent agreement for this service was approved by Council in June 2016 via Ordinance No. 2016-248.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-236
(Int. No. 273)

Authorizing an agreement for implementing the Parent Leadership Training Institute

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 in the maximum amount of \$10,000 with Rochester's Child, Inc. a subsidiary of the Rochester Area Community Foundation, for implementing the Parent Leadership Training Institute. Said amount shall be funded from the 2017-18 Budget of Undistributed Expenses. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year with two one-year renewal options with a maximum annual compensation of \$10,000, contingent upon approval of future budgets.

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. 2017-237
Re: Agreement - Rochester Area Community Foundation, Quad A for Kids

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the Rochester Area Community Foundation to support the Quad A for Kids After School Program. The agreement will be funded from the 2017-18 Budget of Undistributed Expenses and the term will be for the remainder of this fiscal year, with an option to renew for two additional one-year terms, contingent the upon approval of future

budgets.

The Quad A After School Program will provide supplemental education through a variety of project-based learning activities for up to 350 children attending the Rochester City School District. The program will serve students in kindergarten through eighth grade at schools #4, #16, and #34, from October 2017 to June 2018, for three hours per day, five days per week.

The After School Program follows a student-centered curriculum which supports youth and their families by working on social and emotional development; academic enrichment; parenting and family involvement; and nutrition and health through arts, athletics, and life skills activities. Children will receive an afternoon snack at the start of the program, and each day concludes with a hot dinner.

The most recent agreement for this service was approved by Council in June 2016 via Ordinance No. 2016-219.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-237
(Int. No. 274)

Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids After School Program at City schools

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation to support the Quad A For Kids After School Program at City schools.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2017-18 Budget of Undistributed Expenses and said amount is hereby appropriated for this purpose. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year, with the option to extend the term for up to two additional one-year periods with a maximum annual compensation of \$50,000 each, contingent upon approval of future budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, Miller, Ortiz, Patterson, and Spaul - 8

Nays - None - 0.

Councilmember McFadden abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-238
Re: Grant Acceptance - Monroe County,
Rochester-Monroe County Youth
Bureau

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with the County of Monroe, on behalf of the Rochester-Monroe County Youth Bureau, for the receipt and use of \$54,301 to support recreation and positive youth development programming. These funds were anticipated and included in the 2017-18 Budget of the Department of Recreation and Youth Services. The grant must be expended by December 31, 2017.

The Rochester-Monroe County Youth Bureau annually receives funding from the New York State Office for Children and Family Services (OCFS) for youth development activities. Preliminary notification of the amount of State funding for calendar year 2017 was received on June 12, 2017 from the County.

In 2016, 1,187 city recreation participants were served through this grant, and it is anticipated that at least 800 youth will be served in 2017.

The Rochester-Monroe County Youth Bureau, jointly established by the City and County, provides a County-wide planning and service delivery system devoted to the welfare and development of children

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-239
Re: Amendatory Agreement - North East
Area Development, Inc., Summer of
Opportunity Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the implementation of the Department of Recreation and Youth Services (DRYS) 2017 Summer of Opportunity Program (SOOP). This legislation will:

1. Appropriate \$250,000 from the Job Creation/Youth Development Allocation of the 2017-18 Community Development Block Grant (CDBG) of the Consolidated Community Development Plan, contingent upon Council approval of the Plan, to provide youth wages and administrative staff support for the program; and
2. Establish \$7,710 as maximum compensation for an amendatory agreement with North East Area Development, Inc. for the GET IT program, increasing total compensation to \$72,460.

Program Overview

The City's Summer of Opportunity Program collaborates with RochesterWorks' Summer Youth Employment Program (SYEP) to conduct joint recruitment and application intake for all applicants ages 14 to 20 years old seeking summer employment. Funding for the activities of SOOP and SYEP is separate. The City funds summer

and youth. The most recent Council action on this item was in June 2016 via Ordinance No. 2016-247.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-238
(Int. No. 275)

Authorizing an agreement with the County of Monroe for funding youth recreation and youth development programming

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe (on behalf of the Rochester-Monroe County Youth Bureau) for the receipt and use of anticipated funding from the New York State Office of Children and Family Services (OCFS) in the amount of \$54,301 for recreation and youth development programming. The agreement shall have a term of January 1, 2017 to December 31, 2017.

Section 2. If the amount of funds provided by OCFS is more or less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

jobs within City departments and summer work experience programs provided by external partner agencies as described below.

There are two parts of the program: work experience through external contracts with agencies who take on groups of youth in summer work experience programs (Tier 1), and direct placements within City departments (Tier 2).

Externally Administered Work Experience (Tier 1)

In April of this year, Council authorized the acceptance of \$300,000 in New York State Department of Labor grant funding, and approved 10 external agency contracts, serving 162 youth at a total cost of \$280,218 (Ord. No. 2017-107). Participants, ages 14 and 15, will receive a stipend of \$600, and participants, ages 16 and older, will be paid minimum wage. Under the proposed amendatory agreement (necessitated due to a recalculation of minimum wage for 20 youth, ages 16 and older, instead of a stipend), the external agency total is now \$287,928, an increase of \$7,710.

Internally Administered Jobs (Tier 2)

Under Tier 2, SOOP jobs are provided by the City for a total of 90 youth worker positions. These jobs are based on the City pay schedule and payroll is administered directly by the City. Youth will be paid minimum wage.

Department/Program	No. of Positions	Hours Per Week	Amount
DRYS Recreation Youth Workers (summer)	33	35	\$ 79,848
DRYS Recreation Youth Workers (school year)	12	18	84,595
DRYS Jr. Rec Leaders (summer)	15	35	32,083
DRYS Biz Kid\$ Real (summer)	6	35	12,833
DRYS Biz Kid\$ Real (summer)	4	20	4,889
SOOP City Hall (summer)	5	35	9,167
SOOP City Hall (summer)	15	20	17,460
	90		<u>\$240,875</u>

The total City investment in youth employment is \$528,803, resulting in 252 youth jobs including 162 youth work readiness program positions within partner agencies and 90 youth worker positions within City departments.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-239
 (Int. No. 276)

Appropriating funds and authorizing an amendatory agreement for the Summer of Opportunity Program

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

Section 1. The sum of \$250,000 is hereby appropriated from the Job Creation/Youth Development allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan, contingent upon approval thereof, to provide youth wages and administrative staff support for the Summer of Opportunity Program.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with North East Area Development, Inc. for the GET IT Program. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2017-107 by \$7,710 to a new total of \$72,460. The amendatory amount is hereby appropriated from the proceeds of the grant agreement with the New York State Department of Labor authorized in Section 1 of Ordinance No. 2017-107.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2017-240
 Re: Mural Arts Project "Roc Paint Division"

Council Priority: Creating and Sustaining a Culture of Vibrancy; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation appropriating \$100,000 from the Job Creation/Youth Development allocation of the General Community Needs Fund of the 2017-18 Community Development Block Grant for the Mural Arts Project. These funds were anticipated and included in the 2017-18 Budgets of the Department of Recreation and Youth Services (DRYS) (\$75,400 for staff wages) and Undistributed Expenses (\$5,700 for benefits). The balance of the funds (\$18,900) will be used for supplies, field trips, and artistic training. This current phase of the project will begin this summer and conclude by June 30, 2018.

The Mural Arts Project, initiated in 2012, in collaboration with the Department of Neighborhood and Business Development, engages Rochester youth to create, develop, and install public art projects to enhance and improve the community. Each year, a "Roc Paint Division" mural arts team is assembled consisting of two lead artists, a staff assistant, and eight youth workers. As in prior years, the youth hired for the 2017-18 project will receive training in community art development, leadership, and artistic techniques. They will also participate in field trips and professional development training conducted by the DRYS Bureau of Employment Skills Training and Youth Services.

The team will design and install a number of murals, both small and large scale, and interior or exterior, at select R-Centers and community locations. The team will determine the designs and locations through consultation with youth and adult R-Center members and with community stakeholders from the neighborhood surrounding the R-Center.

Since the program's inception, murals have been installed at the Ametek building on North Union Street across from the Public Market; 17 "Words to Live By" murals were placed in various locations; and four Rochester Pillars (Susan B. Anthony, Frederick Douglass, Nathaniel Rochester and Austin Steward) were added to the pillar abutments of the underpass at the corner of West Main and Ford Streets. Most recently, during the 2015-16 program year, murals were installed at the Campbell (interior and exterior), Flint (interior), and Roxie Ann Sinkler (exterior) R-Centers; and during the 2016-17 program year, murals were installed on the exterior of the Flint R-Center, and the interiors of the Avenue D, Frederick Douglass (formerly South), Humboldt, and Ryan R-Centers.

This program was last approved by Council in August 2016 via Ordinance No. 2016-280.

A project description and budget are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-132

Ordinance No. 2017-240
(Int. No. 277)

Section 2. This ordinance shall take effect immediately.

Appropriation for the 2017-18 Mural Arts Project

Passed unanimously.

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

TO THE COUNCIL
Ladies and Gentlemen:

Section 1. The sum of \$100,000 from the Job Creation/Youth Development allocation of the General Community Needs Fund of the Consolidated Community Development Plan/2017-18 Annual Action Plan (2017-18 Con Plan) is hereby appropriated for the 2017-18 Mural Arts Project (the Project), contingent upon adoption of the 2017-18 Con Plan. The Mural Arts Project shall be comprised of the assembling of a "Roc Paint Division" mural arts team consisting of lead artists, a staff assistant, and youth workers to and install murals at select R-Centers and part of the appropriation herein shall be allocated for Project supplies, field trips, and artistic training for the 2017-18 fiscal year concluding June 30, 2018.

Ordinance No. 2017-241
Re: Agreement - David Hochstein
Memorial Music School, Inc.,
STEAM Engine Project

Council Priority: Creating and Sustaining a Culture of Vibrancy; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the science, technology, engineering, arts, and math (STEAM) Engine Project. This legislation will:

- 1. Appropriate \$50,000 from the STEAM Engine allocation of the General Community Needs

Fund of the 2017-18 Community Development Block Grant (CDBG).

- 2. Establish \$50,000 as maximum compensation for an agreement with the David Hochstein Memorial Music School, Inc. to implement the ROCmusic program. The term of the agreement will be for the remainder of the fiscal year and the cost will be funded from the appropriation made herein.

A portion of the STEAM Engine Project funding supports the delivery of community-based music instruction through the ROCmusic program at the David F. Gantt R-Center and the Edgerton R-Center. ROCmusic is an after-school and summer music education program that offers tuition-free classical music instruction and instrument lessons to approximately 100 Rochester youth in grades one through 12. The CDBG funding will partially fund the full-time ROCmusic Program Director/Lead Teacher and part-time music instructors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-241
(Int. No. 278)

Authorizing funding and agreements for the Science, Technology, Engineering, Arts and Mathematics (STEAM) Engine Project

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

Section 1. The sum of \$50,000 is hereby appropriated from the STEAM Engine allocation of the General Community Needs fund of the Consolidated Community Development Plan/2017-18 Annual Action Plan, contingent upon adoption thereof.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement in the maximum amount of \$50,000 with David Hochstein Memorial Music School, Inc. to implement the ROCmusic program. Said amount shall be funded from the funds appropriated in Section 1 herein. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-242
Re: Agreement - R.K. Hite & Co., Inc.,

Campbell Street R-Center Gateway Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$22,500 as maximum compensation for an agreement with R.K. Hite & Co., Inc. for real property acquisition services related to the Campbell Street R-Center Gateway Project. The term of the agreement will be for one year and the cost will be funded from the 2008-09 Community Development Block Grant Infrastructure Improvements allocation of the General Community Needs fund as authorized in March 2017 via Ordinance No. 2017-69.

The Campbell Street R-Center Gateway Project will create new community access and entry points to the R-Center facility grounds. As part of this project, the City intends to acquire the adjacent properties of 512 Campbell Street, a single family house; 520 Campbell Street, a single family house; and 835 Jay Street, a vacant residential lot, in order to develop new public pathways onto the R-Center grounds, create sight lines, and provide more parking.

The City will hire R.K. Hite & Co, Inc. to conduct property title research and certification; handle communication with property owners; provide real property appraisals, reviews, and purchase offer assistance; and perform title transfers and other project and records management activities. The consultant was selected due to positive work experiences on other similar projects with the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-242
(Int. No. 279)

Authorizing a professional services agreement relating to real property acquisition for the Campbell Street R-Center Gateway 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 R.K. Hite & Co., Inc. to provide real property acquisition services related to the Campbell Street R-Center Gateway Project. The term of the agreement shall be for one year.

Section 2. The cost of the agreement shall not exceed \$22,500, which shall be funded from Infrastructure Improvements allocation of the General Community Needs Fund within the 2008-09 Community Development Block Grant that was appropriated in Section 2 of Ordinance No. 2017-69.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-243
Re: Appropriation of Forfeiture Funds - GRANET Operations

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$200,000 from federal forfeited property revenues attributable to the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2017-18 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations for the 2017-18 fiscal year. GRANET participates in joint investigations which includes federal, State, and other local law enforcement agencies. The mission of GRANET is to achieve maximum coordination and cooperation among participating agencies; bring to bear their combined resources to investigate mid- and upper-level narcotics and illegal weapons offenses; and aggressively investigate career criminals in the Greater Rochester/Monroe County area, utilizing both State and federal laws.

Under the current Memorandum of Understanding among the participating agencies, GRANET will share in any properties or funds confiscated as a direct result of a criminal investigation initiated by GRANET, pursuant to forfeiture regulations of the United States Departments of Justice and Treasury, and the Attorney General.

GRANET will use asset forfeiture funds for operational expenses including communications, electronic surveillance, confidential funds, vehicle rentals for undercover operations, supplies, and training. The proposed expenditures conform to the Attorney General's Guidelines for Seized and Forfeited Property (March 1994). Salaries and overtime for participants will continue to be paid by each officer's respective agency.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund after this transfer is estimated at \$373,300; however, any balance above \$350,000 will be distributed quarterly to participating agencies, including the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-243
(Int. No. 280)

Appropriating funds and amending the 2017-18 Police Department Budget for the operations of the Greater Rochester Area Narcotics Enforcement Team program

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$200,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-244
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to \$5,000 from federal forfeiture funds generated by the Rochester Police Department and amending the 2017-18 Budget of the Police Department by this amount.

On occasion, the Police Department is involved with an investigation that seizes a vehicle, and as a result of the seizure, has the opportunity to take ownership of the vehicle by paying the U.S. Marshals Service for only sharing and processing costs. The sharing and processing costs vary based on the vehicle, but are usually less than \$2,500 per vehicle. Prior to taking ownership of a seized vehicle, it is checked by personnel from the Mt. Read garage to verify that it is in good condition and fleet worthy. The newly acquired vehicles are used to replace older vehicles that are in poorer condition in the Special Investigations Section's fleet.

This appropriation will allow for the purchase of up to two vehicles throughout the year if the opportunities arise. Federal Sharing Guidelines consider this type of expense to be an appropriate use of forfeiture funds.

This appropriation will result in a balance of approximately \$723,300 in the federal forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-133

Ordinance No. 2017-244
(Int. No. 281)

Ordinance No. 2017-245
(Int. No. 282)

Amending the 2017-18 Police Department Budget and appropriating federal forfeiture funds

Authorizing an agreement with Monroe Community College for the Police Recruit Education Project

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

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$5,000 which amounts are hereby appropriated from funds received from the Federal Government from seized and forfeited assets. The appropriation herein shall be used for the purchase of up to two seized vehicles.

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Monroe Community College for the Police Recruit Education Project. The agreement shall obligate the City to pay an amount not to exceed \$8,500. Said amount shall be funded from the 2017-18 Budget of the Police Department. The term of the agreement shall be for one year from September 1, 2017 through August 31, 2018, with the option to extend the term for up to 3 additional periods of one year each at a maximum annual amount of \$8,500 each, contingent upon appropriations in future budgets of the Police Department.

Section 2. This ordinance shall take effect immediately.

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

Passed unanimously.

Section 3. This ordinance shall take effect immediately.

TO THE COUNCIL
Ladies and Gentlemen:

Passed unanimously.

Re: Ordinance No. 2017-245
Agreement - Monroe Community College, Police Recruit Education Project

TO THE COUNCIL
Ladies and Gentlemen:

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

Re: Ordinance No. 2017-246
Grant Agreement - New York State Division of Homeland Security and Emergency Services, 2017 State Law Enforcement Terrorism Prevention Program Grant

Transmitted herewith for your approval is legislation establishing annual maximum compensation of \$8,500 for an agreement with Monroe Community College (MCC) to support the Police Recruit Education Project. The term of the agreement will be for one year, from September 1, 2017 through August 31, 2018, with the option to renew for up to three additional one-year periods and the cost will be funded from the 2017-18 and subsequent Budgets of the Police Department, contingent upon approval of the future years' budgets.

Council Priority: Public Safety

The MCC Police Recruit Education Project is designed to increase the academic success of minority and women students enrolled in the MCC criminal justice program who desire future employment with the City. The agreement provides a Program Director to lead the project in partnership with the Police Department. The Program Director will identify students to enter the program, assist with course selection, serve as an academic advisor, conduct workshops on the Civil Service Exam, and assist with physical fitness workshops.

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of \$117,500 for a State Law Enforcement Terrorism Prevention Program grant. The term of this grant is September 1, 2017 through August 31, 2020. No matching funds are required.

Council most recently approved this agreement in July 2016 via Ordinance No. 2016-253.

The grant funds will be used to purchase equipment to enhance and maintain the capabilities of the Police Department's Special Teams. The purchase plan includes underwater scanning devices to upgrade technology for the SCUBA team to allow for increased underwater sensing of objects, and reconnaissance robots and ballistic helmets for the SWAT team to support safe operations during terrorist events.

Respectfully submitted,
Lovely A. Warren
Mayor

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-246
(Int. No. 283)

Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of a \$117,500 grant from the State Law Enforcement Terrorism Prevention Program. Said funds are hereby appropriated to purchase equipment to enhance and maintain the capabilities of the Rochester Police Department's Special Teams.

Section 2. The term of the agreement shall be from September 1, 2017 through August 31, 2020.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-247
Grant Agreement - Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, Fire Department Reimbursement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for reimbursement of overtime salary and other costs, with prior ATF approval, incurred by the Fire Department during joint law enforcement operations. The most recent agreement was authorized in 2012 via Ordinance No. 2012-339.

The new agreement will have a term of five years and the anticipated annual revenue is \$17,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-247
(Int. No. 284)

Authorizing an agreement for reimbursing Fire Department overtime

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 Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (the Bureau) to fund overtime incurred by the Fire Department when assisting the Bureau. The agreement shall have a term of five years and an anticipated annual revenue of \$17,000.

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:

Re: Ordinance No. 2017-248
Grant Agreement - New York State Division of Homeland Security and Emergency Services, 2017 State Homeland Security Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of \$175,000 from the 2017 State Homeland Security Program grant, and amending the 2017-18 Budgets of the Fire Department (\$19,000) and Undistributed Expenses (\$8,000) for related personnel expenses. The remaining non-personnel expenses will be funded directly from a Special Revenue Fund specific to this grant. Since this is a multi-year grant, any remaining personnel expenses will be appropriated in the 2018-19 Budget of the Fire Department, contingent upon its approval.

This grant is provided to support building, sustainment and delivery of core capabilities for achieving preparedness and resilience in the event of terrorist attacks, severe weather and other significant events in the Rochester/Monroe County region. Grantees are required to build capabilities that relate to the prevention of, protection from, or response to such events. The program period is September 1, 2017 through August 31, 2020, and no matching funds are required.

The 2017 allocation will be used for equipment, such as: rescue task force personal protection gear for fire suppression and search and rescue (\$78,500). Funding will also support overtime back-fill for hazmat incident command classes, building collapse training and Community Emergency Response Training (\$64,000); registrations and travel for building collapse training (\$11,500); and fringe benefits for all personnel expenses included in the funding allocation (\$21,000).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-248
(Int. No. 285)

Authorizing a grant agreement for the 2017 State Homeland Security Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of a \$175,000 grant for the State Homeland Security Program (“SHSP”) to enhance terrorism prevention.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Fire Department by \$19,000 and to the Budget of Undistributed Expenses by \$8,000, which amounts are hereby appropriated from the 2017 SHSP grant for the purpose authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-249
Intermunicipal Agreement - Monroe
County, Electronic Pistol Permit
Records System

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for the Rochester Police Department’s use of the County’s electronic pistol permit records system at no cost.

Monroe County has an electronic pistol permit records system and is willing to permit the City limited access to this system, provided the City assumes all costs, responsibilities and liabilities of access to this system. The City will maintain a record of all inquiries and/or searches made in the system and provide copies to the Monroe County Clerk’s office upon request.

The term of this agreement is August 1, 2017 through July 31, 2020, with the option to renew for two additional one-year periods.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-249
(Int. No. 286)

Authorizing an intermunicipal agreement with the County of Monroe for use of the electronic pistol permit records system

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 County of Monroe for use of the County’s electronic pistol permit records system at no cost to the City.

Section 2. The term of the agreement shall be August 1, 2017 through July 31, 2020 with the option to renew for two additional one-year periods.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-250
Re: Amendatory Agreement - Monroe
Veterinary Associates, Veterinary
Services for Police K-9 Unit

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an amendatory agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for dogs assigned to the K-9 unit of the Police Department, bringing total annual compensation to \$45,000. The term of this agreement is through August 31, 2017 and the cost will be funded from the 2017-18 Budget of the Police Department.

Funding for the current agreement with Stone Ridge Veterinary Hospital (Ord. No. 2016-59) needed to be increased because a few of the K-9 unit dogs' required surgeries during this fiscal year, causing the veterinary services expenses to be much greater than anticipated.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-250
(Int. No. 287)

**Authorizing an amendatory agreement for
veterinary services**

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

REGULAR MEETING
AUGUST 15, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul

– 9

Absent – None – 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

Emergency Communications
Jacqueline A. Gerhard
*Kathleen A. McAllister

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Monroe Veterinary Associates d/b/a Stone Ridge Veterinary Hospital for veterinary services for the K-9 Unit of the Police Department. The amendment shall increase the maximum compensation authorized by Ordinance No. 2015-212 and amended by Ordinance No. 2016-59 by \$10,000 to a total of \$45,000 for the current extension of the agreement's term from September 1, 2016 to August 31, 2017. The amount of such additional compensation shall be funded from the 2017-18 Budget of the Police Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:13 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

Finance Department
*David H. Crocker
*Cathy A. Cordaro

Law Department
*Suzanne C. Sutura

Rochester Public Library
*Martin R. Steinhauser

Police Department
*Mark W. Freese
*Kenneth R. Richardson
**Did not attend*

APPROVAL OF THE MINUTES
By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of July 18, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges – 4263-17
 - Public Disclosure – CDBG Participation – 4264-17
 - Quarterly Report – Grant Administration – 4265-17
 - Quarterly Report – NBD Loans and Grants – 4266-17
 - Semi-Annual Reports (4) - 4267-17
 - 2016-17 Fiscal Year Shelter Rent PILOTS In-Lieu-Of-Tax Receipts 2016/17
 - 2017-18 COMIDA PILOT Billing
 - 2017-18 Fiscal Year Shelter Rent PILOTS
 - SEQR Determination for the Strong Neighborhood of Play Project in Int. No. 318 – 4268-17

The Council submits Disclosure of Interest Forms from Vice President Miller on Int. No. 293, Councilmember Conklin on Int. No. 290 and Int. No. 305, Councilmember Haag on Int. No. 311, and Councilmember Spaul on Int. No. 294.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaul presented 20 signatures rejecting the legislation for Cobbs Hill Project. –Petition No. 1744

Councilmember Patterson presented 24 signatures requesting Sylvester St. repairs– Petition No. 1745

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
August 15, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 290 - Amending the 2017-18 Budget of the Library and accepting funds for library facility improvements

Int. No. 291 - Authorizing an amendatory professional services agreement for legal services

Int. No. 323 - Amending Chapter 108 of the Municipal Code with respect to taxicabs

Respectfully submitted,
Carolee A. Conklin (Abstained on Int. No. 290)
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott

FINANCE COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-251
Re: Budget Amendment –
Rochester Public Library

Council Priority: Support the
Creation of Effective Educational
Systems

Transmitted herewith for your approval is legislation amending the 2017-18 Budget of the Library to reflect the receipt of New York State Education Department (NYSED) funds (“Bullet Aid” to libraries) in the amount of \$51,000. The NYSED Bullet Aid to libraries will be used for the following purposes:

High school equivalency exam tutoring/classwork services for the Lyell Branch and Maplewood Community Libraries	\$15,000
Enhancements to security equipment at the Douglass and Wheatley Community Libraries and the Arnett Branch Library	27,000
Enhancements to security equipment and literacy programming for the Sully, Monroe and Winton Branch Libraries	9,000
TOTAL	\$51,000

For the sixth year, Senator Joseph E. Robach has solicited NYSED funds to support branch library adult literacy initiatives (\$15,000), which will expand TASC tutoring in the Lyell and Maplewood Libraries.

For the fifth year, State Senator Michael H. Ranzenhofer has solicited NYSED funds for the Douglass, Wheatley and Arnett Libraries (\$27,000). The funds will support continuations of literacy initiatives including early childhood and TASC tutoring. It will also fund recommended security and public safety enhancements at these locations.

For the third year, Senator Rich Funke has solicited NYSED funds (\$9,000) to support the purchase of additional technology equipment, literacy materials and program services for the Sully Library. This funding will enable the implementation of recommended security and public safety enhancements at the Sully, Monroe and Winton branches.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-251
(Int. No. 290)

Amending the 2017-18 Budget of the Library and accepting funds for library facility improvements

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for the Budget of the Library by \$51,000 to reflect receipt of that amount from a New York State Education Department library grant (Bullet Aid).

Section 2. Said \$51,000 in Bullet Aid is hereby appropriated for the following programs:

- \$15,000 for high school equivalency exam tutoring/classwork services for the Lyell Branch and Maplewood Community Libraries.
- \$27,000 for enhancements to security equipment at the Douglass and Wheatley Community Libraries and the Arnett Branch Library.
- \$9,000 for enhancements to security equipment, and literacy programming at the Monroe, Sully and Winton Branch Libraries.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaull-8

Nays – None- 0

Councilmember Conklin abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-252
Re: Agreement- Cohen Law Group,
Legal Services, Cable Television
Franchise Renewal

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an amendatory agreement with the Cohen Law Group for legal services related to the City’s cable television franchise agreement. The amendatory agreement will be funded from the 2017-18 Budget for Undistributed Expenses and the term will be extended to September 30, 2018.

Because of the unique and complex nature of this matter, the Law Department retained the services of the Cohen Law Group to assist the City in negotiations with Time Warner and Comcast Corporation in 2014. That firm was selected through a request for qualifications process based on their specialized expertise and absence of conflicts of interest. That

agreement was last amended by Ordinance No. 2016-132 to increase the maximum compensation to \$85,000 after Time Warner merged into Charter Communications, which now does business as Spectrum. This proposed amendment will increase total maximum compensation to \$100,000.

To date, Cohen Law Group has assisted with developing an analysis of past compliance, community needs and equipment needs, and has advised the City about federal laws that apply. They have prepared a draft of a new franchise agreement and have engaged in extensive negotiations with Charter Communications. However, there are still unresolved issues, and it is anticipated that further work will be necessary to complete the new franchise agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-252
(Int. No. 291)

Authorizing an amendatory professional services agreement for legal services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Cohen Law Group to continue its legal representation of the City with regard to cable television franchise issues. The maximum compensation for the agreement that was last amended by Ordinance No. 2016-132 is hereby increased by \$15,000 to a new total of \$100,000, and the term of the agreement is hereby extended to September 30, 2018. The additional compensation in the amount of \$15,000, or so much thereof as may be necessary, shall be funded from the 2017-18 Budget for Undistributed Expenses.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-253
Re: Taxicab Code

Transmitted herewith for your approval is legislation that amends the Chapter 108 of the Municipal Code to modify some of the rules that apply to taxicabs licensed by the City. The specific changes are:

The rule stating that no taxicab may be more than 10 years old is eliminated;

The requirement that taxis be painted a uniform white color is eliminated; and

The requirement for a panic light is made optional, at the option of the taxi owner.

Earlier this year, New York State adopted a new law to license Transportation Network Companies. These ridesharing companies such as Lyft and Uber operate a service that competes with taxis. Under State law, the Transportation Network Companies are exempt from local taxi regulations. These amendments are being proposed to recognize these changes in the transportation market and to give taxicab owners and drivers greater flexibility to compete for business. The rest of the taxi licensing rules in Chapter 108 will continue to apply, including the requirement for inspection by the Rochester Police Department as required in Section 108-11.

Respectfully submitted,
Loretta C. Scott
President

Dana K. Miller
Vice-President

Carolee A. Conklin
Chair, Finance Committee

Ordinance No. 2017-253
(Int. No. 323)

Amending Chapter 108 of the Municipal Code with respect to taxicabs

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

Section 1. Section 108-16 of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended to read as follows:

§ 108-16. Taxicab regulations.

- A. No person shall operate a taxicab for hire in the City unless such taxicab meets all of the following requirements:
 - (1) All taxicabs shall have windows in the rear and side of the taxicab sufficient in number and of such size, dimensions and clarity that passengers may be readily seen and identified through the windows.
 - (2) All taxicabs shall be equipped with hubcaps, spoked covers or other equivalent covering on all wheels. All taxicabs shall be furnished with snow tires or radial tires on both drive wheels from November 1 through April 15.
 - (3) All taxicabs shall be free from disfiguring damage to the interior and exterior of the vehicle, including significant rust. All taxicab doors, lights, seat belts and safety equipment shall be maintained in good operating condition. All seat belts shall be visible and available for use by passengers in both the front and rear seats for each and every fare.
 - (4) All taxicabs shall have affixed to the outside rear, by means of nuts and bolts, screws or bumper brackets, a hack plate which is unobstructed and clearly visible to vehicular traffic.

- (5) All taxicabs shall be equipped with doors which fasten in a manner so that they may be readily opened from the inside by a passenger.
 - (6) All taxicabs shall have printed lettering on both the left and right front doors at least three inches high in a color contrasting to that of the cab, setting forth the name of the person owning or dispatching said taxicab. The number of the hack plate which is affixed to the vehicle shall be printed upon the left and right front doors in lettering at least five inches high in a color contrasting to that of the cab. The top of such lettering and numbering shall be no less than four inches nor more than 10 inches from the bottom of the window area so as to be conspicuous, legible and free from obstruction. In addition, the number of the hack plate shall be printed in lettering at least five inches high on the rear of the cab. Such number shall be in a color contrasting to that of the vehicle and shall be clearly visible to vehicular traffic. Upon a showing of good cause, the Chief of Police may allow a vehicle to be temporarily used as a taxicab without identification printed on the exterior of such vehicle. No numbers other than the number of the hack plate shall appear on the side or rear of a taxicab, except the telephone number of the livery or operator of the taxicab.
 - (7) All taxicabs shall be equipped with a roof light of a minimum size of 12 inches in length and three inches in height which shall contain the word "taxi" and/or the name of the applicable livery company. The light shall be illuminated when the taxicab is vacant or is for hire and shall be kept unlighted when the taxicab is occupied by a paying passenger.
 - (8) All taxicabs shall have the license/rate card issued by the City Clerk posted on the back of the front seat of said taxicab. The license/rate card shall not be defaced, torn or mutilated and shall be visible to all passengers at all times.
 - (9) All taxicabs shall be painted in a color pattern so as not to be confused with any federal, state or local law enforcement vehicle which normally operates or may be found within Monroe County. ~~All new taxicabs entering service shall be painted in a uniform white color. As of July 1, 2018, all taxicabs shall be painted in a uniform white color. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle.~~
 - (10) All taxicabs shall be designed and constructed so as to seat nine persons or fewer, not including the driver, and shall have no more than five nor less than four doors.
 - (11) All taxicabs shall have attached a New York State taxicab registration plate.
 - (12) A taxicab license certificate issued by the City shall be carried in the taxicab at all times.
 - (13) A trailer shall not be attached to a taxicab carrying passengers.
 - ~~(14) No taxicab shall be more than 10 years old, as measured from the vehicle's model year. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle that is in good condition.~~
 - ~~(15) All taxicabs shall~~ (14) Taxicabs may be equipped with a button that can be activated by the taxicab driver in case of an emergency, which activation shall cause a panic light to flash on the rear of the taxicab, at the option of the taxicab owner.
- B. A driver shall not permit any nonpaying passenger to enter or to remain in a taxicab during the time such taxicab is available for hire, except a new driver who is being trained. A new driver who is being trained shall have in his or her possession a valid taxicab driver's license or a temporary permit and a valid New York State chauffeur's license, and shall produce the same upon the request of any police officer. A taxicab driver who is training a new driver shall ensure that the new driver has a valid taxicab driver's license or temporary permit and a valid New York State chauffeur's license.
- C. No person shall smoke or carry a lighted cigar, cigarette or pipe or any other form of smoking object or device in a taxicab while such taxicab is in service.
- Section 2. This ordinance shall take effect immediately.
- New text is underlined, strikeout indicates deleted text.
- Passed unanimously.
- Vice President Miller
August 15, 2017
- To the Council:
- The Business & Economic Development Committee recommends for consideration the following entitled legislation:
- Int. No. 316 - Amending the Zoning Code by adding the 1201 Elmwood Avenue Planned Development District #18
- Int. No. 317 - Amending the Zoning Map by changing the zoning classification of 1201 Elmwood Avenue from Institutional Planned Development #9

– Rochester Psychiatric Center to Planned Development District No. 18-1201 Elmwood Avenue

Int. No. 318 - Authorizing purchase options for the redevelopment of Sites 4 and 5 of the Inner Loop East Transformation Project

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT
COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-254 and
Ordinance No. 2017-255

Re: Zoning Text and Map Amendment–
1201 Elmwood Avenue Planned
Development District #18

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map to establish a 17.7 acre Planned Development District (PD #18) for two parcels located at 1201 Elmwood Avenue owned by 293 A Alden Road, LLC (represented by Ralph DiTucci). The proposed Zoning Map and Text amendment are necessary to facilitate the redevelopment of 1201 Elmwood Avenue, formerly owned by the State of New York. This legislation will:

- 1) Amend the Zoning Text by adding PD #18 1201 Elmwood Avenue Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning the parcel at 1201 Elmwood Avenue from Institutional Planned Development District (IPD) to Planned Development District #18 1201 Elmwood Avenue.

This parcel, and several others to the west along South Avenue and Elmwood Avenue, are located in an IPD- an obsolete classification that was created under the 1975 Zoning Code. The properties within the IPD, totaling approximately 118 acres, were developed in the late 1800's to early 1900's as a multiple-building State Hospital. All of the properties, except for 1201 Elmwood Avenue, are currently owned either by the State of New York or the Al Sigl Center for Rehabilitation and continue to focus on health and human services related assistance.

The subject property, 1201 Elmwood Avenue, has been in private ownership for nearly a decade. The existing 17-story tower, the former Rochester Psychiatric Hospital, is vacant, riddled with asbestos, frequently vandalized, and has long been a blight to

the city and town of Brighton.

This proposal will rezone a portion of the IPD to a Planned Development District (PD) by establishing a Development Concept Plan and regulations that are specific to 1201 Elmwood Avenue. The IPD classification will remain as the governing regulations for the State and Al Sigl owned properties to the west.

PD#18 – 1201 Elmwood Avenue, is a transformative project for the neighboring communities as it will essentially create a new neighborhood. As a city and a region with slow growth, the construction of a new neighborhood is a rare occurrence; making it is imperative to build a thoughtful and well-designed project, from overall concept to small, but critical, details.

Many elements of the Development Concept Plan for 1201 Elmwood Avenue demonstrate an understanding of these objectives. These include:

- The division of the site into two main areas: a commercially focused area along Elmwood Avenue and the entrance boulevard (Street A), and a more residential focused area in the central and southern areas of the site.
- The concept of the entrance boulevard that creates the potential for a unique, identifiable place that leads to a compact and walkable mixed-use core, not only for this development, but also the established neighborhood on the north side of Elmwood Avenue.
- Consistent statements by the applicant as to the desire to create a walkable, bicycle friendly community.
- The evolution of the project's green space from scattered fragments into a more cohesive central linear park that provides an excellent organizing feature for the large site.
- A transition of larger or taller structures along the west property line adjacent to the Rochester Psychiatric Center to smaller scale residential structures along the east property line to respect and complement the existing residential development in the town of Brighton to the east.
- A mix of compatible commercial uses which provide needed services to residents and visitors.
- A mix of residential types and amenities, and the interface of the attached dwellings located in the town of Brighton that are integrated into the overall development plan, which supports housing choice and creates a sense of community.
- A better building design for the center building that reduces its massing and provides visual interest in its design and articulation.
- District amenities, such as benches, lighting,

water features, sitting areas, and connectivity to nearby parks and trails that will appeal to residents as well as visitors.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal has been classified as unlisted. The Manager of Zoning as lead agency has issued a negative declaration.

The Planning Commission held an informational meeting on July 10, 2017. Nine people spoke in support of the PD, including the applicants, and five spoke in opposition. By a vote of 6-1-0, the Commission recommended approval with modifications noted by the City Planning Commission subject to the review and acceptance by the Manager of Zoning.

A public hearing is required for the Zoning Text and Map amendment. The regulations would take effect immediately upon Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-134

Ordinance No. 2017-254
(Int. No. 316)

Amending the Zoning Code by adding the 1201 Elmwood Avenue Planned Development District #18

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 18—1201 Elmwood Avenue and approving the text and concept plan for the district to read in its entirety as follows:

**Planned Development District No. 18
1201 Elmwood Avenue**

A. Purpose and intent.

(1) Planned Development District No. 18 (PD#18) is comprised of approximately 17.67 acres within the City of Rochester. PD#18 will provide a defined area for unified and integrated development providing for the benefits and efficiencies of mixed land use. The PD creates flexible use and development opportunities, including multi-family rental housing, retail sales and service, commercial, office, and hospitality. Non-residential uses in the PD are intended to serve the public as well as the residents of the district.

(2) PD#18 is composed of two subareas:

Subarea 1: Commercial Frontage. This subarea provides an interface with the Elmwood Avenue public right-of-way and

accommodates commercial buildings along that frontage; and

Subarea 2: Mixed Use Core. This subarea is predominantly residential and includes smaller scale retail sales, service, and recreational uses providing for residents' needs and convenience, while at the same time available to the public. Uses in the Mixed Use Core area front on internal private streets and have no interface with the public right-of-way.

(3) The District is enhanced by a large, well defined, curvilinear central open space that provides leisure and recreational amenities for residents and guests. This area provides trails, pedestrian ways, gathering spaces, water features, cycling opportunities, and wayfinding signage, which serves as an organizing element for the district. Easements to the City of Rochester and Town of Brighton exist to enhance and extend the Highland Crossing trail system, which promotes linkages to nearby uses and neighborhoods, natural open space, and parks, and a paved cycle track

B. Permitted uses. Permitted uses in PD#18 are specified for each of the areas comprising the district:

(1) The Commercial Frontage, Sub-Area 1: The following uses are permitted. All nonresidential uses shall operate between the hours of 6:00 a.m. to 2:00 a.m., unless otherwise noted:

- (a) Hotel, including amenities such as bars, restaurants, conference and banquet facilities, meeting rooms, and outdoor seating areas open to the public on a 24-hour basis; events with live entertainment when located within a completely enclosed building shall only operate until 2:00 AM; and events with live entertainment offered in the outdoor seating and assembly area shall only operate until 12:00 midnight.
- (b) Dwelling units when part of a mixed-use development with other permitted commercial uses.
- (c) Bars and restaurants.
- (d) Retail sales and services.
- (e) Offices.
- (f) Health clubs, spas and similar facilities.
- (g) Day-care centers.
- (h) Private Clubs and Lodges.

- (i) Public and Semi-Public Uses.
- (j) Technical and Vocational Schools.
- (2) The Mixed Use Core, Sub-Area 2: The following uses are permitted. All nonresidential uses shall operate between the hours of 6:00 a.m. to 2:00 a.m.:
 - (a) Residential uses, limited to attached dwellings and multifamily dwellings.
 - (b) Community centers, including indoor and outdoor social, educational, or recreational activities
 - (c) Bars and Restaurants.
 - (d) Retail Sales and Service.
 - (e) Offices.
 - (f) Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
 - (g) Day Care Centers.
 - (h) Public and Semi Public Uses.

C. Special Permit Uses:

- (1) Drive throughs when located in Subarea 1, subject to the additional requirements for specified uses in § 120-136.
- (2) Any permitted or specially permitted use open to the public between the hours of 2:00 a.m. and 6:00 a.m.

D. Yard Requirements. Yard requirements shall apply only to public street frontages and district perimeter boundary lot lines.

- (1) Minimum setback along Elmwood Avenue: 40 feet.
- (2) Minimum setback along perimeter district boundary lines: 10 feet.
- (3) Minimum setback from interior lot lines: none.

E. Height Requirements.

- (1) Maximum building height shall be 4 stories or 62 ft. in Subarea 1.
- (2) Maximum building height shall be 12 stories or 156 ft. in Subarea 2.

F. Parking and loading requirements.

- (1) Parking. Shared parking is encouraged to promote efficient use of land and resources by allowing users to share parking facilities for uses that are located near one another and that have different peak parking demands or different operation hours. On-site parking shall be

subject to the following:

- (a) The supply of surface parking within PD#18 shall not exceed 420 spaces, and is subject to the parking lot design and maintenance standards set forth in § 120-173F.
- (b) Parking for uses located in PD#18 may be located anywhere within the district, except there shall be no parking developed between the buildings and the street line along the Elmwood Avenue frontage or in the central open space as illustrated on the Development Concept Plan.
- (2) Loading.
 - (a) On-site loading shall comply with the requirements set forth in § 120-172 of the Zoning Code.
 - (b) On-site loading facilities may be shared by any uses within the district.
 - (c) Loading activities and loading spaces shall not be permitted or developed between the buildings and the street line along the Elmwood Avenue frontage or in the central open space as illustrated on the Development Concept Plan.
- G. Signage. A sign program shall be developed for the district, which will establish a format for all signage, appropriate for the architecture of the buildings within the district, and which will include building identification, business and wayfinding signs and which will be subject to site plan approval by the Manager of Zoning.
- H. Temporary uses. Temporary uses shall be subject to the requirements listed in § 120-149 of the Zoning Code.
- I. Additional Regulations:
 - (1) The planned development is subject to the requirements set forth in Article XVII of the Zoning Code regarding planned development districts.
 - (2) Development and/or redevelopment in PD#18 is subject to requirements applying to all districts (Article XX) except when waived by the Manager of Zoning in the review and approval of a site plan for incremental development.
 - (3) Development and/or redevelopment in PD#18 is subject to the City-Wide Design Guidelines and Standards Article XIX. § 120-157, § 120-158 and § 120-159, except for:
 - a. § 120-158C, Building entrances.

b. § 120-159B (3). Transparency. The minimum transparency requirements for all new construction on building facades in Sub-area 1 within 60 feet of a public right-of-way shall provide the following areas of transparency between the height of two feet and eight feet above grade:

- i. For buildings 1 and 2: 50%
- ii. For the hotel: 40%

(4) The general height exceptions set forth in Article XXIII shall apply.

J. Accessory structures and uses.

(1) Accessory structures, as per § 120-163A and B, including maintenance buildings and satellite dishes two meters or less, are permitted in connection with the established uses within the district and shall not be located between the buildings and the street line along the Elmwood Avenue

frontage.

- (2) Outdoor seating areas with hours of operation limited to 6:00 a.m. to 2:00 a.m., except as permitted by § B (1)(a) above.
- (3) Site amenities, such as benches, lighting, knee walls, gazebos, arbors, water features, pergolas, bus shelters, and the like; and, hardscape elements of any landscape plan may be permitted anywhere within the District, and are encouraged as a unifying element of the PD.

K. Personal wireless telecommunications facilities (PWTF). Personal wireless telecommunications facilities in the Planned Development District No. 18 shall be regulated pursuant to Zoning Code § 120-143 A(1)(a).

Section 2. This ordinance shall take effect immediately

Passed unanimously.

Ordinance No. 2017-255
(Int. No. 317)

Amending the Zoning Map by changing the zoning classification of 1201 Elmwood Avenue from Institutional Planned Development #9 - Rochester Psychiatric Center to Planned Development District No. 18—1201 Elmwood Avenue

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of 1201 Elmwood Avenue (SBL# 136.56-1-1) and the area extending from that parcel to the center line of any adjoining street, alley, and right-of-way from Institutional Planned Development #9 - Rochester Psychiatric Center to Planned Development District No. 18—1201 Elmwood Avenue.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-256
Re: Land Purchase Option – Indus Adventure Street LLC and FiveTwentyFive East Broad LLC, 110 and 120 Howell Street, 65 and 85 South Union Street, 525 East Broad Street, 47 Savannah Street, and 15 Manhattan Square Drive

Council Priority: Jobs and Economic Development;
Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to a contract for an option to purchase City-owned and Rochester Urban Renewal Agency (RURA) -owned properties for a project proposed by The Strong Museum of Play, Konar Development Corp. and Indus Adventure Street LLC on Sites 4 and 5 of the former Inner Loop East. This legislation will:

- 1. Authorize agreements with FiveTwentyFive East Broad LLC (with principals Howard Konar and Rachel Guttenberg) and Indus Adventure Street LLC (with principals Goonjit “Jett” Mehta and Dr. Hasit Mehta), granting them exclusive options to purchase the following properties at their appraised values, subject to certain terms

and conditions:

<u>Address</u>	<u>Owner</u>	<u>Appraised Value/ Purchaser</u>	<u>Purchase Price</u>
15 Manhattan Sq. Dr.	RURA	FiveTwentyFive East Broad LLC	\$400,000
47 Savannah St.	RURA	FiveTwentyFive East Broad LLC	\$360,000
525 E. Broad St.(Site 4)	City of Rochester	FiveTwentyFive East Broad LLC	\$440,000
110 Howell St. (Site 5)	City of Rochester	Indus Adventure Street LLC	\$800,000
120 Howell St. (Site 5)	City of Rochester	Indus Adventure Street LLC	as part of 110 Howell
65 S. Union St. (Site 5)	City of Rochester	Indus Adventure Street LLC	as part of 110 Howell
85 S. Union St. (Site 5)	City of Rochester	Indus Adventure Street LLC	as part of 110 Howell

2. Authorize the Mayor to adjust the terms and conditions of the purchase option contract for the project as necessary.

The Inner Loop East Transformation project created nearly six acres of development land as a result of the reconfiguration of part of the former Inner Loop highway. As part of the City’s efforts to reintegrate the neighborhoods previously separated by the eight-lane highway, five development sites were put up for sale via a request for proposals (RFP) process. An RFP was issued on March 17, 2016, followed by an informational meeting on March 29, 2016. The City received two proposals for these sites which were evaluated by staff from the Department of Neighborhood and Business Development, Department of Environmental Services, the Department of Finance’s Bureau of Assessment, the Law Department, and the City Council Chief of Staff. In addition to the former Inner Loop sites, the developers also requested the purchase of two adjacent development parcels owned by RURA at 15 Manhattan Square Drive and 47 Savannah Street. The Strong Museum of Play, Konar Development and Indus Adventure Street LLC proposals were recommended for selection based on their proposed development program.

The Strong Museum of Play, jointly with Konar Development and Indus Adventure Street LLC submitted proposals to create. The Strong Neighborhood of Play, a destination that appeals to all ages. The joint proposals, when fully developed, will have the following key elements: a 100,000 square foot museum expansion; approximately 250 units of rental housing, 10% of which will be affordable to households earning up to 120% of the Area Median Income; approximately 17,000 square feet of urban-mixed retail; an up to 175 room, all-suites national brand hotel and restaurant; a 1,200-car parking structure; and, a new two-way street linking Woodbury posals to create. The Strong Neighborhood of Play, a destination that appeals to all ages. The joint proposals, Boulevard and Manhattan Square Drive. Indus Adventure Street LLC will develop and own the hotel, and FiveTwentyFive East Broad LLC will develop and own the rental housing and retail structures.

The total purchase price of the parcels is \$2,000,000, as determined by independent appraisals completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates, in October and December 2016. The purchasers will pay three percent of the appraised value of the land for the purchase option (totaling \$60,000) and the balance of the appraised value (totaling \$1,940,000) will be paid when the option to purchase is exercised. The term of the option expires on June 30, 2018 and the developer may exercise the option to purchase the property at any time during the term. The purchase option allows the developer time to complete due diligence actions with the certainty that the City is committed to ultimately selling them the land, subject to certain terms and conditions.

A State Environmental Quality Review is underway and a Negative Declaration is expected to be issued on August 14, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor.

Attachment AQ -135

Ordinance No. 2017-256
(Int. No. 318)

Authorizing purchase options for the redevelopment of Sites 4 and 5 of the Inner Loop East Transformation project

WHEREAS, this Ordinance pertains to the redevelopment of various parcels within the Southeast Loop Urban Renewal Area created by Ordinance No. 1971-366, as amended, including on two parcels owned by the Rochester Urban Renewal Agency

(“Agency”) at 15 Manhattan Square Drive and 47 Savannah Street (the “Agency Parcels”) and on two sites owned by the City of Rochester, Site 4 and Site 5, which are comprised of new buildable land that was created by the Inner Loop East Transformation project;

WHEREAS, the City issued a request for proposals to redevelop Inner Loop East Sites 4 and 5 and received from Konar Development Corp. with

its affiliate FiveTwentyFive East Broad LLC (hereinafter called the "525 East Broad") and Indus Hospitality Group Inc. with its affiliate Indus Adventure Street LLC ("Indus") (collectively, the "Developers") a joint proposal in conjunction with the Strong National Museum of Play to create "The Strong Neighborhood of Play" consisting of an approximately 100,000 square foot museum expansion, approximately 250 units of multifamily housing, approximately 17,000 square feet of urban mixed retail space, a hotel with up to 175 rooms or suites and a restaurant, a 1,200-space parking structure, and a new two-way street traversing the neighborhood (collectively, the "Project");

WHEREAS, the Developers are proposing a purchase option agreement for 525 East Broad to acquire Inner Loop East Site 4, which is owned by the City of Rochester, for the development of housing units and for a purchase price of \$440,000 that is based on an independent fair market value appraisal;

WHEREAS, the Developers are proposing a purchase option agreement for Indus to acquire Inner Loop East Site 5, which is owned by the City, for the development of the hotel, restaurant, housing units and retail and for a purchase price of \$800,000 that is based on an independent fair market value appraisal;

WHEREAS, the City desires to grant to the Developers purchase options extending through June 30, 2018 to acquire Inner Loop East Sites 4 and 5 for their respective appraised fair market values of \$440,000 and \$800,000 with the dispositions to be conducted in accordance with Section 507 of the General Municipal Law of the State of New York and subject to terms and conditions that require the development of the Project in accordance with the purpose and objectives of the Southeast Loop Urban Renewal Area;

WHEREAS, a legal notice has been issued giving public notice as to the availability for public examination of the proposed terms for the disposition of Inner Loop East Sites 4 and 5 and the Redeveloper's Statements for Public Disclosure have been included with the proposed terms made available for public examination;

WHEREAS, the Agency has found the Developers to be a qualified and eligible sponsors to carry on the Project in the Southeast Loop Urban Renewal Area; and

WHEREAS, the City Council, pursuant to Article 15 of the General Municipal Law and after due notice, has held a public hearing on August 10, 2017 to consider the proposed disposition of Inner Loop East Sites 4 and 5.

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

Section 1. The Council hereby approves the granting of a purchase option agreement to 525 East Broad for the following parcel owned by the City comprising Site 4 of the former Inner Loop East for an appraised value of \$440,000:

Address	SBL#	Size
525 E. Broad St.	121.33-1-87.1	±0.97 acre

Section 2. The Council hereby approves the granting of a purchase option agreement to Indus Adventure Street LLC or an entity to be formed by its principals (Indus), to purchase the following site owned by the City comprising Site 5 of the former Inner Loop East for an appraised value of \$800,000:

All that tract or parcel of land situated in the City of Rochester. County of Monroe, State of New York, being more particularly bounded and described as follows:

Commencing at the point of intersection of the southerly Street Boundary of Savannah Street and the westerly Highway Boundary of the former Rochester City Inner Loop Arterial, thence South 21° 19' 35" West a distance of 26± feet to the true POINT OF BEGINNING, said point being 166.12 feet left of and at right angles to station U 36+44.86 of the hereinafter described 2012 Survey Baseline; thence South 21° 19' 35" West along said westerly Highway Boundary of the former Rochester City Inner Loop Arterial a distance of 344.65 feet to a point, said point being 139.67 feet left of and at right angles to Station U 33+01.23 of said Baseline; thence South 26° 00' 17" West continuing along said westerly Highway Boundary of the former Rochester City Inner Loop Arterial a distance of 98.01 feet to a point of curvature, said point being 140.15 feet left of and at right angles to Station U 32+03.22 of said Baseline; thence southwesterly continuing along said westerly Highway Boundary of the former Rochester City Inner loop Arterial along a non-tangent curve to the right, said curve having a radius of 600.00 feet, a distance of 486.38 feet to a point, said point being 302.37 feet left of and at right angles to Station U 18+19.00 of said Baseline; thence North 84° 10' 03" East through the property now or formerly owned by the People of the State of New York, a distance of 270.54 feet to a point of curvature, said point being 155.55 feet left of and at right angles to Station U 29+51.99 of said Baseline; thence northeasterly continuing through the property now or formerly owned by the People of the State of New York along a tangent curve to the right, said curve having a radius of 301.50 feet, a distance of 102.52 feet to a point of reverse curvature, said point being 55.83 feet left of and at right angles to Station U 29+73.62 of said Baseline; thence northeasterly continuing through the property now or formerly owned by the People of the State of New York along a tangent curve to the left, said curve having a radius of 18.00 feet, a distance of 25.66 feet to a point of tangency, said point being 38.71 feet left of and at right angles to Station U 29+89.77 of said Baseline; thence North 21° 58' 15" East continuing through said property of the People of the State of New York, a distance of 661.00 feet to a

point of curvature, said point being 67.57 feet left of and at right angles to Station U 36+44.08 of said Baseline; thence northwesterly continuing through the property now or formerly owned by the People of the State of New York along a tangent curve to the left, said curve having a radius of 8.00 feet, a distance of 12.63 feet to a point of tangency, said point being 76.14 feet left of and at right angles to Station U 36+51.53 of said Baseline; thence North 68° 30' 40" West continuing through the property now or formerly owned by the People of the State of New York, a distance of 90.22 feet to the POINT OF BEGINNING, being 86,604 ± square feet or 1.988 ± acre more or less.

Section 3. The Council hereby approves the Developers' proposal for the Agency to grant to 525 East Broad Street a purchase option agreement to purchase the following two Agency Parcels for the specified appraised values:

Address	SBL#	Size	Price
15 Manhattan Sq. Dr.	121.33-1-4	± 0.87 acre	\$400,000
47 Savannah St.	121.33-1-6.1	± 0.78 acre	\$360,000

Section 4. The Council hereby finds that disposition by request for proposal and negotiation is the appropriate method for making the properties available for redevelopment. The purchase option agreements shall be subject to terms and conditions that require the development of the Project in accordance with the purpose and objectives of the Southeast Loop Urban Renewal Area. The designated parcels shall be sold to the respective prospective purchasers for the specified appraised values if the purchasers exercise their options at any time during the term of the agreements, which shall expire on June 30, 2018.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Ortiz
August 15, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 292 - Authorizing the sale of real estate

Int. No. 293 - Authorizing the acceptance of real estate by donation

Int. No. 294 - Authorizing agreements and appropriating funds for the Emergency Solutions

Grant Program

Int. No. 295 - Approving appointments to the Rochester Environmental Commission and the Zoning Board of Appeals

Int. No. 296 - Authorizing replenishment of HOME Program funds

Int. No. 313 - Authorizing a lease agreement for the Municipal Parking office and the Traffic Violations Agency

Int. No. 322 - Authorizing an agreement for hosting services and implementation of a community engagement software subscription

Int. No. 188 - Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to notification requirements for information meetings and public hearings

Int. No. 242 - Amending the Municipal Code with respect to the building owner's registry

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 314 - Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan

Int. No. 315 - Authorizing submission of the Consolidated Community Development Plan/2017-18 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development

Int. No. 319 - Amending the Zoning Code by adding the Education Success Campus Planned Development District #19

Int. No. 320 - Amending the Zoning Map by changing the zoning classification of 977-1017 Lake Avenue, 2 Lake View Park, 4-22 Lake View Park and 3 Fairview Heights to Planned Development District No. 19 – Education Success Campus

Int. No. 321 - Amending the Zoning Map for 956 and 960 West Ridge Road

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin (voted against Int. No. 296)
Dana K. Miller (abstained on Int. No. 293)
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published.

Introductory No. 188 was introduced on June 20, 2017 and appears in its original form with its transmittal letter on page 231 of the current Council Proceedings

Ordinance No. 2017-257
(Int. No. 188)

Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to notification requirements for information meetings and public hearings

Passed unanimously.

Introductory No. 242 was introduced on July 18, 2017 and appears in its original form with its transmittal letter on page 293 of the current Council Proceedings

Attachment No. AQ-136

Ordinance No. 2017-258
(Int. No. 242)

Amending the Municipal Code with respect to the building owner's registry

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-259
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation

approving the sale of four properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with delinquent taxes, open code violations, have not been in contempt of court or fined as a result of an appearance ticket or unsatisfied judgments during the past five years.

The first three properties are vacant lots sold by negotiated sale to the adjacent owners. The purchasers will combine the lot with their existing property and utilize it as green space.

The last property is an unbuildable vacant lot, being sold for \$1.00 (as per City policy) to the adjacent owner who will combine the lot with their existing property.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,014.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ- 137

Ordinance No. 2017-259
(Int. No. 292)

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 of the negotiated sale of the following parcels of vacant land:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
8 Boston St	106.23-4-38.1	68 x 96	6538	\$475	Jamar Stanley
533 Conkey Av	091.69-1-19	37 x 122	4514	\$425	Mase Properties, LLC
58 Spiegel Park	106.27-2-58.1	79 x 139	11000	\$600	Kelsey Bliss

Section 2. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
738 Seward St	135.27-2-46	30 x 90	3406	Lucas J Hartman

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. 2017-260
Re: Real Estate Donation

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real property from the owner, Rochester Land Bank Corporation (RLBC). The RLBC acquired the property by purchase at the City Tax Foreclosure Auction in November 2016. Council authorization is needed to accept the parcel:

<u>Address</u>	<u>Purpose</u>
293 Emerson Street	Demolition

Accepting the donation will allow the City to remove blight in neighborhood where redevelopment plans are in place and/or other investment of public dollars have been made through demolition or managing the disposition of salvageable properties for qualified buyers who will restore them to productive use.

Upon acquisition by the City, any taxes or charges levied after the date of closing shall be canceled. The property is to be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-138

Ordinance No. 2017-260
(Int. No. 293)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of a real estate parcel from the Rochester Land Bank Corporation as follows:

Address	SBL No.	Purpose
293 Emerson Street	105.42-1-71	Demolition

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Ortiz, Patterson, Spaul-8

Nays – None- 0

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-261
Re: 2017-18 Consolidated Community
Development Plan - Emergency
Solutions Grants Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing thirteen agreements with twelve not-for-profit

providers of services for homeless individuals and families through the Emergency Solutions Grant Program (ESG), and establishing \$640,636 as maximum compensation for the agreements to be funded from the Housing Choice Fund of the 2017-18 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program. The agreements will have a term of one year (with the option to extend for an additional year if funds remain in the original appropriation) and are itemized below:

Organization	Amount
The Salvation Army	\$ 47,842
The YWCA of Rochester and Monroe County, N.Y.	44,812
Rochester Area Interfaith Hospitality Network, Inc. (RAIHN)	41,331
Willow Domestic Violence Center of Greater Rochester, Inc.	24,561
Volunteers of America of Western New York, Inc.	28,539
The Center for Youth Services, Inc.	31,500
Spiritus Christi Prison Outreach, Inc.	28,481
Veterans Outreach Center, Inc.	13,500
Saving Grace Ministries of Rochester, Inc.	18,000
Coordinated Care Services Inc. (Coordinated Access)	73,863
Coordinated Care Services Inc. (Rapid Re-housing)	124,089
Catholic Family Center	101,000
Providence Housing Development Corp.	63,118
Total:	\$640,636

This program was last authorized by City Council in May 2016 via Ordinance No. 2016-152 and December 2016 via Ordinance No. 2016-401. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid re-housing. The appropriation will fund coordinated access, case management, rapid re-housing and shelter operations. If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Emergency Solution Grants Program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC). Service providers for 2017-18 were selected through a request for proposals (RFP) process. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued January 30, 2017. A second RFP was issued on May 31, 2017, specifically for Homeless Prevention Services.

Attached are summaries of the RFP process and agency services. This legislation supports the City Housing Policy's Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-139

Ordinance No. 2017-261
(Int. No. 294)

Authorizing agreements and appropriating funds for the Emergency Solutions 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 agreements with the following providers for services to homeless individuals under the Emergency Solutions Grant program. The agreements shall obligate the City to pay an aggregate amount not to exceed \$640,636 with the maximum amount for each agreement being as follows:

Organization	Amount
The Salvation Army	\$ 47,842
The YWCA of Rochester and Monroe County, N.Y.	44,812
Rochester Area Interfaith Hospitality Network, Inc.	41,331
Willow Domestic Violence Center of Greater Rochester, Inc.	24,561
Volunteers of America of Western New York, Inc.	28,539
The Center for Youth Services, Inc.	31,500
Spiritus Christi Prison Outreach, Inc.	28,481
Veterans Outreach Center, Inc.	13,500
Saving Grace Ministries of Rochester, Inc.	18,000
Coordinated Care Services, Inc. (Coordinated Access)	73,863
Coordinated Care Services, Inc. (Rapid Rehousing)	124,089
Catholic Charities of the Diocese of Rochester, operating as the Catholic Family Center	101,000
Providence Housing Development Corp.	63,118
Total:	\$ 640,636

Section 2. The sum of \$640,636, or so much thereof as may be necessary, is hereby appropriated for the agreements from the Emergency Solutions Grants allocation of the Housing Choice Fund in the Consolidated Community Development Plan/2017-18 Annual Action Plan.

Section 3. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson-8

Nays – None- 0

Councilmember Spaul abtained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-17

Re: Appointments – Rochester Environmental Commission and Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members to the Rochester Environmental Commission (REC) and one full-time member to the Zoning Board of Appeals (ZBA). The two new REC members, Carlos Perez and Elizabeth Primus, will replace Ian Kuchman and Rich Pospula, both of whom resigned from the Commission earlier this year. The new ZBA member, Tyrese Bryant, will replace Marcial Morales who had to resign from the Board because he moved out of the city. These new members will serve out the remainder of their predecessors' terms, which expire on May 31, 2018.

New full-time REC members:

<u>Name</u>	<u>Address</u>
Carlos Perez	612 Park Avenue, Unit 6, 14607 (East)
Elizabeth Primus	15 Champeney Terrace, 14605 (NE)

New full-time ZBA member:

<u>Name</u>	<u>Address</u>
Tyrese Bryant	408 Ravenwood Avenue, 14619 (South)

Resumes for these individuals are available in the City Clerk's Office. Attached is an updated Board and Commission membership list.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-140

Resolution No. 2017-17
(Int. No. 295)

Approving appointments to the Rochester Environmental Commission and the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointments to the Rochester Environmental Commission of the following persons as member, each for a term which shall expire on May 31, 2018:

Name	Address
Carlos Perez	612 Park Avenue, Unit 6, 14607
Elizabeth Primus	15 Champeney Terrace, 14605

Section 2. The Council hereby approves the appointment to the Zoning Board of Appeals of the following person as member, for a term which shall expire May 31, 2018:

Name	Address
Tyrese Bryant	408 Ravenwood Avenue, 14619

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-262
Re: Repayment - US Housing and Urban Development Department

City Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to a reimbursement to the City's HOME account for predevelopment funds provided to the Elston Hernandez Apartments project. This legislation will:

1. Appropriate \$53,000 from the City of Rochester's Insurance Reserve fund, and
2. Authorize a reimbursement to the City's HOME account from the appropriation made herein.

In 2015, the City approved a predevelopment grant to Isla for the Elston Hernandez Apartments project using HOME funds. Since then, the project has been determined to be infeasible and will not be going forward at this time.

It was anticipated that with the assistance of the City's predevelopment funding and the pledge of \$100,000 toward construction that the balance of the project cost would be funded through New York State (NYS) Homes and Community Development. After two applications, the project did receive an NYS award, however, it was not sufficient to complete the project.

While predevelopment activity is an eligible HOME cost, since the project has not been fully funded and the agreement has expired without creating the necessary nine units, the US Housing and Urban Development Department (HUD) has determined that the \$53,000 of HOME funds must be reimbursed to the City's HOME account using a non-federal source and that proof of this reimbursement is forwarded to the HUD Buffalo office. Once this line is reimbursed, the funds would be available for allocation to other eligible uses.

Allocation of these funds is imperative in order to minimize the risk of exclusion from the execution of new HOME agreements and voucher payments to vendors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-262
(Int. No. 296)

Authorizing replenishment of HOME Program funds

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

Section 1. Council hereby appropriates \$53,000 from the City's Insurance Reserve Fund to replenish the HOME Program portion of the Housing Development Fund within the Improving the Housing Stock and General Property Conditions Objective of the 2012-13 Consolidated Community Development Plan/Annual Action Plan.

Section 2. The Director of Finance shall record all fund transfers authorized herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 3. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-263
Re: Lease Agreement- Geddes Rochester LLC, 200 East Main Street, Municipal Parking and Traffic Violations

Council Priority: Creating and Sustaining a Culture of Vibrancy; Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing a lease agreement with Geddes Rochester, LLC (Chris Hill and Lewis Nory) for a portion of 200 East Main Street for the City office of Municipal Parking and the newly formed Traffic Violations Agency. The City will lease 15,000 square feet (SF) in the basement of the former McCrory's Building for a 20 year term, and the cost, as described below, will be funded from the 2017-18 and subsequent budgets of the Department of Finance, contingent upon approval of the future budgets.

The first-year lease payment will total \$195,000. The lease payments will pay for the base rent (\$4.00/SF), the amortized build-out cost (\$6.90/SF) and the operating expenses (\$2.10/SF) which include insurance, water, gas, and taxes. The build-out is estimated at \$1,200,000 and will be amortized at 6% over the 20 year term. The City has the right to exercise two, five-year renewals. The base rent will increase by 2.5% each year with the build-out costs remaining static for the entire 20 year term of the lease. If the City elects to exercise the renewal options, the rent will be computed on the base rent and operating expenses only. Municipal Parking will pay for its electricity and communications separately and handle its janitorial services internally.

The location of this space is considered a key point in the revitalization of Center City. The second and third floors will be occupied by the federal offices of the Social Security Administration. It is estimated that the two agencies (City and Federal) can potentially generate foot traffic of over 750 people per day. The City's efforts to activate the street front and bring more visitors to the downtown area will be greatly assisted with this agreement.

The newly built-out space will provide private offices for supervisors, multiple work-stations for support staff as well as several hearing rooms, a waiting area, security desks/platforms, conference room, money-handling rooms, attorney offices, restrooms, elevators and a common area/lobby space. It is anticipated that 25-30 employees will occupy the space (18-20 in Municipal Parking and 7-10 in Traffic Violations).

The lease amount was determined by an independent appraisal prepared by Kevin Bruckner of Bruckner, Tillet, Rossi, Cahill & Associates in July 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-141

Ordinance No. 2017-263
(Int. No. 313)

Authorizing a lease agreement for the Municipal Parking office and the Traffic Violations Agency

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 Geddes Rochester LLC for the lease of approximately 15,000 square feet of office space at 200 E. Main Street for use by the Municipal Parking office and the Traffic Violations Agency. The agreement shall have a term of 20 years and the City has the right to exercise two 5-year renewal options.

Section 2. The lease agreement shall obligate the City to pay \$195,000 in rent for the first year which includes the base rent (\$4.00/SF), the amortized build-out costs (\$6.90/SF), and the operating expenses (\$2.10/SF). The build-out will cost approximately \$1,200,000 and shall be amortized at 6% over the 20 year term. The base rent shall increase by 2.5% each year and, if the City elects to exercise its renewal option, the subsequent rent shall be computed on the base rent and operating expenses only. Said rent payments shall be funded from the 2017-18 Budget of the Finance Department for the first year and subsequent Budgets of the Finance Department for subsequent years, contingent upon approval of future budgets.

Section 3. The lease agreement 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. 2017-264 and
Ordinance No. 2017-265
Re: 2017-18 Annual Action Plan,
Consolidated Community
Development Plan

Council Priority: Rebuilding and Strengthening
Neighborhood Housing; Jobs and
Economic Development

Transmitted herewith for your approval is legislation related to the 2017-18 Annual Action Plan (Plan) of the Consolidated Community Development Plan. This legislation will:

1. Approve the updated 2017-18 Plan;
2. Authorize the submission of the Plan to the U.S. Department of Housing and Urban Development (HUD);
3. Authorize agreements with HUD for the receipt and use of grants to fund the 2017-18 Plan; and
4. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

HUD recently advised the City that there is an additional amount for the Emergency Solutions Grant Program that will be allocated to the City of

Rochester. The ESG Supplemental Allocation is \$294,488. This is in addition to the previously allocated \$692,579, making a new ESG total of \$987,067.

The 2017-18 Annual Action Plan covers the period July 1, 2017 through June 30, 2018. Approval by the City Council of the updated Plan is required by HUD.

A public hearing on the 2017-18 Annual Action Plan is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-264
(Int. No. 314)

Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan to be funded with \$12,249,451 available to the City of Rochester from the federal Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, Housing Opportunities for Persons with AIDS Program, Urban Development Action Grant loan and interest repayments, and other program income;

WHEREAS, the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan updates and increases by \$294,488 the funding for a previous version of the proposed plan that was approved by this Council in Ordinance No. 2017-206;

WHEREAS, the proposed plan was prepared according to an approved Citizen Participation Plan and reflects public comments and consultations;

WHEREAS, notice of the proposed plan was published in the legal notices section of the Democrat and Chronicle on February 14, 2017;

WHEREAS, citizens, public agencies and other interested parties were invited to submit comments by March 8, 2017;

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff;

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan and the needs, strategies, proposed actions and annual performance; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby adopts the updated

proposed plan that includes federal funding of \$12,249,451 as the City's Consolidated Community Development Plan/2017-18 Annual Action Plan and as a substitute for the proposed plan that was approved in Ordinance No. 2017-206.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. The Director of Finance shall record all transfers authorized herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-265
(Int. No. 315)

Authorizing submission of the Consolidated Community Development Plan/2017-18 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development

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

Section 1. The Mayor is hereby authorized to submit the Consolidated Community Development Plan/2017-18 Annual Action Plan to the United States Department of Housing and Urban Development.

Section 2. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2017.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-266 and
Ordinance No. 2017-267
Re: Zoning Text and Map Amendment -
Education Success Campus Planned
Development District #19

Council Priority: Support the Creation of
Effective Educational Systems; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map to establish a 6.27 acre Planned Development District (PD #19 Education Success Campus) consisting of

several parcels owned by 1001 Lake Ave, LLC (represented by Joseph Martino). This legislation will:

- 1) Amend the Zoning Text by adding PD #19 Education Success Campus Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning 2 and 4-22 Lake View Park and 3 Fairview Heights from R-1 Low Density Residential District to PD #19 Education Success Campus and by rezoning 977-1017 Lake Avenue (formerly Nazareth Academy) from R-3 High Density Residential District to PD #19 Education Success Campus.

The proposed Education Success Campus PD will serve to facilitate the re-use of the former Nazareth Academy Campus. It is anticipated that the school building will be used as a charter school. The former convent and three residential structures will be used as administrative offices, for enrichment activities, and for support services such as clinics. Site improvements will be completed to expand parking, improve accessibility, and re-configure traffic flow on and off the site.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal has been classified as unlisted. The Manager of Zoning as lead agency has issued a negative declaration.

The Planning Commission held an informational meeting on July 10, 2017. Three people spoke in support of the PD, including the applicants, and no one spoke in opposition. By a vote of 6-0-0, the Commission recommended approval with modifications noted by the City Planning Commission as agreed to by the applicant during the Informational Meeting testimony. One Commissioner recused herself.

A public hearing is required for the Zoning Text and Map amendment. The regulations would take effect immediately upon Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-142

Ordinance No. 2017-266
(Int. No. 319)

Amending the Zoning Code by adding the Education Success Campus Planned Development District #19

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 19— Education Success Campus and approving the text and concept plan for the district to

read in its entirety as follows:

**Planned Development District No. 19
Education Success Campus**

A. Purpose and Intent. The intent of the Education Success Campus Planned Development District is to provide the regulatory framework for the redevelopment and re-use of the former Nazareth Academy site. The purpose of the district is to create a unified campus that promotes a mixed-use environment that is centered on providing lifelong learning and enrichment opportunities for children and adults. The campus will also serve as a home to the community services necessary to ensure the success of our children and their families.

It is anticipated that the school building will be used for a public charter school, to host other schools (both public and private) and for administrative offices and support services. The former convent and three residential structures will be used as administrative offices, for enrichment activities, and for support services (such as clinics). Site improvements will be completed to expand parking, improve accessibility, and re-configure traffic flow (on and off the site.)

It is the intent to maintain the residential character of the former convent and the three existing residential structures on site to ensure the continued compatibility with the predominate character of the surrounding residential neighborhood.

B. Permitted Uses. The following uses are permitted by right in all buildings. All activities shall occur within a completely enclosed building unless otherwise noted.

- (1) Schools.
- (2) Places of worship.
- (3) Convents and rectories.
- (4) Offices, operating between the hours of 6:00AM to 9:00PM.
- (5) Studios for artists, craftsmen, photographers, composers, writers and the like.
- (6) Live-work space, subject to the additional requirements for specified uses in Section 120-142.1.
- (7) Single-family detached dwellings.
- (8) Two-family dwellings.

C. Special Permit Uses.

- (1) Daycare

D. Temporary Uses. Temporary uses are permitted within the District provided they are in full compliance with Section 120-149 (Temporary Uses) of the City of Rochester Zoning Code.

E. Accessory Uses

- a. Accessory uses and structures listed in Section 120-163B. of the City of Rochester Zoning Code.
- b. When accessory to a school building, the following uses are permitted:

- (a) Clinics, operating between the hours of 6:00AM to 9:00PM.
- (b) Active recreational facilities such as ball fields, tennis courts, playgrounds, and the like.
- (c) Band shells and outdoor theaters, not including drive-in theaters.
- (d) Garage, storage and maintenance.
- (e) Greenhouses.
- (f) Parking.

F. Lot, Area, Yard and Building Height Requirements.

- (1) Lot frontage: Not applicable.
- (2) Maximum Lot coverage: 70%.
- (3) Maximum building height: 5 stories.
- (4) Provisions for height exceptions and other height related requirements shall comply with Section 120-196 of the City of Rochester Zoning Code.
- (5) Minimum yard requirements. Ramps or structures designed to provide increased accessibility are exempt from the following minimum yard requirements.

(a) Along Lake Avenue:

- [1] Parking lots: 20 feet.
- [2] Buildings: 100 feet.

(b) Along Lakeview Park:

- [1] Parking lots: 6 feet.
- [2] Buildings: 25 feet.

(c) Along Fairview Heights:

- [1] Parking lots: 7 feet.
- [2] Buildings: 100 feet.

(d) Along Eldorado Place:

- [1] Parking lots: 0 feet.
- [2] Buildings: 10 feet.

(e) Along residentially zoned properties:

- [1] Parking lots: 5 feet, except where a solid screen of at least six feet in height is placed on the lot line, in which case no setback shall be required.
- [2] Buildings: 2 feet.

G. Off-Street Parking and Loading Requirements.

(1) Off-Street Parking.

- (a) Maximum number of on-site parking spaces is established at the cap of 200 based on the development concept plan. Any requested increase in the parking cap shall require the submission of a parking demand analysis and is subject to site plan review approval.

- (b) Provisions for off-street parking shall comply with the parking lot design and maintenance standards set forth in Sections 120-173.F(3) through 120-173.F(7) of the City of Rochester Zoning Code.

- (c) Parking is not permitted between the former convent building and Lake View Park.

- (2) Off-Street Loading. Loading spaces shall comply with the requirements set forth in Section 120-172 (Off-Street Loading) of the City of Rochester Zoning Code.

H. Signage. A sign program shall be developed for the district which will include building and/or tenant identification, way finding and event promotion. The sign program shall be subject to site plan review approval by the Director of Planning and Zoning.

I. Additional Requirements.

- (1) The enlargement of existing buildings within the "Building Development Envelope" depicted on the approved site plan is subject to a minor site plan review approval by the Director of Planning and Zoning. New buildings that are not considered accessory or building enlargements beyond the "Building Development Envelope" are subject to major site plan review approval by the Director of Planning and Zoning.
- (2) This planned development is subject to the requirements set forth in Article XVII (PD Planned Development District) of the City of Rochester Zoning Code.
- (3) Uses in PD District No. 19 are subject to the requirements set forth in Article XX (Requirements Applying to All Districts) of the City of Rochester Zoning Code, except where they are superseded by the regulations set forth in this district.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-267
(Int. No. 320)

Amending the Zoning Map by changing the zoning classification of 977-1017 Lake Avenue, 2 Lake View Park, 4-22 Lake View Park and 3 Fairview Heights to Planned Development District No. 19—Education Success Campus

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further

amended by changing from R-3 High Density Residential to Planned Development District No. 19— Education Success Campus the zoning classification of the following property:

Address	SBL #
977-1017 Lake Avenue	090.75-1-31

and the area extending from that parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential to Planned Development District No. 19— Education Success Campus the zoning classification of the following properties:

Address	SBL #
2 Lake View Park	090.75-1-32
4-22 Lake View Park	090.75-1-33
3 Fairview Heights	090.75-1-34

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-268
Re: Zoning Map Amendment –
960 and 956 West Ridge Road

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties at 960 and 956 West Ridge Road from R-1 Low Density Residential District/ Overlay-Boutique to C-3 Regional Destination Center District for the expansion of the existing Delta Sonic Car Wash. The purpose of this rezoning is to facilitate an expansion/modernization project for Delta Sonic that will include the addition of a new oil change building, more vacuum stations and a new entrance to help with circulation and to allow room for the new oil change building.

The properties at 960 and 956 West Ridge Road are presently vacant single family residential homes owned by Delta Sonic Car Wash Systems, Inc. These houses will be demolished, and this land will be incorporated into the new entrance.

The Planning Commission held an informational meeting on July 10, 2017. Only the applicant spoke in support of the rezoning; no one spoke in opposition. By a vote of 7-0-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map

amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-143

Ordinance No. 2017-268
Int. No. 321)

Amending the Zoning Map for 956 and 960 West Ridge Road

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential/Overlay-Boutique to C-3 Regional Destination Center the zoning classification of the following properties:

Address	SBL #
956 West Ridge Road	075.79-1-14
960 West Ridge Road	075.79-1-13

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-269
Re: Agreement – Envision Sustainability
Tools Inc., MetroQuest Software

Transmitted herewith for your approval is legislation establishing \$21,000 as maximum compensation for an agreement with Envision Sustainability Tools Inc., Vancouver, British Columbia, Canada, to provide hosting services and implementation of a community engagement software subscription for as many applications as needed. The term of this service/subscription will be one year with two, one-year renewable options. Envision Sustainably Tools Inc. would provide their MetroQuest product as a “Software as a Service” or SaaS, with subscription-based licensing, which allows the City to set-up and launch MetroQuest sites to provide surveys in support of our public engagement objectives.

MetroQuest will be shared throughout City Hall for the community engagement component of several projects. For example, the Comprehensive Plan and Comprehensive Access Management Plan will benefit from this community engagement tool. Funding will be from the 2017-18 Budget of the following departments:

Department of Environmental Services	\$7,000
Mayor - Office of Innovation	\$6,000
Undistributed Expenses	\$8,000
TOTAL	\$21,000

MetroQuest is the most innovative and leading-edge tool currently on the market to help achieve robust, enthusiastic, and informed community engagement in planning and programming processes. MetroQuest provides thought provoking text and visual content to educate the public and collect informed input quickly. Participants can see the impact of their choices and priorities, learn about the alternatives and tradeoffs, and visualize options. The result is more thoughtful and meaningful input that carries more weight than simple multiple choice or text input, providing the City with a wealth of organized quantifiable data that is complemented with individual comments for even greater insight about community preferences.

The unique nature and capabilities of MetroQuest, coupled with the fact that it is only available from the software developer, creates the need to obtain the service through Sole Source procedures. A justification of Sole Source procurement is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-144

Ordinance No. 2017-269
(Int. No. 322)

Authorizing an agreement for hosting services and implementation of a community engagement software subscription

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 in the maximum amount of \$21,000 with Envision Sustainability Tools Inc. to provide hosting services and implementation of a community engagement software subscription. The term of the agreement shall be one year with two one-year renewal options with a maximum annual compensation of \$21,000. The first year shall be funded from the 2017-18 Budgets of the Department of Environmental Services (\$7,000), the Office of the Mayor (\$6,000) and of Undistributed Expenses (\$8,000) and, if renewed, from future budgets, contingent upon approval of said budgets.

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.

By Councilmember Haag
August 15, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 297 - Authorizing an agreement for resident project representation services for the Genesee Valley Park Playground Project

Int. No. 299 - Appropriating funds for the 2017 Preventive Maintenance Group 5 (Arnett Blvd/Genesee Park Blvd/Webster Ave) Project

Int. No. 300 - Authorizing an agreement for the City's annual Water Main Extensions and Improvements program

Int. No. 301 - Authorizing a reimbursement agreement for right of way improvements

Int. No. 302 - Authorizing an agreement with Center for Employment Opportunities, Inc.

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 298 - Authorizing pavement width changes for the School Number 16 Bus Pull-off Lane project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-270
Re: Agreement – LaBella Associates
D.P.C., Genesee Valley Park
Playground Project

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with LaBella Associates D.P.C., Rochester, New York, for resident project representation (RPR) services related to the Genesee Valley Park Playground Project. The agreement will be funded with Community Development Block Grant (CDBG) funds as appropriated in March 2017 (Ord. No. 2017-69) and have a term of three months after a two-year guarantee period.

The Genesee Valley Park Playground Project encompasses demolition of the existing play equipment, safety surface, pavement, and four shade trees. The project also involves the installation of pre-teen and tot playsets with swings, poured-in-place safety surface with concrete curb edge, paths, five shade trees, six benches on concrete pads, two trash receptacles, four bike racks, an asphalt parking lot with five spaces, porous asphalt pavement, entry gates

and boulders.

This project was designed in-house by the Department of Environmental Services' Bureau of Architecture and Engineering. LaBella Associates D.P.C. was selected for RPR services through a request for proposals process, which is described in the attached summary.

Construction will begin in summer 2017 with scheduled completion in fall 2017. This agreement will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-145

Ordinance No. 2017-270
(Int. No. 297)

Authorizing an agreement for resident project representation services for the Genesee Valley Park Playground Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C to provide resident project representation services for the Genesee Valley Park Playground Project. The maximum compensation for the agreement shall be \$50,000 and said amount, or so much thereof as may be necessary, shall be funded from the Community Development Block Grant funds that were appropriated in Ordinance No. 2017-69.

Section 2. The term shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-271
Re: Pavement Width Changes- 321
Post Avenue, Bus Pull-off Lane for
John Walton Spencer School No. 16

Transmitted herewith for your approval is legislation authorizing pavement width changes required for a bus pull-off lane for the Rochester City School District's (RCSD's) John Walton Spencer School No. 16 located at 321 Post Avenue. Post Avenue will be widened by an increase of 9 feet, from 26 feet to 35 feet, beginning at a point 145 feet north of the north

property line of Aberdeen Street and extending south for 384 feet to a point 28 feet south of the south property line of Aberdeen Street.

In addition to pavement width changes, this project includes new curbs, new sidewalks along school property, and adjustments to existing utilities in the widening area. The project is being designed by Watts Engineering for the RCSD. This is not a City project, and no City funds will be expended.

No additional right-of-way is required to accommodate the changes in pavement width.

The pavement width changes were endorsed at the June 20, 2017 meeting of the Traffic Control Board.

It is anticipated that construction will begin in late summer 2017 with substantial completion by fall 2017. The State Environmental Quality Review Act determination for this project was included as a part of the School Modernization Act and a negative declaration was issued on June 20, 2016.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-146

Ordinance No. 2017-271
(Int. No. 298)

Authorizing pavement width changes for the School Number 16 Bus Pull-off Lane project

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

Section 1. Council hereby approves the following pavement width change related to the installation of a bus pull-off lane adjacent to the School Number 16 at 321 Post Avenue: An increase of 9.04 feet, from 25.71 feet to 34.75 feet, along the west side of Post Avenue, beginning at a point 145 feet north and across the street from the north right-of-way line of the northern strand of Aberdeen Street and extending 383.98 feet south to a point 28.34 feet south and across the street from the south right-of-way line of the southern strand of Aberdeen Street.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-272
Re: Marchiselli Aid - 2017 Preventive

Maintenance Group 5 Project

Transmitted herewith for your approval is legislation appropriating \$9,000 in anticipated reimbursement from the New York State Marchiselli Aid Program to partially finance the State share of construction costs related to the 2017 Preventive Maintenance Group 5 (Arnett Boulevard/ Genesee Park Boulevard/ Webster Avenue) Project. This legislation maximizes the State funds available for this project.

Construction started in spring 2017 and will be substantially completed in fall 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-272
(Int. No. 299)

Appropriating funds for the 2017 Preventive Maintenance Group 5 (Arnett Blvd/Genesee Park Blvd/Webster Ave) Project

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

Section 1. The Mayor is hereby authorized to accept and use \$9,000 in anticipated reimbursements from the New York State Department of Transportation (NYSDOT) Marchiselli Aid Program, which amount is hereby appropriated to fund a portion of construction and inspection services for the 2017 Preventive Maintenance Group 5 (Arnett Blvd/Genesee Park Blvd/Webster Ave) Project

Section 2. The Mayor is hereby authorized to enter into any agreement with NYSDOT that is necessary to effectuate the receipt and use of the Marchiselli Aid funds appropriated in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-273
Re: Agreement – Erdman, Anthony and Associates, Inc., Land Surveying Services

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with Erdman, Anthony and Associates, Inc., Rochester, New York, for surveying services required for planning and design of the City's annual Water Main Extensions and Improvements program, and other surveying needs of the Water Bureau. The agreement will have a term of three years, with the option to extend for two additional, one-year periods, and the cost will be funded from 2017-18 Cash Capital and future years' budgets, contingent upon their approval.

Erdman, Anthony Associates, Inc. was selected

through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-147

Ordinance No. 2017-273
(Int. No. 300)

Authorizing an agreement for the City's annual Water Main Extensions and Improvements 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 in the maximum annual amount of \$40,000 with Erdman, Anthony and Associates, Inc. for planning and design of the City's annual Water Main Extensions and Improvements program and other surveying needs of the Water Bureau. The term of the agreement shall be three years with the option to extend for two additional one year periods. The first year shall be funded from the 2017-2018 Cash Capital and subsequent years from future years' Cash Capital, contingent upon approval of future budgets.

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. 2017-274
Re: Reimbursement Agreement – Eastman Kodak Company, 343 State Street Right of Way Improvements

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for a reimbursement agreement with Eastman Kodak Company for right of way improvements. The cost of the agreement will be financed from 2014-15 Cash Capital and the term will be for one year.

The project includes new curbs, sidewalks, driveway, pavement and drainage improvements in front of 343 State Street. It is anticipated that construction will begin in summer 2017 with scheduled completion in fall 2017. The project will result in the creation and/or retention of the equivalent of 0.43 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-148

Ordinance No. 2017-274
(Int. No. 301)

Authorizing a reimbursement agreement for right of way improvements

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 in the maximum amount of \$40,000 with Eastman Kodak Company for improvements to the City right of way. Said amount shall be funded from 2014-15 Cash Capital and the term of the agreement shall be one year.

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. 2017-275
Re: Agreement – Center for Employment Opportunities, Inc., Pilot Community Lot Mowing Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$8,000 as maximum compensation for an agreement with the Center for Employment Opportunities, Inc. (CEO) to partner with the City on a pilot community lot mowing program. The term of the agreement will be from August 21 through December 31, 2017, and the cost will be funded from the 2017-18 Budget of the Department of Environmental Services.

CEO will provide a work force to implement the lot mowing pilot to provide debris cleaning, mowing, and trimming within an area of City-owned properties. The area is located in the Southwest quadrant, bounded by the western City limit on the western side, Chili Avenue on the south, Silver Street on the east, and I-490 on the north.

The City shall provide performance expectations and reviews of the work performed. Work performance shall be reviewed by the same process the City uses to review its contracted mowing program, with visible inspections of each property by a City lot inspector.

CEO will submit invoices to the New York State Department of Corrections and Community Supervision (DOCCS) for payment of the services provided, and the City will reimburse DOCCS for the City's use of the CEO crews.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-275
(Int. No. 302)

Authorizing an agreement with Center for Employment Opportunities, Inc.

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 Center for Employment Opportunities, Inc. to implement a pilot community landscaping and beautification program on City-owned properties located within the Southwest Quadrant. The term of the agreement shall be August 21, 2017 through December 31, 2017. The maximum compensation shall be \$8,000. Said amount shall be funded from the 2017-18 Budget of the Department of Environmental Services.

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.

By Councilmember McFadden
August 15, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 303 - Appropriating funds for the Force Science Certification Course

Int. No. 304 - Appropriating funds and authorizing an agreement to support community programs

Int. No. 305 - Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.

Int. No. 306 - Authorizing grant agreements and funding for Rochester Police Department violence prevention and community policing programs

Int. No. 307 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,600,000 Bonds of said City to finance costs of the replacement of Fire Truck 4, Fire Truck 5 and Hazmat Step Van 2

Int. No. 308 - Adoption of Monroe County Pre-Disaster Mitigation Plan

Int. No. 309 - Appropriating funds for the Smoke Detector Installation Program

Int. No. 310 - Authorizing an agreement with the Center for Teen Empowerment, Inc. related to the Southwest Youth Organizing Project

Int. No. 311 - Authorizing funding and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program

Int. No. 312 - Authorizing an agreement with All Pro Catalyst, LLC ~~All Pro Multimedia, LLC~~ related to the Champion Academy Mentoring and Empowerment Initiative, as amended

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-276
Re: Appropriation of Forfeiture Funds – Force Science Certification Course

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$15,000 from federal forfeited funds generated by the Rochester Police Department (RPD) and amending the 2017-18 Budget of the Police Department by this amount.

These funds will support the attendance of ten sworn RPD personnel at the 2017 Force Science Certification Course from September 11 through September 15, 2017 being held in Rochester. Attendees who successfully complete the program will be certified in “Force Science Analysis.” This designation attests that the holder has been trained to recognize and articulate important psychological, biological, and physiological factors that can influence human behavior and memory in force encounters and pursuit situations. Each day the course will consist of sessions in which the instructors will identify and explain in detail certain physical and psychological phenomena associated with human behavior and demonstrate how these can impact performance under stress. Furthermore, trainees will receive detailed instruction on analyzing use of police force depicted in video recordings. This will be extremely valuable training since most force used now by RPD is recorded to at least some degree on body-worn cameras.

The appropriations requested this month will result in a balance of approximately \$683,300 in the Federal Forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-149

Ordinance No. 2017-276
(Int. No. 303)

Appropriating funds for the Force Science Certification Course

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to fund the attendance of Department personnel at the Force Science Certification Course.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-277
Re: Appropriation - Federal Forfeiture Funds for Community Programs

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD). This legislation will:

1. Appropriate \$10,000 in RPD federal forfeiture funds to support community programs as described below, and amend the 2017-18 Budget of the Police Department by said amount.
2. Establish \$6,000 as maximum compensation for an agreement with the Center for Teen Empowerment, Inc. to continue its programs to improve police and youth dialog for engagement and relationship building as a component of RPD’s commitment towards community engagement and training. The cost of this agreement will be funded from the 2017-18 Budget of the Police Department and have a term of one year.

RPD will use up to \$3,000 of the funds appropriated herein to support the Police Explorers program for youth interested in policing. The remaining \$1,000 of the amount appropriated herein will be distributed throughout the year to other organizations in accordance with federal requirements and with the knowledge and support of City Council.

The appropriations requested this month will result in a balance of approximately \$683,300 in the Federal Forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-277
(Int. No. 304)

Appropriating funds and authorizing an agreement to support community programs

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$10,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support community programs.

Section 2. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$6,000 with Center for Teen Empowerment, Inc. to continue its programs to improve police and youth dialog for engagement and relationship building. Said amount shall be funded from the appropriation in Section 1 herein and the term of the agreement shall not exceed one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-278
Re: Appropriation - Federal Forfeiture
Funds for Crime Stoppers

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD). This legislation will:

1. Appropriate \$15,000 in RPD federal forfeiture funds to support Crime Stoppers and amend the 2017-18 Budget of the Police Department by said amount.
2. Establish \$15,000 as maximum compensation for an agreement with Rochester Area Crime Stoppers, Inc., an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The cost of this agreement will be funded

from the 2017-18 Budget of the Police Department and have a term of one year.

Rochester Area Crime Stoppers, Inc. also publishes the *Fugitive Flyer* to assist local law enforcement in arresting known career criminals.

The appropriations requested this month will result in a balance of approximately \$683,300 in the Federal Forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-278
(Int. No. 305)

Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support Crime Stoppers.

Section 2. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$15,000 with Rochester Area Crime Stoppers, Inc., an organization which solicits anonymous crime tips and provides rewards for tips that result in arrests. Said amount shall be funded from the 2017-18 Budget of the Police Department and the term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8

Nays - None - 0

Councilmember Conklin abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-279
Re: Grant Agreements - New York State
Division of Criminal Justice Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two grants described below, and amending the 2017-18 Budget of the Police Department by \$25,000 to reflect these grants.

New York State Senate Grant/Funke, October 1, 2017 – September 30, 2018

This \$10,000 grant, facilitated by Senator Rich Funke, will be used for police overtime details to intensify investigations in the Goodman Section to decrease the incidence of violence in that area. Fringe benefits, in the amount of \$3,268, are not included in this grant.

New York State Senate Grant/Ranzenhofer October 1, 2017 – September 30, 2018

This award, not to exceed \$15,000, was secured by Senator Michael H. Ranzenhofer to provide overtime for police operational activities including walking beats, bike patrols, anti-violence operations, and community policing in the Genesee Section to address and decrease the incidence of violence. Fringe benefits, in the amount of \$4,902, are not included in this grant.

No match is required for these grants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-150

Ordinance No. 2017-279
(Int. No. 306)

Authorizing grant agreements and funding for Rochester Police Department violence prevention and community policing programs

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (DCJS) for receipt and use of funds in the amount of \$10,000 to intensify the Rochester Police Department’s investigations in the City’s Goodman Section in order to decrease the incidence of violence. The term of the agreement shall be October 1, 2017 through September 30, 2018.

Section 2. The Mayor is hereby authorized to enter into an agreement with the DCJS for receipt and use of funds in the amount of \$15,000 for Police Department operational activities to address and decrease violence in the Department’s Genesee Section. The term of the agreement shall be October 1, 2017 through September 30, 2018.

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

Section 4. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$25,000, which amount is hereby appropriated from funds to be received under the grant agreements and for the purposes authorized herein.

Section 5. This ordinance shall take effect immediately

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 8

Nays – Councilmember Conklin – 1

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-280
Re: Fire Apparatus Bonding

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,600,000 and the appropriation of proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting and rescue apparatus based upon a combination of use and age. The ladder trucks and hazmat step van are first line apparatus and are currently located at the fire stations. Details about the apparatus are as follows:

Apparatus	Location	Years Old	No. of Annual Runs
Truck 4	977 University Avenue	10	1,100
Truck 5	57 Gardiner Avenue	10	2,100
Hazmat 2	185 Chestnut Street	30	25

The current ladder trucks will replace Fire’s reserve ladder trucks, which will be 20 years old. These older ladder trucks and the current Hazmat 2 vehicle will be eligible for disposal through the Purchasing Bureau’s surplus process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-280
(Int. No. 307)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,600,000 Bonds of said City to finance costs of the replacement of Fire Truck 4, Fire Truck 5 and Hazmat Step Van 2

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 the replacement of Fire Truck 4 (University Avenue Station), Fire Truck 5 (Gardiner Avenue Station) and Hazmat Step Van 2 (Chestnut Street Station, collectively 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 \$2,600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,600,000 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 \$2,600,000 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 \$2,600,000. 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. 27. of the Law, is twenty (20) 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. 2017-281
Re: Monroe County Pre-Disaster
Mitigation Plan

Transmitted herewith for your approval is a resolution adopting the Monroe County Pre-Disaster Mitigation Plan. The plan is required to be in place by all communities in order to be eligible for federal funds for hazard prevention. The plan was developed and initially adopted in 2004 through the collaborative efforts of the City of Rochester, County of Monroe, 19 towns and 10 villages within the County, their authorities, Cornell Cooperative Extension, American Red Cross and Rochester Gas and Electric. City Council approval and adoption of the Monroe County Pre-Disaster Mitigation Plan is required by the Federal Emergency Management Agency and is annexed to the City of Rochester Comprehensive Emergency Preparedness Plan. The last updated adoption was in 2012 via Ordinance No. 2012-51.

The Disaster Mitigation Act of 2000 established a requirement that all local governments have an All-Hazard Mitigation Plan to be eligible to receive Hazard Mitigation Grant Program Funding. The first plan was adopted on November 1, 2004 (Ord. No. 2004-412). The plan must be reviewed and updated every five years by all 21 participating jurisdictions who have agreed that a single, comprehensive, all-inclusive plan would best serve our communities.

The plan is designed to reduce or eliminate losses from natural, human or technological hazards. This is done through a comprehensive hazard and risk assessment process based on the possibility, the probability and actual disaster experience.

The requirement for a public hearing was satisfied for all involved municipalities on May 9, 2017 during a meeting of the Monroe County Legislature. A copy of the plan is available for review in the Office of the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-281
(Int. No. 308)

Adoption of Monroe County Pre-Disaster Mitigation Plan

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

Section 1. In accordance with the Federal Disaster Mitigation Act of 2000, the Council hereby approves and adopts the amended Monroe County Pre-Disaster Mitigation Plan.

Section 2. The County Executive, or her designee, is hereby authorized and directed to submit the amended Monroe County Pre-Disaster Mitigation Plan to the New York State Division of Homeland Security and Emergency Services and the Federal Emergency Management Agency (FEMA).

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-282
Re: Smoke Detector Installation Program

Transmitted herewith for your approval is legislation appropriating \$55,000 in 2017-18 Consolidated Community Development Plan-Annual Action Plan, General Community Needs Allocation for the purchase of smoke and carbon monoxide detectors and replacement batteries.

The Fire Department provides and installs free smoke and carbon monoxide detectors to low and moderate income families living in residential properties. The department coordinates and implements fire prevention and education programs to reach at-risk target populations. In 2016-17, the Smoke Detector Installation Program completed 13,261 detector checks and installed 892 smoke and 550 carbon monoxide detectors in residential properties throughout the city. The department's detector checks found a compliance rate of 86% of city residences having working smoke and carbon monoxide detectors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-282
(Int. No. 309)

Appropriating funds for the Smoke Detector Installation Program

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

Section 1. The sum of \$55,000 is hereby appropriated from the Fire Department Small Equipment project of the 2017-18 Consolidated Community Development Plan/ Annual Action Plan to fund the purchase of smoke and carbon monoxide detectors and replacement batteries for the Rochester Fire Department to install in the residences of low and moderate income families.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-283
Re: Agreement - Center for Teen
Empowerment, Inc., Southwest
Youth Organizing Project

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

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with the Center for Teen Empowerment, Inc. for the Southwest Youth Organizing Project. The term of the agreement will be for the remainder of this fiscal year and will be funded from the 2017-18 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of future budgets.

The Center for Teen Empowerment will hire 10 youth from the southwest area of the city to implement youth initiatives, including activities and events for youth, to improve the community in the southwest area. The goal of this project is to build strong relationships and ties within the southwest community between youth, businesses, existing agencies and neighborhood adults to create positive change.

The project will involve more than 200 youth participants in positive change activities in the southwest by connecting them to available youth resources in their neighborhoods and throughout the city; building relationships among the youth to help prevent and/or resolve street conflicts; fostering leadership skills; and increasing civic engagement.

The most recent agreement for these services was approved by Council in June 2016 via Ordinance No. 2016-249.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-283
(Int. No. 310)

Authorizing an agreement with the Center for Teen Empowerment, Inc. related to the Southwest Youth Organizing Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Center for Teen Empowerment, Inc. for the Southwest Youth Organizing Project. The sum of \$25,000 is hereby established as maximum compensation to be paid under the agreement, funded from the 2017-18 Budget of Undistributed Expenses. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year with two one-year renewal options with a maximum annual compensation of \$25,000, contingent upon approval of future budgets.

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. 2017-284
Re: Amendment– Comprehensive
Adolescent Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant. This legislation will:

1. Authorize an amendatory agreement with the New York State Department of Health (DOH) for the receipt

and use of \$50,826 in additional funding for a cost of living adjustment (COLA) for the 2017 CAPP Program.

2. Authorize amendatory agreements with the following CAPP service providers to provide a COLA to their grant staff wages and purchase additional program supplies:

<u>Agency</u>	<u>Original Agreement Ord. No. 2016-382</u>	<u>COLA Increase</u>	<u>New Total</u>
Baden Street Settlement, Inc./Metro Council for Teen Potential (MCTP)	\$63,542	\$5,000	\$68,542
Highland Family Planning	\$46,470	\$5,000	\$51,470
Society for the Protection and Care of Children	\$54,461	\$5,000	\$59,461
YWCA of Rochester and Monroe County, N.Y.	\$50,559	\$5,000	\$55,559

3. Establish \$16,825 as maximum compensation for an additional amendatory agreement with Baden Street Settlement, Inc./MCTP to coordinate *Family Talk*, CAPP’s Parent Education program, increasing total compensation from \$63,542 (Ord. No. 2016-382) to \$85,367.

The remaining \$30,826 COLA funds will be utilized by the City for operation of the CAPP program. A portion will be used to reimburse City personnel costs (\$3,375) and was anticipated and included in the 2017-18 Budget of the Department of Recreation and Youth Services. The remaining \$27,451 will be included in the City’s Teenage Pregnancy Prevention Special Revenue Fund for non-personnel costs, including office supplies (\$727), professional development (\$9,095), two youth events (\$2,700), program supplies (\$11,929), college tours (\$2,000), and parent engagement activities (\$1,000).

The City of Rochester is currently in the first year of a five-year DOH CAPP program, initially authorized in November 2016 via Ordinance No. 2016-382. On June 13, 2017, the City was notified that the DOH authorized a COLA for the CAPP program based upon a Congressional Budget Office calculation for the State fiscal year 2017-18, resulting in an additional \$50,826.

The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas by implementing programs using evidence-based curriculum in Rochester City School District middle and high schools; reducing adolescent pregnancy rates in the City of Rochester; and improving high school graduation rates in the City of Rochester. The program, to be locally promoted as RISE (Reach Inside, Strive for Excellence), will serve a total of 900 unduplicated youth and 200 parents each year.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-284
 (Int. No. 311)

Authorizing funding and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health (DOH) to increase by \$50,826 in cost of living adjustment (COLA) funds to a new total of \$667,642 the DOH funds authorized to be received and used for the calendar year 2017 program period for the Comprehensive Adolescent Pregnancy Prevention Program (Program), which was authorized by Ordinance No. 2016-382.

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations providing Program services to increase the maximum compensation for the agreements authorized in Ordinance No. 2016-382 and as amended in Ordinance No. 2017-22 as follows:

Organization	Previously Authorized	COLA Increase	Total
Baden St. Settlement, Inc./Metro Council for Teen Potential	\$63,542	\$5,000	\$68,542
Highland Family Planning	\$46,470	\$5,000	\$51,470
Society for the Protection and Care of Children	\$54,461	\$5,000	\$59,461
YWCA of Rochester and Monroe County, N.Y.	\$50,559	\$5,000	\$55,559

and \$20,000 is hereby appropriated for the COLA Increase from the funds received pursuant to the amendatory agreement with DOH authorized in Section 1.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Baden St. Settlement, Inc./Metro Council for Teen Potential (MCTP) to increase the maximum compensation for the CAPP service agreement authorized in Ordinance No. 2016-382, as amended in Ordinance No. 2017-22 and by Section 2 herein, to increase the maximum compensation by \$16,825 to a new total of \$85,367 and for MCTP to coordinate the CAPP parent education program. To fund the amendatory amount, the Council hereby appropriates \$16,825, or so much thereof as may be necessary, from the DOH CAPP funds authorized in Ordinance No. 2016-382.

Section 4. Grant funds received pursuant to Section 1 are hereby appropriated in the amount of \$27,451 to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel costs to operate the Program.

Section 5. The amendatory grant agreement and provider 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:

Re: Ordinance No. 2017-285
Agreement - All Pro Multimedia, LLC,
Youth Mentoring and
Empowerment Initiative

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with All Pro Multimedia, LLC (Principal: Roland Williams) for its Champion Academy Mentoring and Empowerment Initiative. The term of the agreement will be for the remainder of this fiscal year and will be funded from the 2017-18 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of the future budgets.

The Champion Academy Mentoring and Empowerment Initiative will provide a two-week summer academy to 300 Rochester youth, ages 11 to 18, which focuses on life skills development, healthy behaviors, sportsmanship, and academic performance. Upon completion of the summer academy, participants will have the opportunity to participate in monthly interactive and educational workshops, community service projects, leadership training, and mentorship.

All Pro Multimedia, LLC and the Champion Academy Mentoring and Empowerment Initiative were created and are led by Roland Williams, a city of Rochester native who has gone on to become a Super Bowl Champion, ESPN and CBS Sports Analyst, Syracuse University graduate and award-winning Performance Coach. All Pro Multimedia was selected through a request for proposals process as described in the attached summary.

The most recent agreement for this service was approved by Council in June 2016 via Ordinance No. 2016-250.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ- 151

Ordinance No. 2017-285
(Int. No. 312, as amended)

Authorizing an agreement with All Pro Catalyst, LLC, ~~All Pro Multimedia, LLC~~ related to the Champion Academy Mentoring and Empowerment Initiative

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 All Pro Catalyst, LLC, a California Limited Liability Company, ~~All Pro Multimedia, LLC~~ related to the Champion Academy Mentoring and Empowerment Initiative. The sum of \$25,000 is hereby established as maximum compensation under the agreement, funded from the 2017-18 Budget of Undistributed Expenses. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year with two one-year renewal options with a maximum annual compensation of \$25,000, contingent upon approval of future budgets.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

The meeting was adjourned at 8:01 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
SEPTEMBER 19, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 9

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Service on Boards and Commissions:

Rochester Genesee Regional Transportation Authority Board
Tom Argust
Karen Pryor

Retirement:

Communications Bureau
*David G. Mohney
Fire Department
Chief Glenn Sheremeta
Police Department
*Roy J. Adams Jr.
Robert Rice
*Susan T. Russell
*Did not attend

APPROVAL OF THE MINUTES
By Councilmember Haag

RESOLVED, that the minutes of the Regular Meeting of August 15, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges – 4269-17

Quarterly Report – Professional Service Agreements Less Than or Equal to \$10,000 – 4270-17

The Council submits Disclosure of Interest Forms from Vice President Miller on Int. No. 331 and Councilmember Haag on Int. No. 341 and Int. No. 348.

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

COMMUNICATIONS.

Councilmember McFadden presented 90 Letters in support of a Police Accountability Board – Petition No. 1746

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
September 19, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 324 - Cancellation of erroneous taxes and charges

Int. No. 326 - Authorizing an amendatory agreement with Kronos Incorporated

Int. No. 327 - Authorizing a grant agreement for the Clarissa Street Reunion and amending the Budget

Int. No. 353 - Amending the 2016-17 Budget for year-end Budget amendments

Int. No. 354 - Authorizing an agreement with the Rochester City School District for the Rochester Public Library’s use of a shared space at School 12

The following entitled legislation is being held in committee:

Int. No. 325 - Authorizing an agreement for the immobilization and redemption of scofflaw motor vehicles

Respectfully submitted,
Carolee A. Conklin – *Absent*
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-286
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$7,132.26.

New York State owns both 1890 Mt. Hope Avenue and 465 East Henrietta Road. The State is exempt from paying local works charges such as street cleaning, roadway snow plowing, sidewalk plowing, and hazardous sidewalk replacement; however, these charges were inadvertently added when there were administrative subdivisions on the properties starting with the 2014-15 and 2015-16 tax years.

The owner of 584-590 Jefferson Avenue purchased the property from a non-profit organization on December 16, 2016 for the sum of \$45,000. The new owner is also a non-profit organization, but they failed to submit their required application by the filing deadline of February 1, 2017. In addition, they were not utilizing the property by the taxable status date of February 1, 2017 and were not entitled to their own non-profit exemption. Therefore, the property was made taxable and a supplemental tax was charged. The property had been assessed at \$130,000 and was subsequently reduced to the purchase price due to the poor condition of the building. Due to a clerical error, the supplemental tax was based on the prior assessment when it should have been based on the lower value.

If these cancellations are approved, total cancellations thus far for 2017-18 will be as follows:

	<u>Accounts</u>	
City Council	3	\$7,132.26
Administrative	<u>14</u>	718.15
Total	17	\$7,850.41

These cancellations represent 0.003% of the tax receivables as of July 1, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-152

Ordinance No. 2017-286
(Int. No. 324)

Cancellation of erroneous taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (A) The property located at 1890 Mt. Hope Avenue is owned by New York State which is exempt from paying local works charges. The special districts such as street cleaning; roadway snow plowing; sidewalk plowing and hazardous sidewalk replacement were inadvertently added when there was an administrative subdivision on the property starting with the 2014-15 tax year.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Canceled</u>	<u>Subtotal</u>
150.21-1-2.2	N	1890 Mt. Hope Ave.	2015	\$935.08	\$935.08
			2016	\$944.50	944.50
			2017	\$945.16	945.16
			2018	\$973.56	973.56

- (B) The property located at 465 E. Henrietta Road is owned by New York State which is exempt from paying local works charges. The special districts such as street cleaning; roadway snow plowing;

sidewalk plowing and hazardous sidewalk replacement were inadvertently added when there was an administrative subdivision on the property starting with the 2015-16 tax year.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
150.22-1-1.3	N	465 E. Henrietta Rd.	2016	\$534.10	534.10
			2017	\$534.47	534.47
			2018	\$554.54	550.54

(C) The owner of 584-590 Jefferson Avenue purchased the property from a non-profit organization on December 16, 2016 for the sum of \$45,000. The new owner is also a non-profit organization. However they failed to submit their required application by the filing deadline of February 1, 2017. In addition, they were not utilizing the property by the taxable status date of February 1, 2017 and were not entitled to their own non-profit exemption. Therefore, the property was made taxable and a supplemental tax was charged. The property had been assessed at \$130,000 and was subsequently reduced to the purchase price due to the poor condition of the building. Due to a clerical error, the supplemental tax was based on the prior assessment when it should have been based on the lower value.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
120.68-1-15	N	584-590 Jefferson Ave.	2017	\$1,714.85	1,714.85
Grand Total					\$7,132.26

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Conklin moved that Int. No. 325 be discharged from Committee.

Councilmember Spauld seconded the motion.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-287
Re: Agreement – IPT LLC d/b/a PayLock,
Parking Enforcement Vehicle
Booting Program

Transmitted herewith for your approval is legislation authorizing an agreement with IPT, LLC d/b/a PayLock, for a self-release immobilization (booting) program for vehicles with three or more outstanding parking tickets that are 90 or more days old. The firm is considered a sole-source provider and has been the provider of this service for the City for the last seven years. This agreement will be for a term of five years, with two optional one-year renewals.

The booting program will be used to increase collections on tickets issued to “scofflaw” vehicles while simultaneously providing better customer service. A scofflaw vehicle is one that has three or more unpaid tickets that are 90 or more days old and, if a New York plate, at least one of which is in judgment. From July 1, 2012 through June 30, 2017, approximately \$6 million in ticket payments was remitted to the City because of the booting program.

The agreement with PayLock does not require any upfront payment from the City. PayLock will continue to provide license plate recognition hardware, software, self-releasing mechanical boots, and payment services. For each booted vehicle, PayLock will charge a fee of 17% of the collected fines and the boot fee of \$85. These terms remain unchanged from the previous agreement between PayLock and the City.

Parking Enforcement vehicles will be equipped with license plate recognition cameras, laptop with software provided by PayLock and a database provided by the City, which will allow staff to identify scofflaw (as well as stolen and amber alert) vehicles and confirm the amount of outstanding fines. Once the identified vehicle is booted, a sticker with the toll-free number of the PayLock call center is applied to the vehicle.

Payment by credit card or Automated Clearing House (ACH) checks is processed by the call center and the code to release the boot is given to the driver/owner of the vehicle. They then have 48 hours to return the boot to the City; failure to return the boot will result in late fees of \$25 per day up to a maximum of \$500, the replacement cost.

PayLock will calculate the City's payment (full payment of all fines and fees minus the \$85 booting fee and the 17% collection rate) and remit the net amount bi-weekly to the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-287
(Int. No. 325)

Authorizing an agreement for the immobilization and redemption of scofflaw motor 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 IPT LLC, d/b/a PayLock (PayLock) for an immobilization and redemption program for motor vehicles with three or more outstanding parking tickets that may be immobilized pursuant to Section 111-77 of the City Traffic Ordinance. PayLock shall provide to the City software and hardware to identify such vehicles for installation of the immobilization device. The motor vehicle owner or operator shall be able to release the device upon payment to PayLock of the sum of \$85 plus the payments of outstanding notices of violation or notices of liability. The vehicle owner or operator shall also be required to return the immobilization device to the City, and shall be responsible to PayLock for an additional fee of \$25 per day for each day, or part thereof, after the first 48 hours, for which the immobilization device or mechanism is not returned to the City, up to a maximum of \$500.

Section 2. The agreement shall obligate PayLock to pay to the City of Rochester at least 83% of the collections made on the outstanding notices of violation or notices of liability.

Section 3. The agreement shall extend for a term of five years, with two one-year options to renew.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Conklin, Haag, Miller, Ortiz, Patterson, Spaul - 7

Nays – Councilmember Clifford, McFadden - 2

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-288
Re: Amendatory Agreement - Kronos Incorporated, Enterprise Process and System Solution for Scheduling, Time and Attendance

Transmitted herewith for your approval is legislation authorizing an amendatory agreement to extend the term by two years with Kronos Incorporated for services related to the implementation of an Enterprise Process and System Solution for Scheduling, Time and Attendance. The original agreement, authorized in October 2015 via Ordinance No. 2015-315, established maximum compensation of \$1,880,000 for a term of two years. This amendment will extend the term by two additional years to October 28, 2019, at no additional cost.

Kronos is providing software, hardware and implementation services to replace existing scheduling legacy systems and automate existing manual processes for time entry, attendance tracking and reporting.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-153

Ordinance No. 2017-288
(Int. No. 326)

Authorizing an amendatory agreement with Kronos Incorporated

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 Kronos Incorporated related to the implementation of an Enterprise Process & System Solution for Scheduling, Time and Attendance.

The term of the agreement authorized in Ordinance No. 2015-315 is hereby extended for an additional two years, to October 28, 2019.

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. 2017-289
Re: Clarissa Street Reunion

Council Priority: Creating and Sustaining a Culture of Vibrancy; Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the production of the Clarissa Street Reunion. This legislation will:

1. Authorize the receipt and use of a \$5,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) for the Clarissa Street Reunion; and
2. Amend the 2017-18 Budget of the Bureau of Communications by \$5,000 to reflect said grant.

The City will also provide the festival with \$5,000 in City funding from the budget of the Bureau of Communications and Special Events. With the addition of the NYS grant funds, the total amount the City will disburse to the festival in 2017-18 will be \$10,000. This term of this agreement is one year.

The Clarissa Street Reunion has taken place annually for the past 22 years. This event brings thousands of current and former residents, families, and friends together for a full day of festivities, including parades, food, music and other activities.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-289
(Int. No. 327)

Authorizing a grant agreement for the Clarissa Street Reunion and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for the receipt and use of \$5,000 to be used for the Clarissa Street Reunion. The agreement shall be for a term not to exceed one year.

Section 2. Ordinance No. 2017-154, the

2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Bureau of Communications by the sum of \$5,000 received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-290
Re: 2016-17 Budget Amendment

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2016-17 Year End Budget Amendment. This legislation will:

1. Transfer a total of \$3,000,000 from the following departments to Cash Capital to fund one-time capital expenditures:
 - a) \$2,380,000 from Contingency;
 - b) \$370,000 from the Department of Environmental Services; and
 - c) \$250,000 from Neighborhood & Business Development.
2. Transfer \$1,730,000 from Contingency to the Police Department for pending wage and salary settlements.

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter.

The City Council has previously authorized 33 other amendments to the 2016-17 Budget. These amendments reflect 4 appropriation transfers and 28 appropriation increases based upon the receipt of additional revenues.

Actual receipts and expenditures for 2016-17 will be audited by the City's external auditors, Freed, Maxick, and Battaglia. The proposed amendments are required to complete the audit process and ensure adherence to Section 6-16 of the City Charter, which prohibits expenditures in excess of authorized appropriations.

The proposed increase to the Cash Capital allocation is to fund capital projects as follows:

1. \$1,200,000 for the demolition program which should allow for the demolition of approximately 60 additional vacant structures;
2. \$535,000 for demolition and environmental remediation related to the Bull's Head development;
3. \$500,000 in additional funding needed to conduct environmental assessment and remediation of

various parcels including but not limited to 584 Smith Street, 96 Falls Street, Lake Avenue, and Court Street/Exchange Street;

- 4. \$300,000 in additional funding for the HR/Payroll Enterprise Process and System Solution implementation;
- 5. \$265,000 needed for various bridge repairs; and
- 6. \$200,000 to replenish funding for urban forestry pruning and replacement.

On June 14, 2016, when the 2016-17 Budget was adopted by City Council, salary and wage rates had not yet been established for uniformed employees represented by the Rochester Police Locust Club, Inc. The collective bargaining agreement for the Rochester Police Locust Club expired June 30, 2016. Negotiations have not yet resulted in a successor agreement being reached which led to a recent filing for impasse by the Rochester Police Locust Club, Inc. Utilization of a Public Employee Relations Board (PERB)-appointed mediator will be the initial step towards reaching a new agreement. An allowance is being made for the projected anticipated costs of this unsettled contract.

The City Senior Management Team effectively managed their 2016-17 operating budgets, with actual spending less than 2016-17 Budget allocations. Savings resulted from personnel vacancies, lower than expected fuel prices, utility expense, and other costs including professional fees.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-290
(Int. No. 353)

Amending the 2016-17 Budget for year-end Budget amendments

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

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$3,000,000 from the following departments to Cash Capital:

- a) \$2,380,000 from Contingency;
- b) \$370,000 from the Department of Environmental Services; and
- c) \$250,000 from Neighborhood & Business Development.

Section 2. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$1,730,000 from Contingency to the Budget of the Police Department for pending wage and salary settlements.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-291
Intermunicipal Agreement for Shared Space between the School District and Rochester Public Library

Transmitted herewith for your approval is legislation related to the use of a shared space between the Rochester City School District and the Rochester Public Library. This legislation will authorize use of a computer lab with activity space at School 12 by both the District and the Frederick Douglass Community Library. The term of the intermunicipal agreement will be September 1, 2017 through June 30, 2027, with the option of two ten-year renewal terms.

Shared use of this space will allow the District to use the room during the school day and the Library to use the room for programming after school hours, increasing the programming opportunities for Frederick Douglass Community Library.

No money will be exchanged in this agreement, as School 12 is a District-controlled building on City land.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-291
(Int. No. 354)

Authorizing an agreement with the Rochester City School District for the Rochester Public Library's use of a shared space at School 12

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District for the Rochester Public Library's use of a shared space at School 12. The term of the agreement shall be September 1, 2017 through June 30, 2027, with the option for two (2) ten-year (10) renewal terms.

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.

By Vice President Miller
September 19, 2017

To the Council:

The Business & Economic Development Committee recommends for Adoption the following entitled legislation:

- Int. No. 328 Authorizing agreements for the 2017-18 Street Liaison Program
- Int. No. 355 Authorizing sale of land, payment in lieu of taxes and loan agreements for the Charlotte Square III Affordable Rental Project
- Int. No. 356 Authorizing sale of land, payment in lieu of taxes and loan agreements for the Stadium Estates Phase II Affordable Rental Housing Project

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott

Received, filed and published.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-292
Re: Agreements - 2017-18 Street Liaisons

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for agreements for Street Liaison business development services in each of the City's quadrants, as follows: Action for a Better Community, Incorporated for the Northeast Quadrant; Highland Planning LLC, for the Northwest and Southeast Quadrants; and the 19th Ward Community Southwest Association of Rochester, New York, Inc., for the Southwest Quadrant. The combined maximum compensation of \$80,000 will be financed by the funds appropriated to the Neighborhood Commercial Assistance Program from the Promote Economic Stability fund of the 2017-18 Consolidated Community Development, Annual Action Plan in Ordinance No. 2017-224 (\$54,000) and the 2017-18 Budget of the Department of Neighborhood and Business Development (\$26,000). The term of each agreement will expire on June 30, 2018.

The mission of the Street Liaison is to provide outreach and assistance to businesses within the targeted commercial corridors found in their respective quadrants of the city of Rochester. Their assistance is expected to result in increased business and community investment and the retention and creation of new jobs. The Street Liaison may also contribute to additional business and community development efforts, as detailed in the attached program description.

The consultants were selected through a request for proposals process which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-154

Ordinance No. 2017-292
(Int. No. 328)

Authorizing agreements for the 2017-2018 Street Liaison 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 each of the following organizations in the maximum amount of \$20,000 each to provide Street Liaison services for the specified City quadrants as follows:

- a) Action for a Better Community, Incorporated, Northeast
- b) Highland Planning LLC, Southeast
- c) Highland Planning LLC, Northwest
- d) 19th Ward Community Southwest Association of Rochester, New York, Inc., Southwest

Section 2. The term of said agreements shall continue to June 30, 2018.

Section 3. The amount of \$80,000, or so much thereof as may be necessary for the agreements, shall be funded from the funds appropriated to the Neighborhood Commercial Assistance Program from the Promote Economic Stability fund of the 2017-18 Consolidated Community Development Annual Action Plan in Ordinance No. 2017-224 (\$54,000) and the 2017-18 Budget of Neighborhood and Business Development (\$26,000).

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

Section 5. The City shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-293
Re: Charlotte Square III Affordable Rental Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Charlotte Square III Affordable Rental Project being undertaken by Home Leasing LLC at 120 Charlotte Street in the downtown East End neighborhood. This legislation will:

1. Authorize the sale of 120 Charlotte Street for the appraised value of \$255,000, to Home Leasing or a housing development fund corporation to be formed for the project.
2. Authorize property tax exemptions and payment in lieu of taxes (PILOT) agreements for the Charlotte Square III project, which will provide a 30-year exemption for an annual PILOT equal to 10% of the project shelter rents (gross rents minus utility costs), as recommended for approval by the PILOT Review Committee on August 30, 2017.
3. Authorize a loan agreement for a \$300,000 construction/permanent loan with Home Leasing or an affiliated partnership or housing fund development corporation to be formed by Home Leasing, and appropriate the same amount of 2016-17 Consolidated Community Development Plan HOME funds from the Affordable Housing Fund allocation of the Housing Development Fund to fund the loan, as recommended for approval by the Loan Review Committee on August 30, 2017.

The loan will serve initially as a non-amortizing 2% construction loan then, at conversion to permanent financing, become a 30-year, 2% interest-only loan with principal payment due at the end of the 30-year term. Annual loan interest payments of 2% will be cash flow dependent.

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

The Property is a new parcel resulting from the assembly of land due to the Inner Loop East Transformation Project. As part of the City's efforts to reintegrate the neighborhoods previously separated by the eight-lane highway on the eastern portion of the Inner Loop, a request for proposals for the purchase and redevelopment of this and four other parcels was issued on March 17, 2016, followed by an informational meeting on March 29, 2016. The purpose of this meeting was to provide developers with the opportunity to discuss the status of the parcel, its redevelopment potential, and answer questions. The City received one proposal, which was evaluated by

staff from the Department of Neighborhood and Business Development, Department of Environmental Services, Bureau of Assessment, and Law Department, as well as the City Council Chief of Staff. The Developer was recommended based on the proposed development program and its financial strength.

The Charlotte Square III Affordable Rental Project involves the creation of 50 new rental units intended for mixed-income households, with two-thirds of the units (34) targeted to households with incomes at or below 60% of the area median income (AMI), and one-third of the units (16) targeted to households with incomes of up to 90% of AMI. Eight units will be set aside for supportive housing for homeless ex-offenders who are in recovery and graduating from transitional housing provided by Spiritus Christi Prison Outreach (SCPO). The units will be targeted to households with incomes at or below 50%, 60%, and 90% of the AMI.

The development includes the construction of a single four-story, 46,994 square foot "L" shaped building fronting on Charlotte and Union Streets. The first floor includes 12 one- and two-bedroom walk-up townhome units adding front stoops and will be complementary to Charlotte Square I and II. The remaining 38 units will consist of six studios and 32 one-bedroom apartments distributed throughout floors two through four. Five of the units (10%) will be fully accessible and adapted for people with mobility impairments, and three separate units (4%) will be equipped for people with audio or visual impairments. The fully accessible and adapted units, as well as the supportive housing units, will be dispersed throughout the building, and in various unit sizes.

Central elevator access will be provided for upper level apartments. Project amenities include a community room, fitness center, patios and balconies, an on-site management office, secure interior bicycle storage, a playground, a 17-space, on-site surface parking lot for residents, staff, and visitors, and bulk storage in the units.

Charlotte Square III will be the third phase of development Home Leasing has undertaken on Charlotte Street. Charlotte Square I consists of 72 high-end market-rate apartments and is currently leasing, while Charlotte II, which has 10 for-sale townhomes, is under construction. Public interest in both Phase I and II has been robust. The addition of Charlotte Square III will expand mixed-income housing opportunities in the East End neighborhood. The project will take advantage of the unique opportunity to contribute toward the reshaping of the city's center, promoting increased vibrancy in the neighborhood, community wellness, public safety, beautification and the realization of other community initiatives underway in the area such as the Rochester-Monroe Anti-Povert Initiative, or R-MAPI.

The funding sources and uses for the project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Land Acquisition	\$ 255,000	Conventional Loan	\$ 750,000
Soft Costs	1,530,628	9% LIHTC	8,856,069
Hard Costs	8,485,412	Housing Trust Fund Mortgage	2,000,314
Contingency	424,271	Deferred Developer Fee	185,630
Development Fee	1,199,999	City of Rochester	300,000
Reserves	166,703		
Working Capital	30,000	TOTAL	\$12,092,013
TOTAL	\$12,092,013		

The project is anticipated to begin construction in November 2017 and be completed in June 2019. It will fulfill an obligation of 30% M/WBE contracts (for City and State funds) and workforce goals of 6.9% women and 20% minorities. It is anticipated that the project will create 100 construction jobs and 2.5 permanent jobs.

A State Environmental Quality Review Act review has been completed and a Negative Declaration has been issued. A National Environmental Policy Act review is underway and will be completed prior to entering into any agreements for the Charlotte Square III project.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-155

Ordinance No. 2017-293
 (Int. No. 355)

Authorizing sale of land, payment in lieu of taxes and loan agreements for the Charlotte Square III Affordable Rental Project

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

Section 1. The Council hereby approves the negotiated sale, for the price of \$255,000, of the following parcel of vacant land to Home Leasing, LLC, or to an affiliated housing development fund corporation that is formed for the purpose, in order to develop the Charlotte Square III Affordable Rental Project (Project):

Address	SBL#	Lot Size	Acreage
120 Charlotte St	106.81-2-70	153 x 135	0.52

Section 2. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for the Project with a housing development fund corporation formed by Home Leasing, LLC for the Project. The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption for 30 years, provided that the housing development fund corporation 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 30 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 in accordance with Article 11 of the NYS Private Housing Finance Law and for the purpose of providing housing for mixed-income households and as supportive transitional housing for ex-offenders.

Section 4. The sum of \$300,000 is hereby appropriated from the Affordable Housing Fund allocation of the Housing Development Fund within the Consolidated Community Development Plan/2016-17 Annual Action Plan to serve as principal for the Project loan authorized herein.

Section 5. The Mayor is hereby authorized to enter into a loan agreement with Home Leasing, LLC or an affiliated partnership or housing development fund corporation formed for the Project, for construction and permanent financing of the Project. The loan shall be in the amount of \$300,000, which shall be funded from the amounts appropriated in Section 4 herein. The loan agreement shall have a term that continues to 30 years following completion of Project construction. The loan shall function as a 2% construction loan with interest-only payments due annually until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2% that shall be paid annually contingent on sufficient Project cash flow, and repayment of the loan principal and deferred interest, if any, due at the end of the loan term.

Section 6. The agreements authorized herein 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 documents as may be necessary to effectuate the agreements authorized herein.

Section 7. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions of the loan in order to conform to legal and other requirements of the Project.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-294
Re: Stadium Estates Phase II Affordable
Rental Housing Project

Council Priority: Rebuilding and Strengthening
Neighborhoods

Transmitted herewith for your approval is legislation related to the Stadium Estates Phase II Affordable Rental Housing Project strategic infill, which is being developed by Charles Settlement House, Inc. and Rochester’s Cornerstone Group. This legislation will:

1. Authorize the sale of 30 City-owned vacant lots to Charles Settlement House, Inc. or an affiliated partnership or housing development fund corporation to be formed by Charles Settlement House and Rochester’s Cornerstone Group, for the project (see attached property list and map);
2. Authorize property tax exemptions and a payment-in-lieu of taxes (PILOT) agreement for the project. The agreement would provide a 30-year tax exemption in consideration of an annual PILOT equal to 10% of the project shelter rents (gross rents less utility costs), as recommended for approval by the PILOT Review Committee on August 3, 2017;
3. Authorize a \$700,000 loan agreement with Charles Settlement House, Inc., or a subsidiary to be formed for the project with a term of 30 years with annual interest-only payments of 2%, as recommended for approval by the Loan Review Committee on August 30, 2017;
4. Appropriate \$95,178 in HOME funds from the 2016-17 Consolidated Community Development Plan’s Affordable Housing Fund allocation of the Housing Development Fund and \$604,822 in Home funds from the 2017-18 Consolidated Community Development Plan’s Affordable Housing Fund allocation of the Housing Development Fund to finance the loan; and
5. Authorize the Mayor to adjust the interest rate

and other terms and conditions of the loan in order to conform to legal requirements for tax credits or for the project.

Stadium Estates Phase II involves the construction of a community center and 46 family rental housing units on clustered sites in the JOSANA neighborhood. The residential buildings for the project consist of 20 single-family houses, four duplexes and six triplexes. Of the 46 units in the project, 11 will be two-bedroom units, 23 will be three-bedroom units, seven will be four-bedroom units, and five will be five-bedroom units. Six of the units will be fully handicapped accessible; two will be designed for the hearing- and visually-impaired, and seven will be reserved for households with a family member with an intellectual or developmental disability. All units will also meet or exceed the New York State Energy Star Certified Homes standards, including the use of water conserving fixtures, Energy Star rated appliances, and low- or no-VOC paints and Green Labeled carpeting. The project will participate in both the New York State Energy Research and Development Agency’s (NYSERDA) Low-Rise Residential New Construction Program and Enterprise Green Communities rating system energy efficient development.

The project was built in close partnership with the JOSANA Neighborhood and helps to implement the goals of the JOSANA Neighborhood Master Plan, which was completed in 2011. It builds on significant community building and other investments in the neighborhood, including the construction of Capelli Sport Stadium (\$35 million), the modernization and recent designation of Enrico Fermi School 17 as a community school (\$28.8 million), construction of 55 Habitat for Humanity homes for affordable homeownership in the neighborhood, and construction of Stadium Estates Phase I (\$10.7 million). Stadium Estates Phase I has a lengthy waitlist and Phase II’s third-party market study found a capture rate of 1.77% for the project, indicating a strong demand for new affordable housing in the neighborhood.

Stadium Estates Phase II received Low Income Housing Tax Credits (LIHTC) and New York State Housing Trust Funds for its construction. All units will be for families with 60% or less of the area median income. All units will be made available for affordable homeownership through a lease to purchase program to be implemented at the end of the 15 year tax credit compliance period.

The project budget is as follows:

Costs		Sources	
Property acquisition	\$ 18,075	LIHTC Equity	\$ 8,557,739
Soft costs	1,121,287	NYS Housing Trust Fund	2,400,000
Construction	8,502,975	City	700,000
Contingency	428,966	Deferred Developer Fee	68,633
Developer fee	1,444,908	NYSERDA	46,000
Reserves	161,162	TOTAL	\$11,772,372
Working capital	95,000		
TOTAL	\$11,772,372		

The project is anticipated to begin construction in November 2017 and be completed in February 2019. It will fulfill an obligation of 30% M/WBE contracts (for City and State funds) and will include workforce goals of 20% minority and 6.9% women workers. Thirty percent of new hires for the project will be Section 3 workers. In addition, the development team will privately fund and construct a house with the Urban League's Youth Build program, which is designed to expose inner-city youth to the building process, and provide job and life skills. The project is anticipated to support 90-100 construction jobs and two permanent jobs.

A State Environmental Quality Review Act review has been completed and a Negative Declaration has been issued. A National Environmental Policy Act review is underway and will be completed prior to entering into any agreements for the Stadium Estates Phase II project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-156

Ordinance No. 2017-294
(Int. No. 356)

Authorizing sale of land, payment in lieu of taxes and loan agreements for the Stadium Estates Phase II Affordable Rental Housing Project

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

Section 1. The Council hereby approves the negotiated sale, for an aggregate price of \$18,075, of the following parcels of vacant land to Charles Settlement House, Inc., or to an affiliated partnership or housing development fund corporation that is formed for the purpose, in order to develop the Stadium Estates Phase II Affordable Rental Housing Project (Project):

Address	SBL No.	Dimensions	Price
255 Whitney Street	105.74-2-25.001	80' x 84'	\$ 475
235 Whitney Street	105.74-2-29	77' x 253'	2,100
44 Lime Street	105.74-3-10	33' x 86'	350
43 Lime Street	105.74-3-24	36' x 165'	450
279 Orchard Street	105.74-3-33	40' x 125'	425
748-754 Smith St	105.74-3-36.002	91' x 125'	600
766 Smith Street	105.74-3-39	36' x 165'	450
794 Smith Street	105.74-3-44	53' x 165'	525
810-812 Smith Street	105.74-3-47.002	53' x 110'	450
244 Whitney Street	105.74-3-53.001	63' x 106'	475
246 Whitney Street	105.74-3-54.001	102' x 106'	525
40 Lime Street	105.74-3-8	44' x 86'	400
42-42.5 Lime Street	105.74-3-9	44' x 86'	400
736 Smith Street	105.75-1-32.003	54' x 99'	450
296 Orchard Street	105.75-1-38.001	165' x 54'	525
795 West Broad St	105.75-2-46	38' x 94'	350
765 Smith Street	105.82-2-12	40' x 100'	400
241 Orchard Street	105.82-2-15	100' x 39'	400
559 Jay Street	105.82-2-39.2	210' x 185'	3,000
729-735 Smith Street	105.83-1-1.001	77' x 120'	550
693 Smith Street	105.83-1-10	53' x 165'	525
725 Smith Street	105.83-1-2.001	44' x 120'	450
234 Orchard Street	105.83-1-48.002	45' x 99'	425

378 Jay Street	105.83-2-37.005	76' x 132'	550
364 Jay Street	105.83-2-35	50' x 183'	525
370 Jay Street	105.83-2-36.002	50' x 183'	550
307 Jay Street	105.84-1-39	40' x 164	475
630 West Broad St	105.84-2-35	40' x 100'	400
636 West Broad St	105.84-2-36.001	38' x 100'	400
245-247 Jay Street	105.84-2-40.001	67' x 100'	475
		TOTAL	\$ 18,075

Section 2. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for the Project with Charles Settlement House, Inc. or an affiliated partnership or housing development fund corporation formed for the Project. The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption for 30 years, provided that annual payments in lieu of taxes remitted 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 30 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 in accordance with Article 11 of the NYS Private Housing Finance Law and for the purpose of providing affordable housing consisting of approximately 46 rental units constructed within a mixture of single-family, duplex and triplex houses built on clustered sites in the JOSANA neighborhood.

Section 4. The sum of \$95,178 is hereby appropriated from the Affordable Housing Fund allocation of the Housing Development Fund within the Consolidated Community Development Plan/2016-17 Annual Action Plan and the sum of \$604,822 is hereby appropriated from the Affordable Housing Fund allocation of the Housing Development Fund within the Consolidated Community Development Plan/2017-18 Annual Action Plan to serve as \$700,000 in principal for the Project loan authorized herein.

Section 5. The Mayor is hereby authorized to enter into a loan agreement with Charles Settlement House, Inc. or a subsidiary formed for the Project for construction and permanent financing of the Project. The loan shall be in the amount of \$700,000, which shall be funded from the amounts appropriated in Section 4 herein. The loan agreement shall have a term that continues to 30 years following completion of Project construction. The loan shall function as a 2% construction loan with interest-only payments due annually until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2% that shall be paid annually and repayment of the loan principal due at the end of the loan term.

Section 6. The agreements authorized herein 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 documents as may be necessary to effectuate the agreements authorized herein.

Section 7. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions of the loan in order to conform to legal and other requirements of the Project or of its tax credits.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Ortiz
September 19, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for Adoption the following entitled legislation:

- Int. No. 329 Authorizing the sale of real estate
- Int. No. 330 Authorizing funding and agreements for the 2017 Lead Hazard Control Grant Program
- Int. No. 331 Authorizing agreements for the Asset Control Area/HOME Rochester Program

The Neighborhood & Community Development Committee recommends for Consideration the following entitled legislation:

- Int. No. 332 Amending the 2015-16 Consolidated Community Development Plan and authorizing appropriations of Community Development Block Grant funds to infrastructure and playground improvements

Int. No. 333 Amending Chapter 120 of the Municipal Code, Zoning, for minor changes, clarifications and corrections, as amended

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE
Received, filed, and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-295
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

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

The first two properties are vacant lots sold by negotiated sale to the adjacent owners. The purchasers will combine the lot with their existing property and utilize it as green space.

The last two properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,195.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-157

Ordinance No. 2017-295
(Int. No. 329)

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 of the negotiated sale of the following parcels of vacant land:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
26 Boston St	106.23-4-29.1	68 x 96	6,538	\$475	Ronald Phelps
135 Breck St	107.77-1-5	40 x 100	4,000	\$400	Ruthie & Daryl Burke

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
117 Reynolds St	120.52-1-28	21 x 49	1,029	James I. McClary
1113 N. Winton Rd	107.59-1-5	46 x 7	359	Katherine Petty

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. 2017-296
Re: 2017 Lead Hazard Control Grant Program

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the City's 2017 Lead Hazard Control Grant Program. This legislation will:

1. Accept and appropriate \$1,000,000 from the U.S. Department of Housing and Urban Development to fund the program;
 - a. From the above appropriation, a total of \$769,000 will be made available for the City's use to operate the program.
2. Establish \$45,000 as maximum compensation for an agreement with Environmental Education Associates, Inc. (EEA) for lead hazard control training to be funded from the appropriation in Section 1, and the term will be for one year with the option to extend for an additional two years if funding remains in the agreement.
3. Establish \$87,000 as maximum aggregate compensation for term agreements with the following consultants to be funded from the appropriation made in Section 1:

Environmental, Testing & Consulting Inc. (Batavia, New York)
UNYSE Environmental Consultants (Buffalo, New York)

The term of the agreements will be for one year with the option to extend for an additional two years if funding remains in the agreements.

The City applied to HUD's Office of Healthy Homes and Lead Hazard Control for lead hazard control funding in March 2017. The City was notified of the funding award in June 2017. The HUD funding award will allow the City to continue operating its Lead Hazard Control Grant Program by offering financial assistance to eligible owners of one to four unit privately-held housing. Funding will be made available to correct lead-based paint hazards and other environmental health hazards. Typical lead hazard control work activities will include: window/door replacement; porch repair/replacement; siding; minor rehabilitation work; and bare soil treatment. The City will continue to work with its base of certified lead abatement contractors to carry out these efforts. Participating property owners must be up-to-date with their City and County property tax payments or have a payment plan in place.

The program will concentrate on serving rental properties where lead-poisoned children are most prevalent. Owner-occupants must earn an income at or below 80% of the area median income and must have a child occupant or visiting child occupant under age six. Owners will be required to sign a five-year program agreement and note and mortgage with the City to ensure residency.

Rental property owners will be required to produce a 10% funding match. They will also be required to sign a five-year program agreement and note and mortgage with the City to ensure affordable rents (per HUD guideline) and that assisted units are offered to tenants with income at or below 80% of the area median income. All assisted landlords will be required to complete the Environmental Protection Agency (EPA) course "Renovator, Remodeler and Painter" (at the City's expense) to ensure that future lead hazard control work is undertaken properly.

Environmental Education Associates (EEA), a firm that is currently under contract for the City's current lead hazard control program (Ord. No. 2016-102) will provide the training services. EEA will offer courses to include "Lead Abatement Supervisor" and "Lead Abatement Worker" to allow contractors to obtain EPA certification to

carry out lead abatement activities. EEA will also offer the “Renovator, Remodeler and Painter” course to allow property owners and contractors certification to carry out lead interim control activities. This training will enable an expanded base of lead abatement contractors to service the program and an expanded population of landlords that are educated about how to safely undertake lead hazard control work.

For lead hazard evaluation services, the same consultants that are currently under contract for the lead hazard control program will be utilized, including Environmental Testing and Consulting and UNYSE Environmental Consultants (Ord. No. 2016-102). Both consultants are performing to the City’s satisfaction. These consultants will be responsible for producing a combined lead-based paint inspection/risk assessment for units enrolled in the program.

The City will provide matching funds in the amount of \$1,030,000 over three years. This match amount will include in-kind staff contributions and \$650,000 in Consolidated Development Block Grant funds to be used for lead hazard control. The HUD funding includes the following:

Personnel	\$ 94,536
Travel	4,464
Training	45,000
Consultants	87,000
Lead Hazard Control	769,000
Total	<u>\$1,000,000</u>

The program will allow for a minimum production of 100 units of lead safe housing by December 2020.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-296
 (Int. No. 330, as amended)

Authorizing funding and agreements for the 2017 Lead Hazard Control Grant Program

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

Section 1. The Council hereby accepts \$1,000,000 from the U.S. Department of Housing and Urban Development (HUD) to fund the City’s 2017 Lead Hazard Control Grant Program (Program) and authorizes the Mayor to enter into an agreement with HUD and to execute such other documents as may be necessary for the City to participate in and administer the use of HUD funding for the ~~Project Program~~.

Section 2. The Council hereby appropriates ~~\$769,000~~ from the funds authorized by Section 1 herein the following amounts: \$769,000 for the City’s use to operate the Program; \$132,000 for the lead abatement worker training and lead hazard evaluation services authorized in Sections 3 and 4 herein; and \$4,464 for travel expenses. The City’s personnel costs to implement the Program shall be funded by the grant in the amount of \$31,512 from the 2017-18 Budget of the Department of Neighborhood and Business Development (“NBD”) and \$63,024 from future budgets of NBD, contingent upon approval of the future budgets.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Environmental Education Associates, Inc. to provide lead abatement worker training. The maximum compensation for the agreement shall be \$45,000, which shall be funded from the appropriation authorized by Section 2 herein. The term of the

agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized maximum compensation remain.

Section 4. The Mayor is hereby authorized to enter into professional services agreements with the following consultants for lead hazard evaluation services for the Program. The agreement shall have an aggregate maximum compensation of \$87,000, which shall be funded from the appropriation authorized by Section 2 herein:

- a. Environmental, Testing & Consulting Inc., Batavia, NY; and
- b. UNYSE Environmental Consultants, Buffalo, NY.

The term of each agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized aggregate maximum compensation remain.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-297
Re: Asset Control Area / Home Rochester Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing agreements with the Rochester Housing Development Fund Corporation (RHDFC), Greater Rochester Housing Partnership, Inc. (GRHP), and JPMorgan Chase & Co. for implementation of the Asset Control Area / Home Rochester Program. This legislation will establish construction financing for the program and includes the following actions:

1. Authorize City participation in the RHDFC Loan VIII financing pool. The City's contribution of \$1,863,000 will be funded by Loan VII revenues that will be used to establish a trust account accessible for Loan VIII Home Rochester properties. RHDFC will administer the trust account, and the agreement with the City will describe the process by which RHDFC may draw the Loan VII revenues for Loan VIII properties.
2. Establish a loss reserve for Loan VIII in the amount of \$238,000 to be financed from 2012-13 Cash Capital.
3. Establish an interest reserve account not to exceed \$25,000 which will be financed from 2012-13 Cash Capital. The funds will be used to provide 1% annual interest to enable the working capital loan for the program. For Loan VIII, the working capital loan will be \$750,000, provided by the GRHP through the Martin Luther King, Jr. Housing Fund, and administered by RHDFC.

The last Council authorization for this was Ordinance No. 2014-379. RHDFC has operated the Home Rochester program since its inception in 2001 in partnership with the City, GRHP, and neighborhood-based non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first-time homebuyers.

RHDFC has also facilitated City participation in the Asset Control Area program (ACAP) since the City's original agreement with HUD in 2004. ACAP obligates the City to purchase FHA-foreclosed, single-family properties in specified areas of the city and to sell those properties to eligible buyers. RHDFC also acquires properties through donations, the Rochester Land Bank Corporation, and purchases on the private market.

Since 2001, RHDFC has received over \$87 million of funding to buy and renovate houses in Rochester. Financing for these activities has been through a series of construction loans funded by a public-private partnership. Loan VII, totaling \$15,000,000, closed in March 2015; and Loan VIII, approximating \$15,000,000, is in preparation for closing. Loan VII

funds may be used to acquire properties until September 30, 2017, and to-date, 52 properties have been acquired and 36 of those have been rehabilitated, with 28 having already closed with first-time homebuyers. All properties funded through Loan VII are anticipated to be sold within 8-12 months of the end of the loan term, depending on completion of rehabilitation, acceptance of purchase offers, and related closings with eligible purchasers.

The lead lender for Loan VIII is JPMorgan Chase. Participating lenders are anticipated to include the City of Rochester, GRHP, Enterprise Community Partners, Partners for the Common Good, M&T Bank, Bank of Castile, and the Low Income Investment Fund. The City will participate as a lender using \$1,863,000 in revenues from its Loan VII contribution of Neighborhood Stabilization Program funds previously awarded by the New York State Housing Finance Agency.

The loss reserve is required to induce the participation of public and private lenders to provide the capital to fund Loan VIII, since the lenders will agree to forego a lien during construction.

The working capital will be used to purchase vacant and foreclosed properties for Home Rochester and make funds available between monthly draws on Loan VIII. The renovation of the properties will be funded by Loan VIII.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-297
(Int. No. 331)

Authorizing agreements for the Asset Control Area/HOME Rochester 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 or agreements with the Rochester Housing Development Fund Corporation, JPMorgan Chase & Co. and the Greater Rochester Housing Partnership, Inc. to permit the continued participation of the City in the Asset Control Area/HOME Rochester Program through the continued acquisition and development of vacant single family properties under the Loan VIII financing pool. The City shall participate as a lender in RHDFC Loan VIII through the allocation of \$1,863,000 in revenues from the Loan VII pool authorized in Ordinance No. 2014-379 that will be held in a trust account for this purpose. The agreement(s) shall outline how the trust account funds will be accessed for vacant single-family properties that are identified for improvement with Loan VIII funds.

Section 2. The agreement(s) shall obligate the City of Rochester to pay an amount not to exceed \$238,000 to establish a loss reserve account for Loan VIII, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose from 2012-13 Cash Capital.

Section 3. The agreement(s) shall further obligate the City of Rochester to pay an amount not to exceed \$25,000 for an interest reserve account for the Program, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose from 2012-13 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-298
Re: Amending the 2015-16 Consolidated
Community Development Plan, Annual
Action Plan

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation
amending the 2015-16 Consolidated Community
Development Plan, Annual Action Plan (Con Plan).
This legislation will:

1. Amend the 2015-16 Con Plan to transfer and re-allocate \$875,000 of Community Development Block Grant (CDBG) funds from the Marketview Heights Urban Renewal District Program to the Infrastructure Improvements allocation of the General Community Needs fund.
2. Appropriate \$875,000 of CDBG funds from the Infrastructure Improvements allocation of the General Community Needs fund for infrastructure and playground improvements at various locations including, but not limited to, the renovation of the First Street Playground and the Alpha Street Group Project (Alpha, Braddock, Meridian and Wilder Streets). Construction of the improvements will begin in spring 2018 with planned completion in fall 2018.

The Department of Neighborhood and Business Development intends to replenish funds to the Marketview Heights Urban Renewal District Program with debt in subsequent legislation.

A public hearing on the amendment of the 2015-16 Con Plan is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-298
(Int. No. 332)

Amending the 2015-16 Consolidated Community Development Plan and authorizing appropriations of Community Development Block Grant funds to infrastructure and playground improvements

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

Section 1. The Council hereby approves amending the 2015-16 Consolidated Community Development Plan - Annual Action Plan (Con Plan) to transfer and re-allocate \$875,000 of Community Development Block Grant (CDBG) funds to the Infrastructure Improvements allocation of the General Community Needs fund within said Con Plan.

Section 2. The Council hereby appropriates \$875,000 of CDBG funds from the Infrastructure Improvements allocation of the General Community Needs Fund of the 2015-16 Con Plan, as amended under Section 1 above, for infrastructure and playground improvements at various locations including but not limited to the First Street Playground and the Alpha Street Group Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-299
Re: Zoning Text Amendments -
Minor Code Changes and Clarifications

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by making minor changes and clarifications to various sections of the Zoning Code to correct existing errors, clarify confusing language and update terms and definitions. Also included in these changes are updated Zoning District Summary Charts. These Charts appear at the end of each District Section in the Zoning Code, yet they have not been updated in several years. This round of Zoning Code Text changes is the first in a series of amendments planned over the next year to help streamline approval processes and reduce the caseloads of the City's boards and commissions.

The first two charts that are attached summarize the proposed changes as follows: The first chart includes the proposed corrections and/or clarifications, and the second chart includes the minor changes being proposed. Also attached are the updated Zoning District Summary Charts. The proposed Code regulation language is included at the end of the attachments, and corresponds to the headings on the summary charts.

The City Planning Commission held an informational meeting on the proposed Text Amendments on Monday, August 7, 2017. One person spoke in

support; no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Text Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-158

Ordinance No. 2017-299
(Int. No. 333, as amended)

Amending Chapter 120 of the Municipal Code, Zoning, for minor changes, clarifications and corrections

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in §120-208, Definition, with regard to the addition, modification or deletion of the following terms:

BANQUET FACILITY

~~A structure or building that is entirely devoted to banquets and all hours and activities are associated with specific events or any portion of a building in which space can be used for banquets, parties, receptions and the like. Buildings or spaces used primarily for ticketed entertainment events shall not be considered a banquet facility.~~

BUILDING COVERAGE

~~The percentage of a lot area occupied by the ground area of principal and accessory buildings on such lot, excluding the area occupied by a solar collector.~~

IMPERVIOUS SURFACE

~~A surface that prevents infiltration of water into the soil, including but not limited to: asphalt; concrete; packed gravel or crusher run; and bricks, stones, or unit pavers set in or laid on top of mortar or concrete.~~

HOTEL

~~A dwelling One or more buildings containing 15 or more rooming unit(s) with private bathrooms and with or without cooking facilities in which temporary lodging is provided and offered to the public for compensation. Hotels shall include an area for the registration of guests and daily housekeeping provided by the management. Hotels may provide amenities such as restaurants, meeting rooms, swimming pools and exercise facilities to guests and the general public. This definition shall not be construed to affect local or state licensing provisions.~~

LOT COVERAGE

~~The percentage of a lot area occupied by the ground area of principal and accessory buildings over 144 square feet, driveways, swimming pools, decks, parking areas and parking lots and other impermeable impervious surfaces on such lot, excluding patios, terraces and pedestrian walkways.~~

Section 2. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended as follows:

a. Subsection E of Section 120-8 is amended as follows:

§120-8 Permitted uses.

The following uses are permitted in the R-1 District:

...
E. Places of worship, except in structures originally designed solely for residential purposes.

b. Subsection B of Section 120-11 is amended as follows:

§ 120-11. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the R-1 District:

B. Lot area requirements.

- (1) Residential uses.
 - (a) Minimum lot area, detached: 5,000 square feet.
 - (b) Minimum lot area, attached, two units: 3,000 square feet per unit.
 - (c) Minimum lot area, attached, three units or more: N/A.
 - ~~(d) Maximum building coverage: 35%.~~
 - ~~(d)(e) Maximum lot coverage: 50%.~~
- (2) Nonresidential uses.
 - (a) Minimum lot area: N/A.
 - ~~(b) Maximum building coverage: 35%.~~
 - ~~(b)(e) Maximum lot coverage: 50%.~~

c. Subsection F of Section 120-17 is amended as follows:

120-17 Permitted uses.

The following uses are permitted in the R-2 District:

F. Places of worship, except in structures originally designed solely for residential purposes.

d. Subsection B of Section 120-20 is amended as follows:

§ 120-20. Lot, area and yard requirements.

The following lot, area and yard requirements shall apply to the R-2 District:

- ...
 - B. Lot area requirements.
 - (1) Residential uses.
 - (a) Single-family detached and attached.
 - [1] Minimum lot area, detached: 5,000 square feet.
 - [2] Minimum lot area, attached, two units: 3,000 square feet per unit.
 - [3] Minimum lot area, attached, three units or more: N/A.
 - ~~[4] Maximum building coverage: 35%.~~
 - ~~[4][5] Maximum lot coverage: 50%.~~
 - (b) Two-family.
 - [1] Minimum lot area: 6,000 square feet.
 - ~~[2] Maximum building coverage: 35%.~~
 - ~~[2][3] Maximum lot coverage: 50%.~~
 - (c) Multifamily.
 - [1] Minimum lot area: 3,000 square feet per unit.
 - ~~[2] Maximum building coverage: 35%.~~
 - ~~[2][3] Maximum lot coverage: 50%.~~

(2) Nonresidential uses.

(a) Minimum lot area: N/A.

~~(b) Maximum building coverage: 35%.~~

~~(b)(e) Maximum lot coverage: 50%.~~

e. Subsection J of Section 120-26 is amended as follows:

120-26 Permitted uses.

The following uses are permitted in the R-2 District:

...

J. Places of worship, except in structures originally designed solely for residential purposes.

f. Subsection B of Section 120-28 is amended as follows:

§ 120-28. Lot, area and yard requirements.

The following lot, area and yard requirements shall apply to the R-3 District:

...

B. Lot area requirements.

(1) Residential uses.

(a) Single-family detached and attached.

[1] Minimum lot area, detached: 5,000 square feet.

[2] Minimum lot area, attached, two units: 3,000 square feet per unit.

[3] Minimum lot area, attached, three units or more:

N/A.

~~[4] Maximum building coverage: 35%.~~

~~[4][5] Maximum lot coverage: 50%.~~

(b) Two-family.

[1] Minimum lot area: 6,000 square feet.

~~[2] Maximum building coverage: 35%.~~

~~[2][3] Maximum lot coverage: 50%.~~

(c) Multifamily.

[1] Minimum lot area: 1,000 square feet per unit for each one- or two-bedroom unit.

[2] Minimum lot area: 1,800 square feet per unit for each three- or more bedroom unit.

[3] Minimum lot area: 9,000 square feet for multifamily buildings over three units.

(2) Nonresidential uses.

(a) Minimum lot area: N/A

g. Section 120-42 is amended to read in its entirety as follows:

120-42. Permitted uses and structures

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m. Hours of operation limitations do not apply to residential uses.

A. Single-family attached dwellings.

B. Multifamily dwellings.

C. Live-work space, subject to the additional requirements for specified uses in § 120-142.1.

D. Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.

E. Family and group family day-care homes.

F. Adult family day-care homes.

G. Day-care centers, subject to the additional requirements for specified uses in § 120-135.

H. Animal hospitals when conducted entirely within an enclosed building.

I. Places of worship.

J. Convents and rectories.

K. Public and semipublic uses.

L. Funeral homes and mortuaries.

M. Retail sales and service, full-line food store, low-impact, and specialty, subject to the additional requirements for specified uses in § 120-146.1.

N. ~~(Reserved) Mixed uses, as listed in this section, not including industrial uses.~~

O. (Reserved)

P. Limited adult retail store when conducted entirely within an enclosed building.

Q. Health clubs and similar facilities.

~~R. Theaters. (Reserved)~~

S. Office.

T. Bars, restaurants and banquet facilities, including accessory outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., excluding drive-through facilities.

h. Subsection R of Section 120-43 is revised as follows:

§120-43. Special permit uses.

The following uses are allowed as special permit uses in the C-2 District:

...

R. Vehicle service stations, subject to the additional requirements for specified uses in § 120-154, with no more than eight pumps (defined as a fueling area for an individual vehicle) that can dispense fuel to no more than eight vehicles at one time.

i. Subsection M of Section 120-50 is revised as follows:

§120-50. Permitted uses and structures.

The following uses are permitted in the C-3 District:

...

~~M. Theaters. (Reserved)~~

j. Subsection C is added to Section 120-62, Permitted uses, as follows.

...

C. Walk-up service windows in the CCD.

k. Subsection C of Section 120-64 is revised as follows:

§120-64 Prohibited uses.

The following uses are prohibited in any building or site in the CCD:

...

C. Uses, excluding building parking or outdoor seating/assembly areas, not in a fully enclosed building, excluding building parking, outdoor seating/assembly areas and walk-up service windows.

1 Subsections A, C, D and E of Section 120-76, PMV Public Market Village District, are revised follows:

A. Permitted uses and structures.

The following uses are permitted in the PMV District:

(1) Outdoor market.

(2) Single-family attached dwelling.

(3) Multifamily dwellings.

- ~~(3)~~ (4) Mixed uses.
- ~~(4)~~ (5) Live-work spaces.
- ~~(5)~~ (6) Offices.
- ~~(6)~~ (7) Public and semipublic uses.
- ~~(7)~~ (8) Agriculture.
- ~~(8)~~ (9) Warehouse uses.
- ~~(9)~~ (10) Wholesale uses.
- ~~(10)~~ (11) Retail sales and service.
- ~~(11)~~ (12) Bars, restaurants and the like including outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., but excluding drive-through facilities.
- ~~(12)~~ (13) Manufacturing uses when the products are sold as retail for an individual consumer.
- ~~(13)~~ (14) Parks and recreation uses.
- ~~(14)~~ (15) Places of worship.

...
 C. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the PMV District:

- (1) Lot frontage requirements.
 - (a) Residential uses.
 - [1] Minimum lot frontage, attached: N/A.
 - [2] Minimum lot frontage, multifamily: N/A.
 - (b) Nonresidential uses.
 - [1] Minimum lot frontage: N/A.
- (2) Lot area requirements.
 - (a) Residential uses.
 - [1] Single-family attached.
 - [a] Minimum lot area, attached: 2,600 square feet.
 - ~~[b] Maximum building coverage: 35%.~~
 - ~~[c][b] Maximum lot coverage: 50%~~
 - [2] Multifamily.
 - [a] Minimum lot area: 1,000 square feet per unit for one or two bedrooms.
 - [b] Minimum lot area: 1,800 square feet per unit for three or more bedrooms.
 - [c] Minimum lot area: 9,000 square feet for multifamily buildings over three units
 - ~~(b) Nonresidential uses.~~
 - ~~[1] Minimum lot area: N/A~~

D. Bulk requirements. The following requirements shall apply to buildings constructed in the PMV District:

- (1) Building heights.
 - ~~(a) Minimum building height, principal use or structure: 2 1/2 stories or 20 feet.~~
 - ~~(b) (a) Maximum building height, detached accessory use or structure: 20 feet.~~
- ~~(2) Square footage.~~
 - ~~(a) Maximum square footage, principal use or structure: 10,000 square feet.~~
 - ~~(b) Maximum square footage, detached accessory use or structure: N/A.~~

E. Specific standards for the PMV District. In addition to the applicable City-Wide Design Guidelines and Standards in Article XIX, the following shall apply to the PMV District:

- (1) Buildings.
 - ~~(a) Building materials. Concrete block, glass block, and metal are permitted on any façade.~~
 - ~~(2) Windows and transparency. All new construction on building facades that are within 60 feet of a~~

~~street right-of-way or a vehicle or pedestrian way internal to the Rochester Public Market shall provide areas of transparency equal to 40% of the wall area between the height of two feet and eight feet from the ground.~~

- ~~(4) (2) Site.~~
 - ~~(a) Parking.~~
 - ~~[1] No parking shall be required in this district.~~
 - ~~[2] Parking may be supplied anywhere in the district and is not required on site.~~
 - ~~(b) Signs and awnings.~~
 - ~~[1] Signs and awnings shall relate through their design, size and height to pedestrians.~~
 - ~~[2] Signs and awnings shall not materially obscure architectural features or details of buildings.~~
 - ~~[3] Wall signs, projecting signs or banners and signage on awning valences are allowed as long as they do not obscure, detract from or otherwise degrade the existing design and architectural style of the building.~~
 - ~~[4] Projecting signs are encouraged.~~
 - ~~[5] Detached signs over four feet in height, advertising signs and roof signs are prohibited.~~
 - ~~[6] New construction or modifications/alterations to existing building facades shall include one prominently displayed building address sign that is pedestrian and automobile oriented. The building name may also be displayed on such sign.~~

m. Subsection A(7)(m) is added to and subsection C of Section 120-77, H-V Harbortown Village District, is revised as follows:

A. Permitted uses and structures. The following uses are permitted as of right in the H-V Harbortown Village District:

- ...
 - (7) The following uses are permitted as of right in the H-V Harbortown Village District if located 30 feet or more from the edge of the Genesee River, subject to site plan approval:

(m) Places of worship

C. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the H-V District:

- (1) Lot frontage requirements.
 - (a) Residential uses.
 - [1] Minimum lot frontage, detached dwelling: average frontage of lots on which the property is located.
 - [2] Minimum lot frontage, attached dwelling: N/A.
 - [3] Minimum lot frontage, multifamily dwelling: N/A.
 - (b) Nonresidential uses.
 - [1] Minimum lot frontage: N/A.
- (2) Lot area requirements.
 - (a) Residential uses.
 - [1] Single-family detached.
 - [a] Minimum lot area: 5,000 square feet.
 - ~~[b] Maximum building coverage: 35%.~~
 - ~~[b][c] Maximum lot coverage: 50%.~~
 - [2] Single-family attached.
 - [a] Minimum lot area, attached: N/A.
 - ~~[b] Maximum building coverage: 35%.~~
 - ~~[b][c] Maximum lot coverage: 50%.~~

- [3] Multifamily.
- [a] Minimum lot area: N/A
- (b) Nonresidential uses.
- [1] Minimum lot area: N/A.
- [2] ~~Maximum building coverage: N/A.~~
- [2][3] Maximum lot coverage: N/A.

n. Subsections C(4)(i), (j) and (k) of Section 120-77.2, M-D Marina District, are amended as follows:

C. Building function (use) standards...

...
(4) Prohibited uses. The following uses are prohibited in the Marina District:

- ...
- ~~(i) Places of worship;~~
- ~~(j) (i) Warehouses;~~
- ~~(k) (j) Recycling centers.~~

o. Subsection A of Section 120-92 is amended as follows:

- § 120-92. Lot, area and yard requirements.
- The following lot, area and yard requirements shall apply to O-S District:
- A. Lot frontage requirements.
- (1) Minimum lot frontage: N/A.
- B. Lot area requirements.
- (1) Minimum lot area: N/A.
- ~~(2) Maximum building coverage: N/A.~~
- ~~(2)(3) Maximum lot coverage: N/A.~~

p. Subsection M of Section 120-120 is amended as follows:

§ 120-120. Zoning designations and modifications.

M. Erie Canal Urban Renewal District.

- (1) Permitted uses:
- (a) Multi-purpose stadium with associated concessions, parking and pedestrian ways.
- (b) Offices.
- (c) Athletic fields.
- (d) Retail sales and service.
- (e) Restaurants, including accessory outdoor seating/assembly areas.
- (2) Lot and yard requirements.
- (a) Lot area requirements.
- ~~[1] Maximum building coverage: N/A.~~
- ~~[1][2] Minimum lot coverage: 80%~~

q. Subsections B of Section 120-129, Purpose, is amended as follows:

B. ~~The Planning Commission may, in approving a special permit outlined in this article, waive any of the requirements imposed by this article when it finds such action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For permitted uses, an area variance shall be required to waive any of the requirements imposed by this article. For uses listed in this article that require a special permit, the Planning Commission may waive any of the requirements imposed by this article when it finds such action is warranted by~~

~~reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For those instances when a use listed in this article is a permitted use, an area variance from the Zoning Board of Appeals shall be required to waive any of the requirements imposed by this article. Prior to making a waiver determination, the Planning Commission or the Zoning Board of Appeals shall have a recommendation from staff addressing evaluate the following factors:~~

...

r. Subsections A(9) and A(10) of Section 120-149 are as follows:

(9) ~~(Reserved)~~ Temporary handicapped access ramps located in the front yard, subject to the following:

- ~~(a) All ramp components shall be capable of being readily dismantled without the need for excavation;~~
- ~~(b) Alternative locations to the front yard were explored;~~
- ~~(c) Such facilities do not obstruct access to required parking;~~
- ~~(d) Such facilities are landscaped to reduce visual impacts when necessary;~~
- ~~(e) The dimensions of such facilities do not exceed Building Code requirements and do not require significant alterations to front porches, entrances and other architectural features and do not block windows;~~
- ~~(f) The facilities shall be removed when no longer necessary, and the front yard shall be restored to its original condition.~~

(10) Food truck, ~~and trailer~~ and cart vending, subject to the following:

- (a) The Director of Planning and Zoning may approve up to 60 food truck ~~or trailer~~ vending events per calendar year, except for:
 - [1] Special events approved through the Communications Office;
 - [2] Events approved by the Director of the Public Market on Public Market property;
 - [3] Food vending trucks ~~or trailers~~ operating in public parks approved by the Department of Recreation and Youth Services and/or the Monroe County Parks Department;
 - [4] Food trucks ~~or trailers~~ vending included in the approval of farmer's markets operating on private property.

(b) Properties with the following legally established uses may apply for the temporary operation of food trucks ~~or trailers~~ vending:

- [1] Single-family, two-family, and multifamily residential (up to two events per year);
- [2] Nonprofit, places of worship, and educational institutions (up to 60 events per year);
- [3] Government entities (up to 60 events per year);
- [4] Office, warehouse, industrial (up to 60 events per year);
- [5] Mixed-use, retail, bars/restaurants (up to 60 events per year).

(c) Hours shall be limited to the permitted hours for outdoor uses in the zoning district. In no case shall food truck ~~or trailer~~ vending operation in residential

districts be permitted between 9:00 p.m. and 9:00 a.m.

(d) The Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within 100 feet from the property line of approved food truck or trailer vending events occurring three or more times per calendar year, and the official neighborhood contacts. At a minimum, the owners of 15 properties shall receive such notification.

(e) If the applicant for the temporary certificate of zoning compliance is not the property owner, the expressed, written permission of the property owner is required.

(f) In all cases, the temporary certificate of zoning compliance is valid for the calendar year and may be renewed on an annual basis.

(g) Food truck or trailer vending operation approved by a temporary certificate of zoning compliance shall also comply with all requirements and directives of the Rochester Fire Department and the Rochester Police Department.

(h) The temporary certificate of zoning compliance shall only approve operation for food trucks and trailers vending operators that possess a valid solicitor's license issued by the City Clerk's office.

s. Subsections A (2) and B of Section 120-159 are amended as follows:

§120-159. Nonresidential and mixed-use building standards.

The following design standards apply to nonresidential and mixed-use development. They apply to new construction, including additions to existing structures, and to substantial repair or rehabilitation of the exterior facade of an existing structure. In the case of repair or rehabilitation, only those standards that relate to the specific repair or rehabilitation activities conducted shall apply.

A. Building materials.

...
(2) Facades. The following building materials are prohibited on any facade:

- (a) Plain concrete block, except in the M-1 District.
- (b) Glass block, except in the C-3 and M-1 Districts.
- (c) Exposed aggregate (rough finish) concrete wall panels, except in the M-1 District.
- (d) Exterior insulating finish systems (EIFS) on the first floor installed lower than 4 feet above grade on any building facade, except in the C-3 and M-1 Districts.
- (e) Exterior insulating finish systems (EIFS) installed lower than 8 feet above grade on any building facade within 10 feet of a public right-of-way, except in the C-3 and M-1 Districts.
- (~~e~~) (f) T-111 composite plywood or oriented strand board (OSB) siding.
- (~~f~~) (g) Plastic.
- (~~g~~) (h) Vinyl, except cellular vinyl trim may be used as decorative or detail elements for up to 25% of the facade.
- (i) Metal, except in the PMV, C-3, and M-1 Districts. In all other districts, metal may be used as decorative

or detail elements for up to 30% of the facade.

B. Windows and transparency.

(1) Renovations of the first floor of existing buildings within 60 feet of a street right-of-way shall not decrease the area of transparency. Where feasible, renovations shall increase the area of transparency to that required for new construction unless the original historic character of the building requires less transparency area.

(2) All glazing windows shall be clear or lightly tinted.

(3) For sites in C-1, C-2, H-V, PMV, and C-V Districts, all new construction on building facades that are within 60 feet of a street shall provide areas of transparency equal to 70% of the wall area between the height of two feet and eight feet from the ground.

(a) For sites with frontage on one street, the transparency requirement is applied to that frontage.

(b) For sites with frontage on more than one street, the transparency requirement is applied to all frontage on streets classified as principal arterials, minor arterials and collector streets.

(c) For sites with frontage on local streets only, the transparency requirement is applied to one frontage.

(4) In the C-3 and M-1 Districts, when offices are part of new industrial construction, the entry to such offices shall have direct access from street frontages and parking areas. Offices that are part of new industrial construction and new construction of commercial buildings within 60 feet of street rights-of-way shall provide areas of transparency equal to 40% of the wall area between the height of two feet and eight feet from the ground. The percentage of glazing transparency required on buildings may be reduced by 10% to 20% of the wall area required amount and the cost difference dedicated to streetscape improvements if landscaping improvements consisting of one tree of at least two-inch caliper for every 20 feet of lot frontage are installed between the building and the public street.

(5) The use of opaque materials such as plywood, brick, metal or sheet rock to cover or fill a window opening is prohibited.

(6) The installation of any device which obstructs transparency or impacts the architectural design of a window is not permitted. This prohibition does not apply to nonpermanent devices such as curtains, blinds, shades and nonopaque roll-down grills.

(7) In addition to the standards of this section, new construction and reoccupancy of an existing building with high-impact retail sales and service and pawnbrokers are subject to the design standards of § 120-146.1B.

t. Section 120-162 is amended as follows:

§ 120-162. Purpose.

A. The requirements applying to all districts regulate activities, uses, structures, conditions and treatments that may be present on a property whether or not a principal structure or use is present. These requirements contribute to and promote the health, safety, comforts, conveniences and/or necessities of the property's occupants, the immediate neighborhood and/or the entire Rochester community. These requirements apply to all districts except the CCD.

B. ~~For uses that require a special permit, the Planning Commission may waive any of the requirements imposed by this article when it finds such action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties.~~ For uses that do not require a special permit, a requirement imposed by this article may be waived by the Zoning Board of Appeals by means of a use or area variance in accordance with §120-195B. Prior to making a determination, the Planning Commission or the Zoning Board of Appeals shall evaluate the following factors:

- (1) ~~The size and intensity of such use.~~
- (2) ~~The capacity of adjacent and feeder streets to handle peak traffic loads and hazards created by the use.~~
- (3) ~~The obstruction of light or air or the emission of noise, light, smoke, odor, gas, dust or vibration in noxious or offensive quantities, and the distance between offensive processes and adjacent properties.~~
- (4) ~~The overall effect on values and utilization of neighboring properties.~~
- (5) ~~Unusual topography of the location, and the nature, location and height of buildings, walls, stacks, fences, grades and landscaping on the site.~~
- (6) ~~The extent, nature and arrangement of parking facilities, entrances and exits.~~
- (7) ~~Problems of fire and police protection.~~
- (8) ~~Preservation and/or upgrading of the neighborhood character.~~
- (9) ~~The availability of adequate sewer and water supply.~~
- (10) ~~All other standards prescribed by these regulations.~~

u. Subsections A(6),(7) and B(15),(16) of Section 120-163, Accessory uses and structures, are amended as follows:

A. For residential uses, the following accessory uses and structures are permitted:

....

~~(6) Handicapped access ramps and wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.~~

~~(6) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.~~

~~(7) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.~~

B. For nonresidential uses, the following accessory uses and structures are permitted:

...

~~(15) Handicapped access ramps and wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access~~

~~to required parking.~~

~~(15) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.~~

~~(16) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.~~

v. Subsection B(5) of Section 120-167, Fences and walls, is amended as follows:

B. Fence height.

...

~~(5) Within residential and village center districts, no fence shall exceed or wall over threefour feet in height shall be constructed in within the front yard of any lot, other than a retaining wall made necessary retaining wall by a natural topographic grade change.~~

w. One of the listed uses in Subsection C(1) of Section 120-173, Off-street parking, is revised as follows:

C. Required parking spaces.

(1) Vehicular parking. For the following uses, the number of off-street parking spaces shall include:

Use	Minimum
...	
Auditorium and theaters	1 per 4 seats

x. Subsections A(4)(c)[5] and 120-191D(3)(a)[5] of Section 120-191, Procedures approved by the Manager of Zoning, are amended as follows:

A. Administrative Adjustment

...

~~(4)Procedures~~

...

~~(c) Approval or Denial~~

...

~~[5]. (Reserved)The Director of Planning and Zoning shall have the authority to approve an administrative adjustment for four-foot-high front yard fencing, where the existing, legally installed fencing in the area has been established at that height and which is consistent with the overall character of the neighborhood.~~

D. Site plan review.

...

~~(3) Site plan review thresholds for minor and major site plan reviews. Site plan review in accordance with this section shall be required in the following cases, with the exception of accessory structures not changing land use or density and projects involving no site or external structural alterations:~~

(a) Minor site plan review shall be required for any development or redevelopment that include construction, enlargement or addition to any building or any site preparation for a site or use that may not include or require a building and meets one of the following:

...
[5] Parking lots over 10 spaces, ~~whether the principal use or serving a principal use on the same lot,~~ that do not meet the requirements for parking lots in § 120-173F.

y. Subsection I of Planned Development District No. 18—1201 Elmwood Avenue is amended as follows:

I. Additional Regulations:

- (1) The planned development is subject to the requirements set forth in Article XVII of the Zoning Code regarding planned development districts.
- (2) Development and/or redevelopment in PD#18 is subject to requirements applying to all districts (Article XX) except when waived by the Manager of Zoning in the review and approval of a site plan for incremental development.
- (3) Development and/or redevelopment in PD#18 is subject to the City-Wide Design Guidelines and Standards Article XIX. § 120-157, § 120-158 and § 120-159, except for:
 - a. § 120-158C, Building entrances.
 - b. § 120-159B (3). Transparency. The minimum transparency requirements for all new construction on building facades in Subarea 1 within 60 feet of a public right-of-way shall provide the following areas of transparency between the height of two feet and eight feet above grade:
 - i. For buildings 1 and 2: 50%
 - ii. For the hotel: 40%

z. Subsections H and I of Planned Development District No. 19— Education Success Campus are amended as follows:

H. Signage. A sign program shall be developed for the district which will include building and/or tenant identification, way finding and event promotion. The sign program shall be subject to site plan review approval by the ~~Director~~ Manager of ~~Planning and Zoning~~.

I. Additional Requirements.

- (1) The enlargement of existing buildings within the “Building Development Envelope” depicted on the approved site plan is subject to a minor site plan review approval by the ~~Director~~ Manager of ~~Planning and Zoning~~. New buildings that are not considered accessory or building enlargements beyond the “Building Development Envelope” are subject to major site plan review approval by the Director of Planning and Zoning.
- (2) This planned development is subject to the requirements set forth in Article XVII (PD Planned Development District) of the City of Rochester Zoning Code.
- (3) Uses in PD District No. 19 are subject to the requirements set forth in Article XX (Requirements Applying to All Districts) of the City of Rochester Zoning Code, except where they are superseded by the regulations set forth in this district.

Section 3. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended to adopt new zoning district summary charts as follows:

- a. the Summary Chart of Regulations incorporated into the Zoning Code in §120-13 is replaced with the following chart:

Summary Chart of R-1 Regulations

Requirement	Residential			Non-residential
	Single family detached	Single family attached (2 units)	Single family attached (3 or more units)	
Minimum lot frontage	Average frontage of lots on block	30 feet per unit	N/A	N/A
Minimum lot area	5,000 square feet	3,000 sf per unit	N/A	N/A
Maximum lot coverage	50%			50%
Front Yard				
Minimum front yard setback, principal use or structure	The average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of the buildings on the block frontage on which the property is located; or 20 feet			Average front yard depth of building(s) on the block on which the property is located or 20 feet, whichever is more, but in no case more than five feet larger than the average of the front yard depth of buildings on the two adjoining lots
Maximum front yard setback, principal use or structure	The average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage			N/A
Minimum front yard setback, attached garages and carports	Front yard of the principal use or structure plus 10 feet			N/A
Side Yard				
Minimum side yard setback, detached principal use or structure	Five feet minimum with a combined width of both side yards of 15 feet			10 feet minimum with a combined width of both side yards of 25 feet
Minimum side yard setback, attached principal use or structure	Zero, except when adjacent to a detached structure, in which case the setback shall be five feet minimum with a combined width of both side yards of 15 feet			10 feet minimum with a combined width of both side yards of 25 feet
Attached accessory structures	Five feet minimum with a combined width of both side yards of 15 feet			N/A
Minimum side yard setback, detached accessory use or structure	N/A			10 feet
Rear Yard				
Minimum rear yard setback, principal use or structure	20 feet or the average rear yard setback on the block on which the property is located, but in no case less than 10 feet			20 feet
Minimum rear yard setback, detached accessory use or structure	N/A			10 feet
Bulk				
Maximum building height, principal use or structure	2 ½ stories not to exceed 35 feet			2 ½ stories not to exceed 35 feet
Maximum building height, detached accessory use or structure	15 feet			15 feet

b. the Summary Chart of Regulations incorporated into the Zoning Code in §120-22 is replaced with the following chart:

Summary Chart of R-2 Regulations

Requirement	Residential					Nonresidential
	Single family			Two-Family	Multi-family	
	Detached	Attached 2 units	At-tached 3+ units			
Minimum lot frontage	Average frontage of lots on block	30 feet per unit	N/A	Average frontage of lots on block	N/A	N/A
Minimum lot area	5,000 sf	3,000 sf per unit	N/A	6,000 sf	3,000 sf per unit	N/A
Maximum lot coverage	50%			50%	50%	50%
Front Yard						
Minimum front yard setback, principal use or structure	The average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of buildings on the block frontage on which the property is located; or 20 feet				Average front yard depth of building(s) on the block on which the property is located or 20 feet, whichever is more, but in no case more than 5 feet larger than the average of the front yard depth on buildings on the two adjoining lots	
Maximum front yard setback, principal use or structure	The average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage					
Minimum front yard setback, attached garages and carports	The front yard of the principal use or structure plus 10 feet					
Side Yard						
Minimum side yard setback, detached principal use or structure	5 feet minimum with a combined width of both side yards of 15 feet				10 feet minimum with a combined width of both side yards of 25 feet	
Minimum side yard setback, attached principal use or structure	0, except when adjacent to a detached structure, in which the case the setback shall be 5 feet minimum with a combined width of both side yards of 15 feet					
Attached accessory structures	5 feet minimum with a combined width of both side yards of 15 feet					
Minimum side yard setback, detached accessory use or structure	N/A				10 feet	
Rear Yard						
Minimum rear yard setback, principal use or structure	20 feet or the existing setback, but in no case less than 10 feet				10 feet	
Minimum rear yard setback, detached accessory use or structure	N/A				10 feet	
Bulk						
Maximum building height, principal use or structure	2 ½ stories not to exceed 35 feet				2 ½ stories not to exceed 35 feet	

Maximum building height, detached accessory use or structure	15 feet	15 feet
--	---------	---------

c. the Summary Chart of Regulations incorporated into the Zoning Code in §120-30 is replaced with the following chart:

Summary Chart of R-3 Regulations

Requirement	Residential						Two-Family	Non-residential
	Single family			Multifamily				
	Detached	At-tached, 2 units	At-tached, 3 or more units	1 or 2 Bed-rooms	3 or More Bed-rooms	Over 3 Units		
Minimum lot frontage	40 feet	30 feet per unit	N/A	N/A			30 feet	N/A
Minimum lot area	5,000 sf	3,000 sf per unit	N/A	1,000 sf per unit	1,800 sf per unit	9,000 sf	6,000 sf	N/A
Maximum lot coverage	50%			N/A			50%	N/A
Front Yard								
Minimum front yard setback, principal use or structure	Where applicable, the average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of buildings on the block frontage on which the property is located; or 20 feet.						Average front yard depth of building(s) on the block or 20 feet, whichever is more.	
Maximum front yard setback, principal use or structure	Where applicable, the average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage							
Minimum front yard setback, attached garages and carports	The front yard of the principal use or structure, plus 10 feet.							
Side Yard								
Minimum side yard setback, detached principal use or structure.	5 feet minimum with a combined width of both side yards of 15 feet.			1/3 the building height or 10 feet, whichever is greater.		5 feet minimum with a combined width of both	1/3 of the building height or 10 feet, whichever is greater	
Minimum side yard setback, attached principal use or structure	Zero, except when adjacent to a detached structure, in which case the setback shall be five feet minimum with a combined width of both side yards of 15 feet.							

Attached accessory structures	5 feet minimum with a combined width of both side yards of 15 feet.	side yards of 15 feet.
Minimum side yard, detached accessory use or structure	N/A	
Rear Yard		
Minimum rear yard setback, principal use or structure	1/3 the building height or 20 feet, whichever is greater.	1/3 the building height or 20 feet, whichever is greater.
Minimum rear yard, detached accessory use or structure	N/A	
Bulk		
Maximum building height, principal use or structure	Two times the width of the lot frontage	Two times the width of the lot frontage.
Maximum building height, detached accessory use or structure	15 feet	15 feet.

d. the Summary Chart of Regulations incorporated into the Zoning Code in §120-38 is replaced with the following chart:

Summary Chart of C-1 Regulations

Requirement	Residential	Nonresidential
	Attached single-family dwellings	
Minimum lot frontage	N/A	N/A
Minimum lot area	N/A	N/A
Front Yard		
Maximum front yard setback	Zero to five feet or average front yard depth of building(s) along the corridor and within the commercial district where the property is located	Zero to five feet. In cases where a specific design guideline or concept plan has been adopted, the recommended setbacks shall be followed
Side Yard		
Minimum side yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district	Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district
Minimum side yard, detached accessory use or structure	N/A	N/A
Rear Yard		
Minimum rear yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district
Minimum rear yard, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height	Two stories or 20 feet	Two stories or 20 feet

Maximum building height, detached accessory use or structure	15 feet	15 feet
Maximum square footage principal use or structure	N/A	3,000 square feet
Maximum square footage, detached accessory use or structure	N/A	1,000 square feet

e. the Summary Chart of Regulations incorporated into the Zoning Code in §120-46 is replaced with the following chart:

Summary Chart of C-2 Regulations

Requirement	Residential				Nonresidential
	Single-family		Multi-family		
	Attached (2 units)	Attached (3 or more units)	1 or 2 bedroom units	3 or more bedroom units	
Minimum lot frontage	30 feet per unit	N/A	N/A		N/A
Minimum lot area	2,600 square feet	N/A	1,000 square feet per unit	1,800 square feet per unit	N/A
Front Yard					
Minimum front yard setback, principal use or structure	Average front yard depth of buildings on the block on which the property is located, but in no case more than five feet larger than the average of the front yard depth on buildings on the two adjoining lots				
Minimum front yard setback, attached garages	The front yard depth of the principal use or structure plus 10 feet				
Maximum front yard setback	N/A				Zero to five feet. In cases where a specific design guideline or concept plan has been adopted, the recommended setbacks shall be followed
Side Yard					
Minimum side yard setback, principal use or structure	N/A				Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district
Minimum side yard setback, detached accessory use or structure	N/A				N/A
Rear Yard					
Minimum rear yard setback, principal use or structure	N/A				Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district
Minimum rear yard setback, detached accessory use or structure	N/A				N/A
Bulk					
Minimum building height, principal use or	20 feet				

structure		
Maximum building height, detached accessory use or structure	20 feet	
Maximum square footage, principal use or structure	N/A	6,000 square feet
Maximum square footage, detached accessory use or structure	N/A	N/A

f. the Summary Chart of C-3 Regulations incorporated into the Zoning Code by §120-54 is replaced with the following chart:

Summary Chart of C-3 Regulations

Requirement	Nonresidential
Minimum lot frontage	N/A
Minimum lot area	N/A
Front Yard	
Minimum front yard setback	N/A
Side Yard	
Minimum side yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be 30 feet
Minimum side yard, detached accessory use or structure	N/A
Rear Yard	
Minimum rear yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be 30 feet
Minimum rear yard, detached accessory use or structure	N/A
Bulk	
Minimum building height, principal use or structure	N/A
Minimum building height, detached accessory use or structure	N/A
Maximum square footage per use, principal use or structure	N/A
Maximum square footage per use, detached accessory use or structure	N/A

g. the Summary Chart of M-1 Regulations incorporated into the Zoning Code by §120-86 is replaced with the following chart:

Summary Chart of M-1 Regulations

Requirement	Residential	Nonresidential
Minimum lot frontage	N/A	
Minimum lot area	N/A	
Front Yard		
Minimum front yard setback	N/A unless adjacent to a residential district, in which case the front yard shall be the same as the required front yard setback in the residential district	N/A unless adjacent to a residential district, in which case the front yard shall be the same as the required front yard setback in the residential district
Side Yard		
Minimum side yard setback	N/A unless adjacent to a residential district, in which case the side yard shall be the same as the required side yard setback in the residential district	N/A unless adjacent to a residential district, in which case the side yard shall be the same as the required side yard setback in the residential district

Minimum side yard setback, detached accessory use or structure	N/A	N/A
Rear Yard		
Minimum rear yard setback, principal use or structure	N/A unless adjacent to a residential district, in which case the rear yard shall be the same as the required rear yard setback in the residential district	N/A unless adjacent to a residential district, in which case the rear yard shall be the same as the required rear yard setback in the residential district
Minimum rear yard setback, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height	N/A	N/A
Maximum square footage per use	N/A	N/A

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Haag
September 19, 2017

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

- Int. No. 336 Authorizing agreements and appropriating funds for Eastman Trail Phase I
- Int. No. 337 Authorizing agreements for architectural service for City facilities
- Int. No. 338 Authorizing agreements for mechanical, electrical and plumbing engineering services for City facilities
- Int. No. 339 Authorizing an agreement with the Town of Lima Water District 1 for the purchase of water and amending the Municipal Code with respect to wholesale water rates

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

- Int. No. 334 Authorizing pavement width changes, acquisition of parcels and official map amendments related to the Alpha Street Group Project
- Int. No. 335 Authorizing pavement width changes, acquisition of parcels and official map amendments related to the East Henrietta Road Improvement Project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller

Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-300
Re: Alpha Street Group Project

Transmitted herewith for your approval is legislation related to street improvements for the Alpha Street Group Project. This legislation will:

1. Authorize an increase in the pavement width of Alpha Street from Meriden Street to Beach Avenue, from an existing width of 24 feet to 26 feet, beginning at Meriden Street to 233 feet east to Beach Avenue;
2. Authorize an increase in the pavement width of Wilder Terrace from Alpha Street east along Wilder Terrace, from an existing width of approximately 20 feet to 38 feet, beginning approximately 52 feet east of Alpha Street to 341 feet east of the point of beginning (intersection of Wilder and Alpha);
3. Authorize the acquisition, by negotiation or condemnation, of two de minimus parcels at 283 and 295 Beach Avenue; and
4. Amend the Official Map by dedicating public right-of-way from the two properties noted above for street purposes.

Streets included in the project group are: Alpha Street (Wilder Terrace to Beach Avenue); Wilder Terrace (Alpha Street to Beach Avenue); Meriden

Street (Alpha Street to Wilder Terrace); and Braddock Street (Alpha Street to Henley Street). The improvement project will consist of pavement reconstruction or rehabilitation; new stone curbs with underdrain pipe; new driveway aprons; limited sidewalk replacements; street lighting upgrades; new water main on Braddock Street and on a short section of Wilder Terrace; replacement of all lead and galvanized water services with polyethylene pipe; installation of corrosion resistant anodes on the Meriden Street water main; replacement of catch basins within the reconstruction sections; replacement of capstone catch basins within the rehabilitation sections; manhole cover and catch basin grate adjustments; and the restoration of all affected lawn areas. A stormwater pollution prevention plan is required for this project. Stormwater management practices will be required for quality and likely quantity measures, for example, porous pavement, pervious concrete, bioswales, dry swales, rain gardens, etc.

The proposed acquisitions will allow for the upgrade of the adjacent curb ramps to meet the required guidelines of the Americans with Disabilities Act. The value of this property was established by an independent appraisal performed by Bruckner, Tillet, Rossi, Cahill & Associates. The total acquisition costs, including closing costs, will not exceed \$3,000 and will be financed from 2014-15 Cash Capital.

Address	Property Owner	Sq. Ft.	Value
283 Beach Avenue	Victoria Scott	14 +/-	\$50
295 Beach Avenue	Theodore R. Sylvio	8 +/-	\$50

The associated Official Map Amendment was recommended by the City Planning Commission on August 7, 2017 by a vote of 7-0; minutes of the meeting are attached.

The project is being designed by the Department of Environmental Services, Bureau of Architecture and Engineering, Street Design Division. Design of the project will be completed in winter 2017 and construction will begin in summer 2018 with substantial completion in fall 2018.

Public meetings were held on December 11, 2014 and February 8, 2017; meeting minutes are attached. A public informational meeting will be held prior to advertising the project for bids.

The pavement width changes were endorsed at the July 18, 2017 Traffic Control Board meeting.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-159

Ordinance No. 2017-300
(Int. No. 334)

Authorizing pavement width changes, acquisition of parcels and official map amendments related to the Alpha Street Group Project

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

Section 1. In furtherance of the Alpha Street Group Project street, lighting, water and drainage improvements, Council hereby approves the following pavement width changes:

1. Changes to pavement width of Alpha Street:

An increase of 2 feet, from 24 feet to 26 feet, beginning at Meriden Street and extending approximately 233 feet in a northeasterly direction to Beach Avenue.

2. Changes to pavement width of Wilder Terrace:

An increase, from approximately 20 feet to 38 feet, beginning approximately 52 feet in a northeasterly direction from Alpha Street and extending in a northeasterly direction for approximately 341 feet.

Section 2. The Mayor is hereby authorized to acquire for the Project by negotiation or condemnation the *de minimus* parcels of land comprising approximately 14 square feet of the property owned by Victoria Scott at 283 Beach Avenue and approximately 8 square feet of property owned by Theodore Sylvio at 295 Beach Avenue.

Section 3. The Mayor is hereby authorized to amend the Official Map by dedicating as public right-of-way the following portions of the properties that are authorized to be acquired by Section 2 herein:

LEGAL DESCRIPTION OF LANDS TO BE ACQUIRED FOR STREET PURPOSES PART OF #283 BEACH AVENUE PART OF T.A. #47.38-1-34

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 34, Township 2, Short Range, and being more particularly bounded and described as follows: Beginning at the intersection of the southeasterly ROW line of Alpha Street (50' ROW) and the southwesterly ROW line of Beach Avenue (60' ROW), said intersection being the Point or Place of Beginning; thence

- 1) S 48° 14' 40" E, along said ROW line of Beach Avenue, a distance of 1.52 feet to an angle point; thence
- 2) S 51° 05' 25" E, along said ROW line of Beach Avenue a distance of 3.48 feet to a point; thence
- 3) S 87° 25' 40" W, a distance of 8.66 feet to a point on the said ROW line of Alpha Street; thence

- 4) N 53° 16' 40" E, along said ROW line, a distance of 6.00 feet to the said southwesterly ROW line of Beach Avenue, being the Point or Place of Beginning.

Hereby intending to describe this parcel of land, containing 14 square feet, more or less, all as shown on a map entitled "Map Of Lands To Be Acquired For Street Purposes – SE Corner of Beach Avenue and Alpha Street", dated July 11, 2017, prepared by Jeffrey A. Tiede, L.S.

Being part of the same premises conveyed to Victoria Scott by a deed dated August 10, 2009 and filed in Liber 10777 of Deeds, Page 502.

**LEGAL DESCRIPTION OF LANDS
TO BE ACQUIRED FOR STREET PURPOSES
PART OF #295 BEACH AVENUE
PART OF T.A. #47.38-1-70.1**

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 34, Township 2, Short Range, and being more particularly bounded and described as follows: Beginning at the intersection of the northwesterly ROW line of Alpha Street (50' ROW) and the southwesterly ROW line of Beach Avenue (60' ROW), said intersection being the Point

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-301
Re: East Henrietta Road Improvement Project

Transmitted herewith for your approval is legislation related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive). This legislation will:

- 1. Authorize a change in pavement width on East Henrietta Road as follows :
 - a. from the southern City Line to 200 feet north, an increase of 39 feet from 44 feet to 83 feet transitioning down to 65 feet;
 - b. from the previous point to the southern CityGate entrance, an increase of 21 feet from 44 feet to 65 feet;
 - c. from the southern CityGate entrance to Stan Yale Drive, an increase of 20 feet from 44 feet to 64 feet;
 - d. from Stan Yale Drive to 200 feet north, an increase of 6 feet from 54 feet to 60 feet;
 - e. from the previous point to 100 feet north, an increase of 10 feet transitioning from 60 feet to 70 feet; and
 - f. from the previous point to Westfall Road, an increase of 6 feet from 64 feet to 70 feet.
- 2. Authorize acquisition, by negotiation or condemnation, of six de minimus parcels along East Henrietta Road; and
- 3. Amend the Official Map by dedicating public right-of-way from said parcels.

The street improvement project includes rehabilitation of the pavement, reconfiguration of the roadway, and improvements to the intersection, drainage system, curb, traffic signal, signage, sidewalk, and landscaping.

Four of the acquisitions are required for the installation of the proposed improvements and two are for easements to maintain traffic signal equipment. The value of the property was established by an independent appraisal performed by R.K. Hite Co., Inc. The total acquisition costs, including closing costs, will not exceed \$15,000 and will be financed from 2014-15 Cash Capital.

or Place of Beginning; thence

- 1) S 53° 16' 40" W, along said ROW line of Alpha Street, a distance of 4.50 feet to point; thence
- 2) N 11° 30' 05" E, a distance of 5.12 feet to a point on the said ROW line of Beach Avenue; thence
- 3) S 48° 14' 40" E, along said ROW line, a distance of 3.50 feet to the said northwesterly ROW line of Alpha Street, being the Point or Place of Beginning.

Hereby intending to describe this parcel of lands, containing 8 square feet, more or less, all as shown on a map entitled "Map Of Lands To Be Acquired For Street Purposes – SW Corner of Beach Avenue and Alpha Street", dated July 11, 2017, prepared by Jeffrey A. Tiede, L.S.

Being part of the same premises conveyed to Theodore R. Sylvio by a deed dated December 3, 2014, filed in Liber 11476 of Deeds, Page 157.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Address	Property Owner	Sq. Ft.	Value
450 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	656	Donation
450 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	156	Donation
422 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	1,435	Donation
422 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	2,002	Donation
400 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	1,154	Donation
390 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	1,228	Donation

The pavement width changes will be presented for endorsement at the September 5, 2017 Traffic Control Board meeting and the Board's determination will be forwarded. The associated Official Map Amendment will be presented to the City Planning Commission on September 11, 2017. Minutes and recommendations from that meeting also will be forwarded.

The project is being designed by Stantec Consulting Services Inc. Design of the project will be completed in the fall of 2017 and construction will begin in the spring of 2018 with substantial completion in the fall of 2018.

A public meeting about the project was held on February 28, 2017. A copy of the meeting minutes are attached.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-160

Ordinance No. 2017-301
(Int. No. 335)

Authorizing pavement width changes, acquisition of parcels and official map amendments related to the East Henrietta Road Improvement Project

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

Section 1. In furtherance of the East Henrietta Road Improvement Project, Council hereby approves the following pavement width changes:

- Changes in pavement width on East Henrietta Road as follows:

From the southern City Line and extending 200 feet north: an increase of 39 feet, from 44 feet to 83 feet and tapering down to 65 feet.

From the previous point to the southern entrance driveway for CityGate: an increase of

21 feet, from 44 feet to 65 feet.

From the southern entrance driveway for CityGate to Stan Yale Drive: an increase of 20 feet, from 44 feet to 64 feet.

From Stan Yale Drive and extending 200 feet northward: an increase of 6 feet, from 54 feet to 60 feet.

From the previous point and extending 100 feet northward: an increase of 10 feet, so that the width as modified widens from 60 feet to 70 feet.

From the previous point to Westfall Road: an increase of 6 feet, from 64 feet to 70 feet.

Section 2. The Mayor is hereby authorized to acquire by negotiation or condemnation permanent easements for six *de minimus* parcels of land owned by Anthony J. Costello & Son Spencer Development, LLC comprising approximately 656

square feet of the property at 450 East Henrietta Road, 1,435 square feet of property at 422 East Henrietta Road, 156 square feet of property at 450 East Henrietta Road, 2,002 square feet of property at 422 East Henrietta Road, 1,154 of property at 400 East Henrietta Road, and 1,228 square feet of property at 390 East Henrietta Road.

Section 3. The Mayor is hereby authorized to amend the Official Map by dedicating as public right-of-way the following portions of the properties that are authorized to be acquired by Section 2 herein:

**PERMANENT EASEMENT FOR TRAFFIC CONTROL DEVICE
Portion of 450 East Henrietta Road (TA # 150.22-1-2.12)**

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a traffic control device, together with appurtenances and other facilities in connection therewith, for all that piece or parcel of property located in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

Commencing at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as TA# 150.22-1-2.002 to the north, thence along said division line N 87°56'58" E a distance of 6.84 feet to the true point of beginning, said point having the NYS Plane Coordinates of N:1,135,257.29 and E:1,406,633.19 and being 90.26 feet right of and at right angles to station 10+53.78 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E continuing along said division line a distance of 41.00 feet to a point, said point being 131.24 feet right of and at right angles to Station 10+52.45 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.012 the following three (3) courses and distances; (1) S 02°07'00" E a distance of 2.00 feet to a point, said point being 131.18 feet right of and at right angles to Station 10+50.45 of said Baseline; (2) S 53°34'48" W a distance of 49.63 feet to a point, said point being 89.32 feet right of and at right angles to Station 10+23.78 of said Baseline; (3) N 02°07'00" W a distance of 30.02 feet to the POINT OF BEGINNING.

The above described parcel contains 656± sq. ft. or 0.015± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR TRAFFIC CONTROL DEVICE
Portion of 422 East Henrietta Road (TA # 150.22-1-2.2)**

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a traffic control device, together with appurtenances and other facilities in connection therewith, for all that piece or parcel of property located in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

Commencing at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as LLC TA# 150.22-1-2.002 to the north, thence along said division line N 87°56'58" E a distance of 6.84 feet to the true point of beginning, said point having the NYS Plane Coordinates of N:1,135,257.29 and E:1,406,633.19 and being 90.26 feet right of and at right angles to station 10+53.78 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E along said division line a distance of 41.00 feet to a point, said point being 131.24 feet right of and at right angles to Station 10+52.45 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.002 the following three (3) courses and distances; (1) N 02°07'00" W a distance of 35.00 feet to a point, said point being 132.34 feet right of and at right angles to Station 10+87.43 of said Baseline; thence (2) S 87°56'58" W a distance of 41.00 feet to a point, said point being 91.36 feet right of and at right angles to Station 10+88.77 of said Baseline; thence (4) S 02°07'00" E a distance of 35.00 feet to the POINT OF BEGINNING.

The above described parcel contains 1,435± sq. ft. or 0.033± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Portion of 450 East Henrietta Road (TA # 150.22-1-2.12)**

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection

therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as TA# 150.22-1-2.002 to the north, said point having the NYS Plane Coordinates of N:1,135,257.05 and E:1,406,626.36 and being 83.43 feet right of and at right angles to station 10+54.00 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E along said division line a distance of 6.84 feet to a point, said point being 90.26 feet right of and at right angles to Station 10+53.78 of said Baseline; thence S 02°07'00" E through said lands denominated as TA# 150.22-1-2.012 a distance of 45.60 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 88.83 feet right of and at right angles to Station 10+08.20 of said Baseline; thence N 10°38'46" W, along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), a distance of 46.12 feet to the POINT OF BEGINNING.

The above described parcel contains 156± sq. ft. or 0.004± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

Portion of 422 East Henrietta Road (SBL # 150.22-1-2.2)

A permanent easement for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as TA# 150.22-1-2.002 to the north, said point having the NYS Plane Coordinates of N:1,135,257.05 and E:1,406,626.36 and being 83.43 feet right of and at right angles to station 10+54.00 of the hereinafter described 2016 Survey

Baseline; thence N 87°56'58" E along said division line a distance of 6.84 feet to a point, said point being 90.26 feet right of and at right angles to Station 10+53.78 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.002 the following three (3) courses and distances; (1) N 02°07'00" W a distance of 35.00 feet to a point, said point being 91.36 feet right of and at right angles to Station 10+88.77 of said Baseline; thence (2) N 19°14'42" W a distance of 33.95 feet to a point, said point being 82.38 feet right of and at right angles to Station 11+21.50 of said Baseline; thence (3) N 02°07'00" W, a distance of 275.00 feet to a point on the division line between lands denominated as TA# 150.22-1-2.009 to the north and lands denominated as TA# 150.22-1-2.002 to the south, said point being 91.00 feet right of and at right angles to Station 13+96.37 of said Baseline; thence S 88°05'00" W along said division line a distance of 5.00 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 86.01 feet right of and at right angles to Station 13+96.54 of said Baseline; thence along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) the following two (2) courses and distances; (1) S 02°07'00" E a distance of 288.06 feet to a point, said point being 76.98 feet right of and at right angles to Station 11+08.63 of said Baseline; thence (2) S 10°38'46" E a distance of 55.00 feet to the POINT OF BEGINNING.

The above described parcel contains 2,002± sq. ft. or 0.046± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

Portion of 400 East Henrietta Road (TA #150.22-1-2.9)

A permanent easement for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.002 to the south and lands denominated as TA# 150.22-1-2.009 to the north, said point having the NYS Plane Coordinates of N:1,135,598.97 and E:1,406,605.56 and being

86.01 feet right of and at right angles to station 13+96.54 of the hereinafter described 2016 Survey Baseline; thence N 88°05'00" E along said division line a distance of 5.00 feet to a point, said point being 91.00 feet right of and at right angles to Station 13+96.37 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.009 the following four (4) courses and distances; (1) N 02°07'00" W a distance of 91.27 feet to a point, said point being 93.87 feet right of and at right angles to Station 14+87.60 of said Baseline; thence (2) N 02°22'40" W a distance of 35.00 feet to a point, said point being 94.80 feet right of and at right angles to Station 15+22.58 of said Baseline; (3) N 37°18'19" E a distance of 14.09 feet to a point, said point being 103.57 feet right of and at right angles to Station 15+39.66 of said Baseline; thence (4) N 02°22'40" W a distance of 30.00 feet to a point on the division line between lands denominated as TA# 150.22-1-2.008 to the north and lands denominated as TA# 150.22-1-2.009 to the south, said point being 102.50 feet right of and at right angles to Station 15+69.64 of said Baseline; thence S 87°40'59" W along said division line a distance of 14.00 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 88.51 feet right of and at right angles to Station 15+69.16 of said Baseline; thence along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) the following two (2) courses and distances; (1) S 02°22'40" E a distance of 75.85 feet to a point, said point being 88.87 feet right of and at right angles to Station 14+87.74 of said Baseline; thence (2) S 02°07'00" E a distance of 91.24 feet to the POINT OF BEGINNING.

The above described parcel contains 1,154± sq. ft. or 0.027± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

Portion of 390 East Henrietta Road (TA # 150.22-1-2.8)

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York and described as follows:

Beginning at the point of intersection of the easterly

Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.009 to the south and lands denominated as TA# 150.22-1-2.008 to the north, said point having the NYS Plane Coordinates of N:1,135,765.93 and E:1,406,599.04 and being 88.51 feet right of and at right angles to station 15+69.16 of the hereinafter described 2016 Survey Baseline; thence N 87°40'59" E along said division line a distance of 14.00 feet to a point, said point being 102.50 feet right of and at right angles to Station 15+69.64 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.008 the following three (3) courses and distances; (1) N 02°22'40" W a distance of 26.00 feet to a point, said point being 101.58 feet right of and at right angles to Station 15+95.62 of said Baseline; thence (2) N 62°55'48" W a distance of 11.48 feet to a point, said point being 91.38 feet right of and at right angles to Station 16+00.91 of said Baseline; thence (3) N 02°22'40" W a distance of 208.00 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 80.82 feet right of and at right angles to Station 18+23.17 of said Baseline; thence along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) the following two (2) courses and distances; (1) S 21°14'00" W a distance of 9.99 feet to a point, said point being 78.81 feet right of and at right angles to Station 18+13.38 of said Baseline; thence (2) S 02°22'40" E a distance of 230.48 feet to the POINT OF BEGINNING.

The above described parcel contains 1,228± sq. ft. or 0.028± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 15+28.03, thence N 00°20'33" W to Station 17+97.75, thence N 09°38'08" E to Station 22+04.67.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-302
Re: Agreement – C&S Engineers, Inc.,
Eastman Trail Phase I

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Eastman Trail Phase I project. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in

and administer the project; and

- 2. Appropriate \$1,400,000 in anticipated reimbursements from the Federal Highway Administration to finance design, construction and inspection services; and
- 3. Authorize an agreement establishing \$400,000 as maximum compensation for an agreement with C&S Engineers, Inc., Rochester, New York, for design and inspection services related to the project.

This federal aid project will result in a new trail connection between the State’s planned Route 390 Trail in the west and Mt. Read Boulevard in the east along the Ridgeway Avenue corridor. It is a federal aid project that is administered by the City under agreement with NYSDOT. Federal aid will reimburse the City for 80% of eligible design costs; local funds will support the balance.

The project proposes the design and construction of a two-way, shared-use path on the former Erie Canal bed paralleling Ridgeway Avenue, as well as an on-street local bike route for the Route 390 to Mt. Read Boulevard section of Ridgeway Avenue. The project will implement the first phase of the Eastman Trail proposed in the “2013 Urban Trail Linkages – Planning & Preliminary Design Study”. When fully realized, the trail will establish an east/west connection between the City’s Genesee Riverway Trail at King’s Landing and the State’s proposed Route 390 Trail in the Town of Greece.

C&S Engineers, Inc. was selected for consultant services through NYS’ Local Design Services Agreement, or LDSA, process. A request for proposals was sent to the 15 pre-selected firms with six firms submitting proposals. The evaluation process is described in the attached summary. The term of the consultant agreement will be six months after completion and acceptance of the construction of the project. In the event that project construction is not undertaken, the agreement will terminate one year after the completion of the contract documents by the consultant and the acceptance by the City of such contract documents.

The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
2017-18 Cash Capital	\$ 80,000
Federal aid appropriated herein	<u>\$320,000</u>
Total	\$ 400,000

Design services will begin in fall 2017; it is anticipated that construction will begin in spring 2019 with scheduled completion in fall 2019. The agreement will result in the creation and/or retention of the equivalent of 4.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-161

Ordinance No. 2017-302
(Int. No. 336)

Authorizing agreements and appropriating funds for Eastman Trail Phase I

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

Section 1. The sum of \$1,400,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund design, construction and inspection services for Eastman Trail Phase I which shall extend westward from Mt. Read Boulevard to a planned trail along New York State Route 390 (the Project).

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the use of FHWA funding for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with C&S Engineers, Inc. to provide design and inspection services for the Project. The maximum compensation for the agreement shall be \$400,000 which shall be funded in the amounts of \$320,000 from a portion of the FHWA appropriations authorized in Section 1 herein and \$80,000 in 2017-18 Cash Capital. The term of the agreement shall continue until 6 months after the completion and the City’s acceptance of the Project, provided however that the agreement shall terminate one year after the consultant’s completion and the City’s acceptance of contract deliverables in the event that Project construction is not undertaken.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-303
Re: Agreements – Architectural Services for Various Projects

Transmitted herewith for your approval is legislation authorizing term agreements with the following companies for the provision of various architectural services:

<u>Company</u>	<u>Address</u>
RAM Architects Architectura, P.C.	91 Pinnacle Road, Rochester 14620 17 Pitkin Street, Suite 100, Rochester 14607
Konopka Architecture, P.C.	1501 East Avenue, Suite 1, Rochester 14610
Edge Architecture, PLLC Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C.	277 Alexander Street, Suite 407, Rochester 14607 205 Saint Paul Street, Suite 500, Rochester 14604
Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.	280 East Broad Street, Suite 200, Rochester 14604

The six firms listed above were selected through a request for proposals process, which is described in the attached summary. The agreements for architectural services will be provided at specified hourly rates, and have a term of three years. They will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services, or from capital funds appropriated for specific projects.

Services to be provided include: architectural investigations of existing facilities as requested by the City, preparing design documents for various maintenance work and small contracted projects, providing resident project representation and inspection of that work during construction. The selection of a company will be based on project-specific proposals, type of services required, and the ability to perform the services within the timeframe specified by the City.

Similar agreements for architectural services have been in place since 2005.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-162

Ordinance No. 2017-303
(Int. No. 337)

Authorizing agreements for architectural service for City facilities

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for architectural services required for facilities renovation projects as required by the City:

- RAM Architects
- Architectura, P.C.
- Konopka Architecture, P.C.
- Edge Architecture, PLLC
- Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C.
- Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

Section 2. The agreements shall have a term of three years, and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations. Unit prices may be adjusted at the discretion of the City Engineer upon satisfactory justification by the consultant.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-304
Re: Agreements – Mechanical, Electrical
and Plumbing Engineering Services for
Various Projects

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to mechanical, electrical and plumbing (MEP) engineering:

<u>Company</u>	<u>Address</u>
Erdman Anthony and Associates, Inc.	145 Culver Road, Suite 200, Rochester 14620
LaBella Associates, D.P.C.	300 State Street, Suite 201, Rochester 14614
M/E Engineering, P.C.	150 N. Chestnut Street, Rochester 14604
Stantec Planning and Landscape Architecture, P.C.	61 Commercial Street, Rochester 14614
Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.	280 East Broad Street, Suite 200, Rochester 14604

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. Similar agreements for MEP engineering services have been in place since 2005. These services include: engineering investigations of existing systems and/or facilities as requested by the City, preparing design documents for various maintenance work and small contracted projects, providing resident project representation and inspection of that work during construction.

Erdman Anthony & Associates, Inc., LaBella Associates, D.P.C., M/E Engineering, P.C., Stantec Planning and Landscape Architecture, P.C., Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., were selected for MEP engineering services through a request for proposals process, which is described in the attached summary.

These agreements will provide for MEP engineering services to be provided at specified hourly rates. The selection of the company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

The agreements will be for a term of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-163

Ordinance No. 2017-304
(Int. No. 338)

Authorizing agreements for mechanical, electrical and plumbing engineering services for City facilities

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for mechanical, electrical and plumbing engineering services required for building renovation or capital projects as required by the City:

Erdman, Anthony and Associates, Inc.
LaBella Associates, D.P.C.

M/E Engineering, P.C.
Stantec Planning and Landscape Architecture P.C.
Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

Section 2. The agreements shall have a term of three years, and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services or from capital project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-305
Re: Agreement – Town of Lima, Water District 1

Transmitted herewith for your approval is legislation related to a wholesale water supply agreement with the Town of Lima Water District 1. This legislation will:

1. Authorize a new water supply agreement; and
2. Amend Section 23-37 of the Municipal Code to raise the wholesale water rate to \$1.68 per 1,000 gallons.

The term of the new agreement will be for 20 years and will increase the wholesale water rate by \$0.07, from \$1.61 to \$1.68 per 1,000 gallons.

The current agreement with Lima Water District 1, which is due to expire on September 24, 2017, was authorized in July 1987 for a 30 year term (Ord. No. 1987-73). The current rate of \$1.61 per 1,000 gallons was approved in April 2016 (Ord. No. 2016-166). In 2016, District 1 purchased 5.8 million gallons of water from the City.

The new wholesale water rate will be effective October 1, 2017 and will be subject to change on July 1 of each year thereafter.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-305
(Int. No. 339)

Authorizing an agreement with the Town of Lima Water District 1 for the purchase of water and amending the Municipal Code with respect to wholesale water rates

Section 1. The Mayor is hereby authorized to enter into an agreement with the Town of Lima Water District 1 (the District) for the purchase of water from the City of Rochester. The District may use up to 50,000 gallons per day. If the District demonstrates a demand greater than or equal to 90% of the maximum quantity for a 30 day consecutive period and if supply is available, the City may consider increasing the maximum quantity. The term of the agreement shall be 20 years.

Section 2. The water may be supplied through either the City's Martin Road connection directly off of Conduit I or a secondary connection at the Monroe County Water Authority's (MCWA) Ontario Street water distribution main connection. The agreement shall provide that the initial rate shall be \$1.68 per 1,000 gallons supplied

through either the Martin Road or Ontario Street connection. The rate per 1,000 gallons for water supplied through the Martin Road connection shall be subject to change each year to reflect the most recent water rates enacted by City Council. The Ontario Street connection rate shall be subject to change each year based on the District's monthly gallon usage and the then applicable City and MCWA exchange rate, or the then applicable MCWA Out-of-County Supplemental Supply rate.

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

Section 4. Chapter 23, Section 37 of the Municipal Code, relating to water fees, as amended, is here-by further amended by amending subsection F(9) thereof to read in its entirety as follows:

(9) Wholesale rate: ~~\$1.61~~ \$1.68 per 1,000 gallons for Water Districts 1 and 2 of the Town of Lima.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember McFadden
September 19, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for Adoption the following entitled legislation:

- Int. No. 340 Authorizing a memorandum of agreement with the Corporation for National and Community Service
- Int. No. 341 Authorizing an agreement for Fire Department counseling and stress management services
- Int. No. 342 Amending Chapters 30 and 31 of the Municipal Code
- Int. No. 343 Authorizing an agreement for the funding of animal population control programs
- Int. No. 344 Authorizing an agreement with the New York State Division of Criminal Justice Services for a Livescan Grant
- Int. No. 345 Authorizing acceptance of a PetSmart Charities Shelter Operations Grant for Animal Services
- Int. No. 346 Authorizing an intermunicipal agreement and funding for the

STOP DWI Program

- Int. No. 347 Authorizing an agreement for the use of Pethealth Services (USA) Inc. animal management software
- Int. No. 348 Authorizing an agreement for fitness for duty clinical services for the Rochester Police Department
- Int. No. 349 Authorizing agreements for the 2017 Justice Assistance Grant program
- Int. No. 350 Authorizing a grant agreement and funding for the Child Passenger Safety Program
- Int. No. 351 Amending Ordinance No. 2017-242 relating to real property acquisition for the Campbell Street R-Center Gateway Project
- Int. No. 352 Authorizing the exchange of real estate at the Public Market
- Int. No. 358 Authorizing an agreement with United Negro College Fund, Inc.

member positions who will act as the Service Learning Committee within Youth Voice One Vision (YVOV), the Mayor’s Youth Advisory Council. Each FCA Affiliate youth member will complete at least 100 hours of service as well as participate in quarterly development and reflection sessions which will include topics such as youth employment training, goal setting and attainment, and the importance of service over the course of one year. FCA Affiliate youth members will also participate in YVOV activities such as monthly leadership meetings and quarterly full council meetings. Upon successful completion of 100 volunteer hours, FCA Affiliate youth members will receive an education award of \$327.38 from CNCS to be used within seven years at any accredited college, university, or trade school for tuition or attendance costs.

It is anticipated that the program will create service opportunities that will benefit 200 youth and engage an additional 90 youth as volunteers, 20 of whom will plan to continue volunteering as a result of their engagement with the FCA Affiliate youth members.

It is anticipated that this project will be completed by October 31, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott

Ordinance No. 2017-306
(Int. No. 340)

Authorizing a memorandum of agreement with the Corporation for National and Community Service

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

Section 1. The Mayor is hereby authorized to enter into a memorandum of agreement with the Corporation for National and Community Service (CNCS) for the receipt and use of the national AmeriCorps Affiliate service program grant to create a Flower City Americorps Affiliate program for youth ages 14-17.

Section 2. The term of the agreement shall continue to October 31, 2018. No City funds are required for the agreement.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Received, filed, and published
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-306
Re: Agreement – Corporation for National and Community Service, AmeriCorps Affiliate Pilot Program

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing a memorandum of agreement with the Corporation for National and Community Service (CNCS) for the receipt and use of the national AmeriCorps Affiliate service program grant to create a Flower City AmeriCorps (FCA) Affiliate program specifically for youth ages 14-17. There are no funds associated with this agreement.

The national CNCS AmeriCorps Affiliate service program began in 2016 as a pilot initiative to engage more youth in service and to increase the number of national service positions available. This agreement will authorize the creation of 10 FCA Affiliate youth

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-307
Re: Agreement - Strong Behavioral Health/
Cooperative Officer Assistance Program,
Counseling and Stress Management Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with Strong Behavioral Health/Cooperative Officer Assistance Program (COAP), a division of Strong Memorial Hospital for the provision of counseling and critical incident stress services to Fire Department employees and their family members. The term of the agreement will be for two years, with the option for two, two-year renewals. The cost will be funded from the 2017-18 and subsequent Budgets of the Fire Department, contingent upon adoption.

Strong Behavioral Health/COAP was selected through a request for proposal process described in the attached summary.

Strong Behavioral Health/COAP will provide a comprehensive package of employee assistance services to address individual, family, and work-life needs. These services include confidential assessment and short term treatment; consultation and training for supervisors and managers to identify and resolve job performance issues; and direct linkage to mental health and wellness resources on a 24/7 basis for crisis coverage.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-164

Ordinance No. 2017 -307
(Int. No. 341)

Authorizing an agreement for Fire Department counseling and stress management 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 in the maximum annual amount of \$40,000 with Strong Behavioral Health/COAP, a division of Strong Memorial Hospital for the provision of counseling and critical incident stress services to Rochester Fire Department employees and their family members. The term of the agreement shall be two years with the option to extend for two additional two year periods. The first year of the agreement shall be funded from the 2017-18 Budget of the Fire Department and subsequent years from future budgets of the Fire Department, contingent upon approval of future budgets.

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. 2017-308
Re: Code Amendment- Chapters 30 and
31, Dog Control

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Chapters 30-42, 31-20 and 31-22 of the City of Rochester Municipal Code as follows:

1. Amend Chapter 31-20, A, (1) – Redemption, to remove the reference to “sterilization” and change New York State dog license to City dog license;
2. Amend Chapter 30-42 to require sterilization of cats only for adoption; and
3. Amend Chapter 31-22 to require sterilization only for adoption.

These changes, which will be effective September 1, 2017, are to eliminate the mandatory sterilization requirement for owners seeking to redeem pets from the shelter. Currently, the only exceptions to the sterilization of redeemed pets are for those meeting one of the following: (1) a medical contraindication that would endanger the life of the pet; (2) documentation of a breed show ring record or completion of requirements of a recognized registry association for the title of champion; (3) guide dogs, hearing dogs, service or police work dogs, or (4) pet is owned by a person who is not a resident of New York and the pet is in the city for a period not to exceed 10 days.

Since that regulation was established, however, there has been an industry-wide shift in favor of removing obstacles to pet retention, thereby increasing the rate of returning dogs and cats to their owners. It has been found that pro-active outreach about the importance of pet sterilization and supporting no-cost spay/neuter vouchers for use at external clinics has a greater impact on reducing unwanted pets than mandatory pre-redemption sterilization. These changes also address frequent citizen complaints about mandatory sterilization.

Importantly, sterilization surgeries will continue to be included for all animals released for adoptions and as part of the public spay/neuter program. Redeeming clients may also opt to have their pets sterilized by Animal Services veterinarians at a low cost.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-308
(Int. No. 342)

Amending Chapters 30 and 31 of the Municipal Code

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

Section 1. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended in Section 30-42 to read in its entirety as follows:

§ 30-42. Sterilization of adopted cats required.

A. The City of Rochester is experiencing a significant overpopulation of unwanted cats. These are matters of serious concern affecting public health, safety, quality of life, and welfare of the public and of their pets. Animal Services, which operates the City's animal shelter within the Rochester Police Department, estimates that over 5,500 unwanted, stray, or abandoned dogs and cats entered its facility during the 2005-2006 fiscal year. Of these, approximately 90% were not spayed and neutered. While wandering the City's streets, nonsterilized cats reproduce at alarming rates, exacerbating a potentially unhealthy and dangerous situation. As a result of the exponential rate of increase, increasing numbers of individuals and animals are at risk for rabies and many animals become victims of vehicular accidents. These animals also suffer from lack of appropriate food and water, ingestion of poisons, exposure to inclement weather, and infestation with parasites. Furthermore, it is well documented that sterilization helps to improve health and longevity and to reduce roaming tendencies and undesirable behaviors, all of which impact cat intakes at shelters. Given the large and growing number of unwanted cats and the benefits of sterilization that address the challenges of cat control, Animal Services finds that a law providing for the spaying and neutering of cats adopted or redeemed from the City's shelter is necessary to protect the health, safety, and quality of life of Rochester residents and the welfare of the City's pet community. Animal Services also finds that with the advancement of medical knowledge over the past 15 years, many veterinarians now advocate and practice early sterilization of pets, as early as eight weeks of age. Veterinarians at animal hospitals and humane shelters across the country, as well as the American Society for the Prevention of Cruelty to Animals, have performed thousands of early spay-neuter surgeries. Many veterinary associations now also agree that even though any surgery has inherent risks, kittens heal faster and are lower surgical risks than older animals who may be ill, in heat, or pregnant. If cats are spayed or neutered before adoption or redemption from the shelter, then the chance that they will add more unwanted offspring to the numbers that already exist will be eliminated.

B. The Animal Services Center shall not release a cat to a person claiming ownership thereof, or to a person adopting such cat, unless such cat has been sterilized by a licensed veterinarian; provided, however, that such requirement shall not apply: (1) If a licensed veterinarian certifies to Animal Services that he or she has examined such cat and found that because of a medical contraindication, the life of such cat would be endangered by sterilization; provided however, that such reason shall not be based solely on the age of such cat, if such cat is at least eight weeks of age; Prior to releasing a nonsterilized cat to a person claiming ownership thereof, the Animal Services Center may offer to have the cat sterilized by a licensed veterinarian for a fee established by the Chief of Police pursuant to § 30-41, provided, however, that the owner shall not be required to accept the offer in order to redeem the cat.

~~(2) If such cat within the time period provided for by law, rule or regulation, is claimed by a person claiming ownership thereof, and such person demonstrates to the satisfaction of the Director of Animal Services or his or her designee that such cat has a breed show record from the Cat Fancier Association or other similar registry association, dated no more than 12 months prior to the date such cat entered such shelter, or such person claiming ownership is able to provide proof that such cat has successfully completed the requirements of the Cat Fancier Association or other similar registry association for the title of Champion, Grand Champion, or its equivalent, at any time prior to the arrival of the cat at the shelter; or~~

~~(3) If such cat is owned by a person who is not a resident of the state who possesses the cat in the City temporarily for a period not to exceed 10 days.~~

Section 2. Chapter 31 of the Municipal Code, Dog Control, as amended, is hereby further amended in Sections 31-20 and 31-22 to read in their entirety as follows:

§ 31-20: Fees for dog licenses and dog control activities.

- A. The fees for procuring a dog license in the City, which shall include the state surcharges, shall be as follows:
- (1) Spayed female dogs and neutered male dogs: \$8.50.
 - (2) Unaltered dogs: \$20.50.

(3) Purebred dogs: \$23.50

B. Redemption.

(1) The fees for redeeming any dog placed in the Animal Services Center shall include fees approved by the Chief of Police or set forth herein for the following: seizure, daily boarding, rabies vaccination, sterilization (when that service has been performed at the request of the redeeming owner) and City New York State dog license. There shall be no waiver of the boarding fee for a dog that is redeemed on the day of seizure.

(2) No unlicensed dog shall be redeemed unless the person seeking the redemption first obtains a license for the dog.

(3) No dog shall be redeemed unless the person seeking the redemption first pays all outstanding dog control fines and penalties owed by that person and the dog owner, and all outstanding dog control fines and penalties relating to the dog to be redeemed.

C. The fees for adopting a dog from the Animal Services Center shall include fees approved by the Chief of Police or set forth herein for the following: adoption, rabies vaccination, sterilization and dog license.

D. The Chief of Police shall establish fees for additional services offered by the Animal Services Center.

E. No fees shall be required for the licensing of guide, service, hearing, war, working search, detection, police and therapy dogs.

F. The fee to replace a lost identification tag shall be \$3.

§ 31-22: Sterilization required for adoption.

A. The City of Rochester is experiencing a host of challenges related to stray and roaming dogs. These are matters of serious concern affecting public health, safety, quality of life, and welfare of the public and of their pets. Animal Services, which operates the City's animal shelter within the Rochester Police Department, estimates that over 5,500 unwanted, stray, or abandoned dogs and cats entered its facility during the 2005-2006 fiscal year. Of these, approximately 90% were not spayed and neutered. While wandering the City's streets, nonsterilized dogs reproduce at alarming rates, exacerbating a potentially unhealthy and dangerous situation. As a result of the exponential rate of increase, increasing numbers of individuals and animals are at risk for rabies and many animals become victims of vehicular accidents. These animals also suffer from lack of appropriate food and water, ingestion of poisons, exposure to inclement weather, and infestation with parasites. Additionally, dogs, including many

reclaimed from the Animal Services Center, are being intentionally bred irresponsibly throughout the City with little regard for health or temperament of the breeding pair and the resulting offspring. Furthermore, it is well documented that sterilization helps to improve health and longevity and to reduce roaming tendencies, undesirable behaviors, and possibly dominance aggression, all of which impact dog intakes at shelters. Given the benefits of sterilization that address the challenges of dog control, Animal Services finds that a law providing for the spaying and neutering of dogs adopted or redeemed from the City's shelter is necessary to protect the health, safety, and quality of life of Rochester residents and the welfare of the City's pet community. Animal Services also finds that with the advancement of medical knowledge over the past 15 years, many veterinarians now advocate and practice early sterilization of pets, as early as eight weeks of age. Veterinarians at animal hospitals and humane shelters across the country, as well as the American Society for the Prevention of Cruelty to Animals, have performed thousands of early spay-neuter surgeries. Many veterinary associations now also agree that even though any surgery has inherent risks, puppies heal faster and are lower surgical risks than older animals who may be ill, in heat, or pregnant. If dogs are spayed or neutered before adoption or redemption from the shelter, then the chance that they will add more unwanted offspring to the numbers that already exist will be eliminated.

B. The Animal Services Center shall not release a dog to a person claiming ownership thereof, or to a person adopting such dog, unless such dog has been sterilized by a licensed veterinarian; provided, however, that such requirement shall not apply: (1) If a licensed veterinarian certifies to Animal Services that he or she has examined such dog and found that because of a medical contraindication, the life of such dog would be endangered by sterilization; provided however, that such reason shall not be based solely on the age of such dog, if such dog is at least eight weeks of age; Prior to releasing a nonsterilized dog to a person claiming ownership thereof, the Animal Services Center shall offer to have the dog sterilized by a licensed veterinarian for a fee established by the Chief of Police pursuant to § 31-20, provided, however, that the owner shall not be required to accept the offer in order to redeem the dog.

(2) If such dog, within the time period provided for by law, rule or regulation, is claimed by a person claiming ownership thereof, and such person demonstrates to the satisfaction of the Director of Animal Services or his or her designee that such dog has a breed ring show record from the American Kennel Club or United Kennel Club or other similar registry association, dated no more than 12 months prior to the date such dog entered the shelter, or such person claiming ownership is able to provide proof that such dog has successfully completed the requirements of the American Kennel Club or United Kennel Club or other similar registry association, for the title of Champion or its equivalent, at any time prior to the arrival of the dog at the shelter;

~~(3) If such dog, within the time period provided for by law, rule or regulation, is claimed by a person claiming ownership thereof, and such person demonstrates to the satisfaction of the Director of Animal Services or his or her designee that such dog is a guide dog, hearing dog, service dog or police work dog; or~~

~~(4) If such dog is owned by a person who is not a resident of the state who possesses the dog in the City temporarily for a period not to exceed 10 days.~~

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. 2017-309
Re: Agreement - 2017 American Society for the Prevention of Cruelty to Animals, Animal Population Control Program Grant

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$25,000 from the American Society for the Prevention of Cruelty to Animals' Animal Population Control Program grant and amending the 2017-18 Budget of the Police Department by this amount. The term of this grant is August 3, 2017 through August 2, 2018.

This grant will assist low-income residents in paying for spay and neuter services for their pets with the purpose of reducing the number of animals born and surrendered to the shelter. No-cost spay/neuter vouchers will be provided to qualifying residents for redemption at local veterinary service providers where their pets can be spayed or neutered. These funds will pay for up to 425 spay/neuter services with residents providing a co-pay of \$1 per service.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-309
(Int. No. 343)

Authorizing an agreement for the funding of animal population control programs

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the American Society for the Prevention of Cruelty to Animals for the receipt and use of \$25,000 to fund no-cost spay/neuter vouchers for qualifying residents. The agreement shall have a term from August 3, 2017 to August 2, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$25,000 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-310
Re: Agreement – New York State Division of Criminal Justice Services, Livescan Grant

Council Priority: Public Safety

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 \$16,300 for a Livescan Grant.

This grant is made available by DCJS to continue to build the palm-print database, particularly in those jurisdictions submitting high numbers of arrest-related prints to date. Rochester Police Department received a grant in 2015 to replace its fingerprint Livescan device in the City Court building with a finger/palm print Livescan device. This new grant will pay 50% of the cost of two finger/palm print Livescan devices. One will be used for the finger/palm printing of juveniles and the second will be placed in the Police Department's accident investigations section. It is expected that the demand for finger/palm printing of juveniles will increase in the near future due to the changes in the laws regarding age limits for juvenile offenders.

The term of this grant is October 1, 2017 through September 30, 2018. The Police Department will provide a match from 2016-17 Cash Capital.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-310
(Int. No. 344)

Authorizing an agreement with the New York State Division of Criminal Justice Services for a Livescan Grant

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$16,300 for a Livescan Grant to pay 50% of the cost for two finger/palm print Livescan devices and the remainder of the cost shall

be matched from 2016-17 Cash Capital. The term of the agreement shall be October 1, 2017 through September 30, 2018.

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. 2017-311
Re: Grant Agreement - PetSmart Charities, Inc., 2017 Shelter Operations Grant

Transmitted herewith for your approval is legislation authorizing an agreement with PetSmart Charities, Inc. for the receipt and use of \$41,800 for a Shelter Operations Grant, and amending the 2017-18 Budget of the Police Department by this amount.

This grant offers funding opportunities for shelter-based programs that improve adoptions, reduce pets' length of stay, and strengthen shelter infrastructure. These funds will be used to purchase disinfectant, flea control, de-wormer chemicals, and cat cages.

The term of this grant is September 1, 2017 through August 31, 2018. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-311
(Int. No. 345)

Authorizing acceptance of a PetSmart Charities Shelter Operations Grant for Animal Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with PetSmart Charities, Inc. for receipt and use of a Shelter Operations Grant in the amount of \$41,800 to fund wellness and medical programs to improve the quality of pets' stays and prevent illness in the Rochester Animal Services facility. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The term of the agreement shall be September 1, 2017 through August 31, 2018.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$41,800, which amount is hereby appropriated from funds to be received under the grant authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-312
Re: Agreement - Monroe County, STOP DWI Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$140,100 for the 2018 STOP DWI Program, and amending the 2017-18 Budget of the Police Department by \$64,600 to reflect a portion of this grant.

The grant funds will be used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2018 calendar year. Supported activities include expenses for STOP DWI overtime details and associated fringe costs, supplies, equipment, training, breathalyzer calibration, and underage alcohol enforcement.

The term of this grant is January 1, 2018 through December 31, 2018. The previous STOP DWI grant was authorized via Ordinance No. 2016-353 on October 18, 2016. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-312
(Int. No. 346)

Authorizing an intermunicipal agreement and funding for the STOP DWI Program

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the receipt and use of New York State funding for the 2018 STOP DWI Program in the amount of \$140,100. The term of agreement shall be January 1, 2018 through December 31, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$64,600 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-313
Re: Agreement – Pethealth Services (USA) Inc.,
PetPoint Software

Transmitted herewith for your approval is legislation authorizing an agreement with Pethealth Services (USA) Inc. to provide access to PetPoint software. There is no cost to the City for this agreement and the term is September 1, 2017 through August 31, 2020.

Pethealth Services is an international leader in the provision of animal management software, radio frequency identification microchips, database related services for companion animals, and pet health insurance. Pethealth will provide Rochester Animal Services with access to PetPoint data management software, which is a comprehensive, easy to use, web-based system that serves as the database for all records related to animal intakes and dispositions, ownership, sterilization and medical care, enforcement, business transactions, and pro-active outreach. This system is provided at no-cost contingent upon (1) the purchase of the microchips and (2) providing adoption clients an opt-in offer for a 30-day gift of pet health insurance, both from Pethealth.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-313
(Int. No. 347)

Authorizing agreement for use of Pethealth Services (USA) Inc. animal management software

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Pethealth Services (USA) Inc. (Pethealth) for Rochester Animal Services (RAS) to use the company’s PetPoint animal management software at no cost in return for RAS committing to purchase its radio-frequency identification microchips from the company and providing to clients the option to accept a free 30-day Pethealth pet health insurance policy. The term of the agreement shall be September 1, 2017 through August 31, 2020.

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. 2017-314
Re: Agreement – University of Rochester,
Fitness for Duty Clinical Services

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the University of Rochester, Department of Psychiatry, for Dr. Robert L. Weisman, DO to provide clinical services related to psychological fitness for duty for the Rochester Police Department (RPD). The term of the agreement will be for one year, with the option to renew for three additional one-year periods. The cost of the agreement will be funded from the 2017-18 Budget of the Police Department.

Dr. Weisman will provide fitness for duty psychological evaluations for law enforcement officers who have experienced a duty-related injury or trauma, as well as non-duty-related mental health issues. Evaluations will include an assessment of the officer’s psychological ability to return to work, a determination of work-related causality, and management of care for duty-related psychological conditions.

A request for proposals was posted to the City’s website on May 2, 2017 and mailed to five vendors: University of Rochester (Rochester, New York), Clinical & Forensic Psychology Services, PLLC (Penfield, New York), Clinical, Police, & Forensic Psychological Services PLLC (Yorktown Heights, New York), Law Enforcement Psychological Associates (Rochester, New York), and Public Safety Psychology (Albany, New York). The University of Rochester was the only vendor to submit a proposal and it meets RPD’s requirements. Dr. Weisman has satisfactorily provided these services since November 2013, and the University of Rochester has the unique resources and capabilities to effectively support Dr. Weisman in performing highly sensitive services on behalf of the RPD.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-314
(Int. No. 348)

Authorizing an agreement for fitness for duty clinical services for the Rochester Police Department

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the University of Rochester, Department of Psychiatry, to provide clinical services for fitness for duty evaluations for personnel of the Rochester Police Department for a term of one year, with options to renew for three additional terms of one year each.

The maximum annual compensation for the agreement shall be \$50,000. The compensation for the first year shall be funded from the 2017-18 Budget of the Police Department and the compensation for subsequent optional years, if any, shall be funded from future years' budgets of the Police Department, contingent upon approval of future budgets.

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. 2017-315
Re: Agreement – US Department of Justice,
2017 Justice Assistance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2017 Justice Assistance Grant. This legislation will:

1. Authorize an agreement with the US Department of Justice for the receipt and use of the 2017 Justice Assistance Grant in the amount of \$169,060; and
2. Authorize an agreement with the County of Monroe for the distribution and use of \$76,077 of the grant to support the "Operation Nightwatch" program.

The County intends to use its share of this grant for "Operation Nightwatch," a program of the Probation Department which follows up on probationers' evening curfews.

The City's share (\$92,983) will be used to fund salary (\$38,258.40) and fringe (\$15,368.60) for one full-time and one part-time Counseling Specialist, and to underwrite part of the salary costs (\$39,356) of the Coordinator of the Police Department's Family and Victims Services Section. The funds were anticipated and included in the 2017-18 Budget of the Police Department.

The term of this grant is October 1, 2016 through September 30, 2020. No matching funds are required.

Council last approved the 2016 Justice Assistant Grant via Ordinance No. 2016-252.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-315
(Int. No. 349)

Authorizing agreements for the 2017 Justice Assistance 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 United States Department of Justice for the receipt and use of funding from the 2017 Justice Assistance Grant program in the amount of \$169,060, and said amount is hereby appropriated for this purpose. The term of the agreement shall be October 1, 2016 through September 30, 2020.

Section 2. The Mayor is hereby further authorized to enter into an intermunicipal agreement with the County of Monroe in the maximum amount of \$76,077 to fund the Monroe County Probation Department's Nightwatch program. Said amount shall be funded from the amount appropriated in Section 1 herein. The term of the agreement shall be October 1, 2016 through September 30, 2020.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-316
Re: Governor's Traffic Safety Committee,
2017 Child Passenger Safety Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$900 from the New York State Governor's Traffic Safety Committee for a Child Passenger Safety grant, and amending the 2017-18 Budget of the Police Department by this amount.

The Governor's Traffic Safety Committee provides this funding to support the Police Department's efforts to ensure correct use of car child seats during the period of October 1, 2017 through September 30, 2018. Funding will be used for certification and continuing education of those officers teaching about safety seats at community-based, seat-checking events and seat-fitting station supplies.

This is the sixth year that the Police Department has received this grant. During the first half of the current grant period (through March 31, 2017), 21 car seats were inspected and three new seats were given to residents. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-316
(Int. No. 350)

Authorizing a grant agreement and funding for the Child Passenger Safety Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor’s Traffic Safety Committee for receipt and use of \$900 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2017 through September 30, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of \$900, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-317
Re: Amending Ordinance No. 2017-242 –
Agreement with R.K. Hite & Co., Inc.,
Campbell Street R-Center Gateway Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-242 which established \$22,500 as maximum compensation for an agreement with R.K. Hite & Co., Inc. for real property acquisition services related to the Campbell Street R-Center Gateway Project.

This amendment will remove the agreement’s funding source of 2008-09 Community Development Block Grant (CDBG) Infrastructure Improvements allocation of the General Community Needs fund and add the funding source of 2017-18 Cash Capital. Due to the CDBG requirement that an environmental assessment be complete prior to use of funds, Cash Capital will be used for the real property acquisition services and CDBG funds will be reprogrammed to the construction phase of the project.

The Campbell Street R-Center Gateway Project will create new community access and entry points to the

R-Center facility grounds. As part of this project, the City intends to acquire the adjacent properties of 512 Campbell Street, a single family house; 520 Campbell Street, a single family house; and 835 Jay Street, a vacant residential lot, in order to develop new public pathways onto the R-Center grounds, create sight lines, and provide more parking.

The City will hire R.K. Hite & Co, Inc. to conduct property title research and certification; handle communication with property owners; provide real property appraisals, reviews, and purchase offer assistance; and perform title transfers and other project and records management activities.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-317
(Int. No. 351)

Amending Ordinance No. 2017-242 relating to real property acquisition for the Campbell Street R-Center Gateway Project

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

Section 1. Ordinance No. 2017-242 relating to a professional services agreement with R.K. Hite & Co., Inc. for real property acquisition for the Campbell Street R-Center Gateway Project is hereby amended in Section 2 thereof to read as follows:

Section 2. The cost of the agreement shall not exceed \$22,500, which shall be funded from ~~2017-18 Cash Capital Infrastructure Improvements allocation of the General Community Needs Fund within the 2008-09 Community Development Block Grant that was appropriated in Section 2 of Ordinance No. 2017-69.~~

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-318
Re: Exchange of Land at the Public Market

Council Priority: Creating and Sustaining a Culture of Vibrancy; Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the exchange of land with Curtis, LLC, whereby a portion of City-owned property at 280 N. Union Street in the Public Market will be conveyed to the company in exchange for a lease of a portion of their building at 248 N. Union Street. The principals of Curtis, LLC, are Scott Stanton and Stephen Capizzi.

In 2015, as part of the Public Market Improvement Project, the City transferred a portion of 280 N. Union Street to Curtis, LLC (Ordinance No. 2016-7). The transfer was made to facilitate access for loading docks for Big Apple Deli Products which has storage facilities located in the building. In exchange, the City acquired a portion of 248 N. Union Street owned by Curtis, LLC, including parking and a portion of the loading dock which was enclosed to provide storage for Market-related maintenance equipment.

Curtis, LLC, has since received a proposal for a new restaurant/retail business that would require the use of the City's recently acquired loading dock for outdoor customer seating. Curtis, LLC, has requested the return of a portion of the loading dock and, in exchange, will lease approximately 457 square feet of space located in a different area of the 248 N. Union Street structure to the City. An appraisal prepared by Kevin Bruckner, MAI, CCIM has determined that the value of the City-owned parcel is \$14,500. The term of the lease will be for 7 years and the total value of the lease is equal to the exchanged property's value. The City will retain the parking lot.

This exchange is beneficial as it supports the Public Market Master Plan goal to make it a vibrant, seven-day destination and provides Market staff with better facilities for storing maintenance equipment and supplies.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation law and Chapter 48 of the City Code, it has been determined that the proposed exchange will not result in any significant effects. A negative declaration has been issued.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-318
(Int. No. 352)

Authorizing the exchange of real estate at the Public Market

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

Section 1. The Council hereby approves the negotiated sale to Curtis, LLC of an approximately 731 square foot loading dock area, which includes an approximately 517 square foot concrete block structure, located on the City's Public Market property at 280 North Union Street and abutting the westerly end of Curtis' one-story masonry building located at 248 North Union Street, being a portion of the approximately 5,209 square feet of land that was conveyed by Curtis, LLC to the City of Rochester in a deed that was recorded with the Monroe County Clerk on July 14, 2016 in Book 11725 of Deeds, page 234. In exchange for said loading dock area, which an independent professional appraiser has valued at \$14,500, the Council hereby authorizes the Mayor to accept from Curtis, LLC a free lease for a

term of 7 years of approximately 457 square feet of storage space located within Curtis' aforementioned one-story masonry building that is accessible by means of an approximately 14-foot overhead door and a man door located on the northerly side of the building.

Section 2. The Mayor is hereby authorized to execute a deed, lease agreement and such other documents as may be necessary to effectuate the exchange authorized herein, which 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. 2017-319
Re: Agreement with United Negro College
Fund for a College Fair

Council Priority: Support the Creation of Effective Education Systems, and Public Safety

Transmitted herewith for Council approval is legislation establishing \$30,000 for support of a Historically Black College Fair in partnership with the United Negro College Fund which will be held in Rochester on October 23, 2017.

This conference is open to the public in an effort to increase awareness among city youth with regards to collegiate opportunities, specifically Historically Black Colleges and Universities (HBCUs). Over 100 HBCUs have been invited to participate in this event.

This event provides students the opportunity to interact with colleges and universities from around the country. At the college fair, youth will learn about HBCUs and have the opportunity to receive admittance and scholarships that day.

This will be the third consecutive year that this event is held in Rochester and it has been extremely successful in its first two years.

	2015	2016
Student Attendance	800	1200
HBCUs Represented	27	31
Students Admitted On-Site	59	246
Scholarships Awarded On-Site	\$1.5 million	\$1.1 million

Sincerely,

Lovely A. Warren Mayor Adam C. McFadden Chair, Public Safety, Youth and Recreation

Ordinance No. 2017-319 (Int. No. 358)

Authorizing an agreement with United Negro College Fund, Inc.

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 United Negro College Fund, Inc. for an amount not to exceed \$30,000, for services related to a College Fair and Luncheon to provide information and increase access to higher education for youth in the City. The cost of said agreement shall be funded from the 2017-18 Budget for Undistributed Expenses.

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.

By President Scott September 19, 2017

To the Council:

The Committee of the Whole recommends for Adoption the following entitled legislation:

Int. No. 357 Amending Chapter 63 of the Municipal Code

Respectfully submitted, Molly Clifford Carolee A. Conklin (Absent) Matt Haag Adam C. McFadden Jacklyn Ortiz Michael A. Patterson Elaine M. Spaul Elaine M. Spaul Dana K. Miller (Absent) Loretta C. Scott Received, filed, and published COMMITTEE OF THE WHOLE

TO THE COUNCIL Ladies and Gentlemen:

Ordinance No. 2017-320 Re: Amending Chapter 63 of the Municipal Code with Regard to Closed Captioning

Transmitted herewith for City Council approval is

legislation amending Chapter 63 of the Municipal Code and establishing a Closed Captioning Ordinance within the City of Rochester. This initiative is in response to a citizen driven request and will provide increased access to information for members of the deaf and hard of hearing population.

This legislation will require any business that provides television access to its patrons to utilize the closed captioning option. Businesses will be required to provide closed captioning during all regular business hours, unless the television is not being utilized, if the program in question does not offer closed captioning, or if the television receiver is incapable of displaying closed captioning.

If approved, the City of Rochester will become one of the first municipalities in the country to adopt a Closed Captioning Ordinance. Other cities with Closed Captioning Ordinances include: San Francisco, California; Portland, Oregon; and Ann Arbor, Michigan.

Respectfully submitted,

Loretta C. Scott Molly Clifford Matt Haag Jacklyn Ortiz Elaine M. Spaul Dana K. Miller Carolee A. Conklin Adam C. McFadden Michael A. Patterson

Ordinance No. 2017-320 (Int. No. 357)

Amending Chapter 63 of the Municipal Code

Section 1. Chapter 63 of the Municipal Code, Human Rights, as amended, is hereby further amended in Sections 63-2 and 63-3 as follows:

§ 63-2 Definitions.

When used in this chapter, the following terms shall have the following definitions:

AGE Includes only persons who are 18 years of age and older.

BONA FIDE OCCUPATIONAL QUALIFICATION

A qualification reasonably necessary to the operation of a particular business.

CLOSED CAPTIONING

A visual transcript or dialog of the audio portion of a television program that is displayed on a portion of a television receiver screen when the user activates the feature.

CLOSED-CAPTIONED TELEVISION RECEIVER

A receiver of television programming that has the ability to display Closed Captioning, including but not limited to a television, digital set top box, and other technology capable of displaying Closed Captioning for television programming.

COMMERCIAL SPACE

Any space in a building, structure or portion

thereof which is used or occupied or is intended, arranged or designed to be used or occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging or distribution of personal property; and any space which is used or occupied, or is intended, arranged or designed to be used or occupied, as a separate business or professional unit or office in any building, structure or portion thereof.

CREDIT

The right conferred upon a person by a creditor to incur debt and defer its payment, whether or not any interest or finance charge is made for the exercise of this right.

CREDITOR

Any person or financial institution which extends credit or arranges for the extension of credit by others.

CREED

Religion and all aspects of religious observance and practice, as well as belief; provided, however, that in all provisions of this chapter dealing with employment, the term shall be limited to religious observances and practices which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

DISABILITY

A. A physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques;

B. A record of such an impairment; or

C. A condition regarded by others as such an impairment; provided, however, that in all provisions of this chapter dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

D. However, as used in this chapter, the term "disability" shall not include any conditions or disorders which are excluded from coverage under the Federal Americans With Disabilities Act.

[Added 6-28-2001 by Ord. No. 2001-221]

DISCRIMINATION, DISCRIMINATE or DISCRIMINATORY

Any direct or indirect act, policy or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference based on, or the perception of, age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, marital status or source

of income; or the aiding, abetting, inciting, coercing or compelling thereof.

DISTINCTLY PRIVATE

Any private club, institution or membership organization, except that it shall not include any club, institution or membership organization that has more than 100 members, provides regular meal service and regularly receives payment for dues, fees, use of space, facilities, services, meals or beverages directly or indirectly from or on behalf of a nonmember for the furtherance of trade or business.

DWELLING, DWELLING UNIT and TWO-FAMILY DWELLING

Shall have the same meaning as set forth in § 120-208 of the Municipal Code.

EMPLOYEE

Does not include any individual employed by his or her parents, spouse or child, or in the domestic service of any person.

EMPLOYER

Does not include any employer with fewer than four persons in his or her employ.

EMPLOYMENT AGENCY

Any person undertaking to procure employees or opportunities to work.

FINANCIAL INSTITUTION

Banks and trust companies, private bankers, foreign banking corporations and national banks, savings banks, licensed lenders, savings and loan associations, credit unions, sales finance companies, insurance premium finance agencies, insurers, credit card issuers, mortgage brokers, mortgage companies, mortgage insurance corporations, wholesale and retail merchants and factors, bonding companies, surety companies, or other commercial institutions that extend secured or unsecured credit or offer insurance.

GENDER

Includes the biological and/or social characteristics of gender and gender identity.

GENDER IDENTITY OR EXPRESSION

Having, or being perceived as having, a gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned to that person at birth.

HOUSING

Any building, structure, or portion thereof, which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings.

LABOR ORGANIZATION

Any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of

employment, or of other mutual aid or protection in connection with employment.

MARITAL STATUS

The status of being married, unmarried, divorced, separated, or widowed.

NATIONAL ORIGIN

Ancestry, persons not citizens and their descendants, and persons naturalized and their descendants.

PERSON

One or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT

All providers, whether licensed or unlicensed, of goods, services, facilities, accommodations, advantages, amusements and privileges of any kind, and places, whether licensed or unlicensed, where goods, services, facilities, accommodations, advantages, amusements and privileges of any kind are extended, offered, sold or otherwise made available to the general public, or that receive financial support through the general public or through governmental subsidy of any kind. Such term shall not include any institution, club or place of accommodation which proves that it is in its nature distinctly private.

REAL ESTATE BROKER

Any person, firm or corporation who, for another and for a fee, commission or other valuable consideration, lists for sale, sells, at auction or otherwise, exchanges, buys or rents, or offers or attempts to negotiate a sale, at auction or otherwise, exchange, purchase or rental of an estate or interest in real estate, or collects or offers or attempts to collect rent for the use of real estate, or negotiates, or offers or attempts to negotiate, a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate.

REAL ESTATE SALESPERSON

A person employed by a licensed real estate broker to list for sale, sell or offer for sale, at auction or otherwise, to buy or offer to buy or to negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent or place for rent any real estate, or who collects or offers or attempts to collect rent for the use of real estate for or in behalf of such real estate broker.

REASONABLE ACCOMMODATION

Actions taken which permit an employee, prospective employee or member with a disability to perform in a reasonable manner the activities involved in the job or occupation sought or held or which permit an employee's or a prospective employee's religious observance or practice; provided, however, that such actions do not impose an undue hardship on the business, program or enterprise of the entity from which action is requested.

REDLINING

The practice of denying financing, credit or insurance based on discrimination as to the applicant or the neighborhood in which the applicant resides or is seeking to reside.

REGULAR BUSINESS HOURS

The hours of any day in which a place of public accommodation, resort or amusement is open to members of the general public.

SEXUAL ORIENTATION

Homosexuality, heterosexuality, bisexuality or asexuality, whether actual or perceived.

SOURCE OF INCOME

Payments from a lawful occupation or employment, as well as other payments including, but not limited to, pensions, annuities, public assistance, supplemental security income, social security disability insurance, unemployment benefits, Housing Choice Vouchers (formerly known as Section 8), other housing voucher or subsidy programs, and any other governmental or charitable subsidy.

§ 63-3 Discrimination in places of public accommodation, resort or amusement.

A. It shall be unlawful, due to discrimination, for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, to directly or indirectly:

- (1) Refuse, withhold from, deny or charge a higher rate for any goods, services, facilities, accommodations, advantages, amusements or privileges of any kind, including the extension of credit;
- (2) Publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that any of the goods, services, facilities, accommodations, advantages, amusements or privileges of any kind of any such place shall be refused, withheld from, denied or charged a higher rate to any person, or that the patronage or custom thereof of any person is unwelcome, objectionable or not acceptable, desired or solicited;
- (3) Deny any individual the full and equal enjoyment of facilities and services by failing to continuously activate the closed captioning feature on closed-captioned television receivers in use at any place of public accommodation, resort or amusement that is accessible to the public during regular business hours. This provision shall not apply if:

- (a) The Closed-Captioned Television Receiver has not been turned on;
- (b) No receiver of television programming is available;
- (c) The Closed-Captioned Television Receiver is incapable of displaying closed captioning.

B. Nothing in this section shall be construed to prevent the barring of any person, because of the gender of such person, from a place of public accommodation, resort or amusement based on bona fide considerations of public policy.

Section 2. This ordinance shall take effect ninety days after it is adopted.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

The meeting was adjourned at 8:06 p.m.

HAZEL L. WASHINGTON
City Clerk

REGULAR MEETING
October 17, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 9

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

DHRM

Philip F. LaPorta

RPD:

*Thomas W. Walton

RPL:

Marcia Thor

RFD:

Ernest S. Flagler-Mitchell

**Did not attend*

APPROVAL OF THE MINUTES
By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of September 19, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges – 4271-17

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. No. 361, Councilmember Haag on Int. No. 364 and Int. No. 382, and Councilmember Spaul on Int. No. 360.

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

Councilmember Spaul presented 11 statements in opposition to the Rochester Management plans for Cobbs Hill. Petition No. 1747

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
October 17, 2017

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

Int. No. 359 - Resolution establishing a Fund Balance Policy, as amended

Int. No. 360 - Authorizing an extension of an agreement for the operation of the South Avenue Garage

Int. No. 361 - Authorizing an agreement for the Local Government Records Management Improvement Fund grant

The Finance Committee recommends for Consideration the following entitled legislation:

Int. No. 362 - Local Law amending the City Charter to establish the Rochester Traffic Violations Agency

Respectfully submitted,

Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott

FINANCE COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-17
Re: Establishing Fund Balance Policy

Council Priorities: Deficit Reduction Long Term Financial Stability

Transmitted herewith for Council approval is legislation for a Resolution to adopt a fund balance policy for the general fund of the City of Rochester.

A fund balance policy governs the reserves that the City will maintain by establishing a minimum unrestricted fund balance threshold and prescribing the requirements and process for replenishment of fund balance when expended.

As a matter of practice the City maintains budgetary reserves to offset current and future liabilities and expense, to maintain tax stability, and to safeguard against economic conditions that may result in revenue shortfalls. The City's current and historical current fund balance levels and reserves have been a significant factor in the City's high credit ratings.

In compliance with Government Accounting Standards Board (GASB) Pronouncement No. 54, and as reported in the City's financial statements, the City's general fund reserves are classified of restricted, committed, assigned and unassigned.

A fund balance policy, similar to other financial policies the City has adopted, e.g., debt and investment, is consistent with sound financial management. In addition, the National Government Finance Officers Association (GFOA) recommends a fund balance policy as a "best practice" in governmental finance.

The proposed policy establishes a minimum fund balance in the general fund equal to two months of general fund expenditures and a maximum timeframe of three years for fund balance replenishment should the level fall below the minimum. As of fiscal year 2016 the City's general fund balance exceeded the minimum level as prescribed by the proposed policy.

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott Carolee A. Conklin
Council President Finance Chairperson
Member At-Large Member At-Large

Resolution No. 2017-17
(Int. No. 359, as amended)

Resolution establishing a Fund Balance Policy

WHEREAS, the City maintains budgetary reserves to offset current and future liabilities and expense, to maintain tax stability, and to safeguard against changes in economic conditions that may result in revenue shortfalls;

WHEREAS, in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54, and as reported in the City's Comprehensive Annual Financial Report and official statements, the

City's general fund reserves are classified and maintained as restricted, committed, assigned or unassigned fund balance;

WHEREAS, the level of fund balance is a significant factor in the determination of the City's credit ratings; and

WHEREAS, the City's credit ratings are a major determinant of the City's ability to borrow and the level of interest expense and debt service the City incurs.

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

Section 1. The City will maintain a level of unrestricted fund balance in the general fund (fund balance that is committed, assigned or unassigned) that is no less than ~~two months~~ twelve and one-half percent of average annual projected general fund expenditures in the same fiscal year.

Section 2. Consistent with current practice, fund balance may be used to offset budgetary gaps, for certain planned expenditures, such as pension amortization payment and capital expenditures, and for unforeseen emergency funding requirements.

Section 3. In the event that the unrestricted fund balance falls below the minimum amount required by this policy, the City shall develop and implement a plan that increases the fund balance back to the required minimum level as soon as practicable and no later than within three years.

Section 4. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-321
Re: Amendatory Agreement - Rochester
Convention Center Management
Corporation, South Avenue Parking
Garage

Transmitted herewith for your approval is legislation authorizing an extension to the agreement with the Rochester Convention Center Management Corporation for operation of the South Avenue Parking Garage. The agreement was reauthorized for two years in July 2015 by Ordinance No. 2015-222. This legislation will extend the term of the agreement from July 1, 2017 to December 31, 2019. All other terms and conditions will remain the same, including a monthly payment to the City Parking Enterprise Fund of 15% of the gross revenue from the garage.

The Rochester Convention Center Management Corporation will continue to be responsible for all

expenses related to the operation of the garage including, but not limited to, security, customer service, utilities, cleaning, and repairs costing \$5,000 or less. Repairs in excess of \$5,000 must first be approved in writing by City staff.

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

The estimated annual revenue to the Parking Enterprise Fund from this agreement is \$200,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-165

Ordinance No. 2017-321
(Int. No. 360)

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

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester Convention Center Management Corporation to amend the agreement for the operation of the South Avenue Garage that was authorized by Ordinance No. 2013-219 and extended by Ordinance No. 2015-222 so as to extend the agreement's term from July 1, 2017 to December 31, 2019. The Rochester Convention Center Management Corporation shall be responsible for all operating expenses relating to the Garage. All other agreement terms and conditions shall remain the same.

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 by the following vote.

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson - 8

Nays – None - 0

Councilmember Spaull abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-322
Re: Agreement - New York State Archives,
Demonstration Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Archives for the receipt and use of a \$200,000 Local Government Records Management Improvement Fund (LGRMIF) grant to continue implementation of an Enterprise Content Management Solution and amending the 2017-18 Budget of the Information Technology Department (ITD) to reflect receipt of the grant.

These funds will be used to complete the next phase of an Enterprise Content Management Solution that will automate document management processes of the Police Department, Department of Environmental Services' office of Maps and Surveys, and Department of Human Resource Management. After this phase is completed, ITD will address other City opportunities for integrating best practices, standards, regulations, the State Retention Schedule MU-1, and security.

It is anticipated that the phases related to the grant will be completed by June 30, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-322
(Int. No. 361)

Authorizing an agreement for the Local Government Records Management Improvement Fund grant

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Archives for receipt and use of \$200,000 from the Local Government Records Management Improvement Fund grant to continue implementation of an Enterprise Content Management Solution. The agreement shall terminate on June 30, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Information Technology by the sum of \$200,000 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 3
Re: Charter Amendment - Establish City
Traffic Violations Agency

Transmitted herewith for your approval is legislation amending the City Charter to establish a City Traffic Violations Agency (Agency) to adjudicate traffic violations. In June 2017, City Council joined with the Mayor’s Office to present a Home Rule Message to the New York State Legislature in support of a bill that amends the State Vehicle and Traffic Law to authorize the City to establish the Agency (Res. No. 2017-14). The State Legislature approved the bill and it was signed into law on July 25 as Chapter 157 of the Laws of 2017 (State Law).

Currently, traffic violations that occur in the city must go before a State Traffic Violations Bureau (State Bureau) within the Department of Motor Vehicles, while each town has jurisdiction over the traffic violations that occur within its boundaries. Town courts may accept plea bargains that allow for reducing a charged infraction to a lesser offense. However, State rules prohibit the State Bureau from accepting plea bargains.

Without the plea bargain option, city residents face higher fines, higher points and, consequently, higher insurance premiums than those faced by drivers living outside the city for the same infractions. The Agency will eliminate this discrepancy by allowing the City of Rochester to run its own traffic violations system.

State Law authorizes the Agency to commence operations on or after April 21, 2018, provided that the City has enacted a local law establishing the Agency. This Charter amendment fulfills that requirement in accordance with the terms of the State Law. After enactment of the local law, the City can begin hiring the judicial hearing officers, prosecutors and staff to process and adjudicate traffic tickets.

In August 2017, Council authorized a lease and funding for the Agency’s office space via Ordinance NO. 2017-263. It is anticipated that the costs of hiring the necessary employees and of administering the Agency will be more than offset by the collection of ticket revenues. For example, the City of Buffalo, which has been operating its traffic violations bureau since July 1, 2015, pursuant to similar State legislation, generated a net revenue increase of more than \$2 million annually.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-166

Local Law No. 3
(Int. No. 362)

Local Law amending the City Charter to establish the Rochester Traffic Violations Agency

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by inserting the following provisions at the end of Article VI, Department of Finance, in order to establish the Rochester Traffic Violations Agency in accordance with Chapter 157 of the Laws of 2017, which was enacted pursuant to the Home Rule Message of the City of Rochester in Resolution No. 2017-14:

Part J. Rochester Traffic Violations Agency

§ 6-141 Traffic Violations Agency established.

There shall be a bureau within the Department of Finance known as the Traffic Violations Agency which shall operate under the direction and control of the Mayor. The Traffic Violations Agency shall assist the Rochester City Court in the disposition and administration of infractions of traffic laws, ordinances, rules and regulations, except that said Agency shall not have jurisdiction over those matters which are specifically excluded by subdivision 2-b of section 371 of the General Municipal Law of the State of New York. The Agency shall be subject to the provisions of article fourteen-B of the General Municipal Law

§ 6-142 Agency officials.

A. Executive Director.
The Agency shall be headed by an Executive Director, appointed by the Mayor and who shall serve at the pleasure of the Mayor.

- (1) The Executive Director shall be responsible for the oversight and administration of the Agency.
- (2) The Executive Director shall not appear in any capacity in any part of the City Court on any matter relating to traffic violations and shall be further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic violations.
- (3) The Executive Director may establish such rules, regulations, procedures and forms as he or she may deem necessary to carry out the functions of the Agency pursuant to article 14-B of the General Municipal Law, and the collection of delinquent fines.

(4) The Executive Director shall issue on an annual basis, beginning eighteen (18) months following the creation of the Agency pursuant to local law, a report detailing the progress, development and operations of the Agency. The report shall be provided to the Governor, the Temporary President of the Senate, the Speaker of the Assembly, the Mayor, the City Council, the Presiding Judge of the Rochester City Court and the Monroe County District Attorney.

B. Traffic Prosecutor.

The Executive Director of the Agency shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York State, for the prosecution of any traffic infraction within the Agency's lawful jurisdiction to be heard, tried, or otherwise disposed of by the Rochester City Court. Such persons shall be known as "Traffic Prosecutors," as that term is defined in section 370-a of the General Municipal Law and shall be subject to the provisions of section 374-b of the General Municipal Law. Traffic Prosecutors are prohibited from appearing in any capacity, other than as a Traffic Prosecutor, in any part of the Rochester City Court on any matter relating to traffic violations.

§ 6-143 Agency procedures.

A. A person charged with an infraction that shall be disposed of by the Agency may be permitted to answer, within a time specified by the Agency, either in person at the Agency or by written power of attorney in such form as prescribed herein, by paying the applicable fine and, in writing, waiving a hearing in court, pleading guilty to the charge or a lesser charge agreeable to the Traffic Prosecutor and the person charged with an infraction and authorizing the Executive Director or his or her designee to enter such a plea and accept payment of said fine. Acceptance of the prescribed fine and power of attorney by the Agency shall be deemed complete satisfaction for the violation, and the violator shall be given a receipt which so states.

B. If a person charged with an infraction does not answer within the time specified by the Agency as set forth in subdivision A of this section, the Agency may cause a complaint to be entered against him forthwith and warrant to be issued for his arrest and appearance before the City Court, such summons to be predicated upon the personal service of said summons upon the person charged with the

infraction.

C. Any person who shall have been, within the preceding twelve (12) months, guilty of three (3) or more infractions, shall not be permitted to appear and answer to a subsequent violation at the Agency, but must appear in City Court at a time specified by the Agency.

D. The Agency shall not be authorized to deprive a person of his right to counsel or to prevent a person from exercising his or her right to appear and to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

E. The power of attorney referred to in subdivision A of this section shall be in the following form:

"POWER OF ATTORNEY: The undersigned pleads guilty to the charge noted herein and enclosed herewith is the sum of \$ _____ cash, check or money order to pay the necessary fine (circle the one used).

I hereby appoint the Executive Director or any designated employee of the Traffic Violations Agency as my attorney-in-fact to appear for me in said Agency, to waive a hearing on such violation(s), to enter a plea of guilty on my behalf and to pay the fine.

PRINT NAME _____,
SIGNATURE _____,"

§ 6-144 Judicial Hearing Officers.

Subject to the provisions of section 1690 of the Vehicle and Traffic Law of the State of New York and notwithstanding any other provision of law, where the trial of a traffic infraction is authorized or required to be tried before the City Court, and such traffic infraction does not constitute a misdemeanor, felony, or any parking, stopping, standing or pedestrian offense, or any infraction excluded by subdivision 1-b of Section 1690 of the Vehicle and Traffic Law, the Administrative Judge of the Seventh Judicial District may without the consent of the parties assign judicial hearing officers to conduct such a trial.

§ 6-145 Distribution of funds.

Subject to the provisions of section 371 of the General Municipal Law, and notwithstanding any inconsistent provision of law, the fines, penalties and forfeitures collected by the Agency shall be distributed as provided in subdivision 4-b of section 371 of the General Municipal Law.

§ 6-146 Applicability of this part.

Notwithstanding that the Agency is authorized to commence operations not sooner than two hundred seventy days after July 25, 2017, the provisions of this part shall apply to all actions on or after the effective date of this part and to all actions otherwise taken heretofore related to the establishment, maintenance and operation of the Agency. Insofar as the provisions of this part are inconsistent with the provisions of any other local law or act, the provisions of this part shall be controlling.

§ 6-147 Severability of provisions.

If any clause, sentence, paragraph, subdivision, section or provision of this part or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this part, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall have been rendered. It is hereby declared to be the intent of the City Council that this part would have been enacted even if such invalid provisions had not been included herein.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, provided that the City shall comply with all the provisions of the law set forth in Chapter 157 of the Laws of 2017 and further, that the Corporation Counsel shall notify New York State's Legislative Bill Drafting Commission of its enactment so that the Commission may maintain an accurate and timely effective data base of the official text of the laws of the State of New York in furtherance of effectuating the provisions of section 44 of the Legislative Law and section 70-b of the Public Officers Law.

Passed unanimously.

By Vice President Miller
October 17, 2017

To the Council:

The Business & Economic Development Committee recommends for Adoption the following entitled legislation:

Int. No. 364 Authorizing an agreement for business assistance services, as amended

The following entitled legislation is being held in

committee:

Int. No. 363 Authorizing an agreement with Greater Rochester Enterprise, Inc. for economic development services

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Received, filed and published.

Vice President Miller moved to discharge Int. No. 363 from Committee.

Councilmember Spaul seconded the motion.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-323
Re: Agreement - Greater Rochester Enterprise, Inc., Economic Development Services

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with the Greater Rochester Enterprise, Inc. (GRE) for services related to business attraction and retention in the City of Rochester. The term of the agreement will be for one year and the cost will be funded from the Fund for the City's Future (\$34,000) and the 2017-18 Budget of the Department of Neighborhood and Business Development (\$6,000).

The last agreement with GRE was for six months, from January through June 2017 (Ord. No. 2016-397). During that time, GRE worked with 11 organizations who considered locating to and/or expanding in the city of Rochester, as described in the attached summary.

Efforts continue to attract businesses to the Eastman Business Park and other sites found within this community. GRE collaborates with government leaders, businesses, universities, and not-for-profit organizations through a team approach to economic development in the city and the Greater Rochester/Finger Lakes region. GRE acts as an ambassador to promote the city, and to connect businesses to city resources.

Terms of the agreement include the following goals:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the city of Rochester.

- Deliver at least 15 out-of-region business attraction opportunities that include sites located within the city of Rochester, especially the City’s Science and Industrial parks.
- Include and actively promote the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester/ Finger Lakes region, including www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations.
- A closer collaboration for business retention which will include meetings with existing employers and the provision of comprehensive data analysis to identify the potential loss and/or expansion of businesses currently located in the city of Rochester.
- GRE will assist the City of Rochester with activities designed to increase business retention, expansion, and the acceleration of startup businesses. This involves collaboration with colleges and universities, High Tech Rochester and others to promote the city as an outstanding entrepreneurial location. The focus of this effort may begin with companies headquartered out of the region or other large employers, as agreed to by the City of Rochester and GRE.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-167

Ordinance No. 2017-323
(Int. No. 363)

Authorizing an agreement with Greater Rochester Enterprise, Inc. for economic development services

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

Section 1. The Mayor is hereby authorized to enter the City into a professional services agreement with Greater Rochester Enterprise, Inc. to provide economic development services for attracting and retaining businesses in the City of Rochester. The sum of \$40,000 is hereby established as maximum compensation for the agreement and said amount, or so much thereof as may be necessary, shall be funded in the amounts of \$34,000 from the Fund for the City’s Future and \$6,000 from the 2017-18 Budget of Neighborhood and Business Development.

Section 2. The term of such agreement shall be November 1, 2017 through October 31, 2018.

Section 3. The agreement shall contain such other 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. 2017-324
Re: Agreement - High Tech Rochester Inc.,
Economic Development Services

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with High Tech Rochester Inc. (HTR) for services related to assisting businesses within the city of Rochester. The term of agreement will be eight months, beginning November 1, 2017 and ending June 30, 2018, and the cost will be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development.

HTR is a non-profit organization whose mission is to be a catalyst for entrepreneurship and innovation-based economic development. This is accomplished by applying business expertise and network connections to assist in the formation and growth of business in the Greater Rochester/Finger Lakes region. HTR provides assistance through technology commercialization for early stage organizations, business incubation for high growth potential startups, and access to venture capital for high technology. They also provide services to existing manufacturing companies.

Terms of the agreement will include the following expectations, among others:

- Work with Rochester businesses to retain 20 positions, create 15, and produce a minimum \$2 million investment.
- Host two collaborative business outreach events for entrepreneurs where City programs, services and opportunities to grow within the city of Rochester may be presented.
- Serve 20 manufacturing companies located in the city through HTR’s Manufacturing Extension Partnership program.

The most recent annual agreement with HTR was authorized on July 12, 2016 via Ordinance No. 2016-227.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-324
(Int. No. 364, as amended)

Authorizing an agreement for business assistance 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 High Tech Rochester Inc. to provide services related to assisting businesses within the City of Rochester ~~from November 1, 2017 to June 30, 2018~~ for a term of one year. The maximum compensation for the agreement shall be \$20,000 which shall be funded from the 2017-18 Budget of Neighborhood and Business Development.

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.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Conklin, McFadden, Miller, Ortiz, Patterson, Spaul-8.

Nays – None 0

Councilmember Haag abstained due to a professional relationship.

By Councilmember Ortiz
October 17, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for Adoption the following entitled legislation:

- Int. No. 365 Authorizing the sale of real estate, as amended
- Int. No. 368 Authorizing an agreement to update and enhance a three dimensional model of Downtown Rochester
- Int. No. 369 Amending Ordinance No. 2016-102 relating to the Lead Hazard Control Grant Program
- Int. No. 370 Accepting the City’s Draft Local Waterfront Revitalization Program amendment as complete and ready for 60-day regulatory review and authorizing submission of the accepted Local Waterfront

Revitalization Program to the New York State Department of State

Int. No. 371 Amending Chapter 112 of the Municipal Code to be consistent with the updated Local Waterfront Revitalization Program, as amended

Int. No. 372 Authorizing an amendatory agreement for training on the redesigned nuisance abatement program

The Neighborhood & Community Development Committee recommends for Consideration the following entitled legislation:

Int. No. 366 Amending the Zoning Map for 1715, 1727, 1735, 1741 and 1749 Lyell Avenue

Int. No. 367 Local Law amending the City Charter and correcting and clarifying Local Law 2-2017 with respect to the organization of the Department of Neighborhood and Business Development

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott

NEIGHBORHOOD & BUSINESS
DEVELOPMENT COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-325
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first four properties are vacant lots sold by negotiated sale to the adjacent owners. The buyer of the first property will install a nine spot parking lot and driveway with drainage, curbing and paving as well as fencing and landscaping. The other three purchasers will combine the lots with their existing properties and utilize them as green space.

The next four properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties, with the exception of 4 Orange Street, which was sold for \$50.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,962.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-168

Ordinance No. 2017-325
(Int. No. 365, as amended)

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 of the negotiated sale of the following parcels of vacant land:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
1296 Clifford Ave	106.35-1-74	46 x 118	5428	\$450	Chet Hamann
278 Emerson St	105.42-1-50	40 x 102	3953	\$425	Marie Drury/Cindy Shepardson
66 Scrantom St	106.38-1-63	40 x 128	5174	\$450	Edwin Rivera
99-101 Scrantom St	106.38-3-10.2	75 x 100	6560	\$475	Howard DaCosta

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
26-28 Farbridge St	091.71-4-40	35 x 117	4048	Rosa C. Laguer
206 Turpin St	091.66-3-30	35 x 96	3386	Pauline S. Smith
39 Weld St	106.73-1-4	34 x 141	5068	Florentino Zuniga Tovar

Section 3. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$50.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
4 Orange St	105.84-1-46	40 x 40	1600	David C Rucci

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

Section 5. The entry for the second property on the list of parcels of vacant land authorized in Ordinance No. 2017-294 to be sold to Charles Settlement House, Inc. or an affiliate is hereby revised to read as follows:

235 Whitney Street 105.74-2-29.001 77' x 253' 2,100

Section 6. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-326
Re: Zoning Map Amendment - 1715, 1727,
1735, 1741, and 1749 Lyell Avenue

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties 1715, 1727, 1735, 1741, and 1749 Lyell Avenue from C-2 Community Center District to M-1 Industrial District to better align the zoning district with the existing uses. Prior to a rezoning in 1995, the above properties were in a Manufacturing Zoning District (based on the 1975 Zoning Code).

Andy Melia, who owns 1727 and 1735 Lyell Avenue, is initiating this rezoning request. Mr. Melia also owns the adjacent property at 325 Grenville Road. Mr. Melia has a thriving lawnmower sales, rental and repair operation. He wants to expand his business (building and parking), and would like to combine all three of his properties into a single parcel, but these properties cannot be combined until they are in the same zoning district. If this rezoning is approved, the proposed business and parking expansion may also require Site Plan Review. The other three property owners included in this rezoning are also in support of the request, since the uses on their properties would benefit from being zoned M-1 Industrial District. The property uses are listed below:

- 1715 Lyell Avenue: Auto Body Repair and Used Car Sales
- 1727 Lyell Avenue: Small Engine Repair and Sales
- 1735 Lyell Avenue: Vacant (proposed parking for 1727 Lyell Avenue)
- 1741 Lyell Avenue: Parking for 1749 Lyell Avenue
- 1749 Lyell Avenue: Offices

The Planning Commission held an informational meeting on September 11, 2017, the minutes of which are attached. Two people spoke in support of the rezoning; no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-169

Ordinance No. 2017-326
(Int. No. 366)

Amending the Zoning Map for 1715, 1727, 1735, 1741 and 1749 Lyell Avenue

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map's classification of the following properties from C-2 Community Center District to M-1 Industrial District:

Address	SBL #
1715 Lyell Avenue	104.68-1-54
1727 Lyell Avenue	104.68-1-64
1735 Lyell Avenue	104.68-1-65
1741 Lyell Avenue	104.68-1-67
1749 Lyell Avenue	104.68-1-66.1

and the area extending from those parcels to the center line of any adjoining public street, alley, or right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 4
Re: Correction to Charter and Code
Amendments

Transmitted herewith for your approval is legislation revising the amendments to the City of Rochester Charter and Code which were adopted by City Council in June 2017 as Local Law No. 2-2017 regarding the Department of Neighborhood and Business Development (NBD) reorganization. These revisions are necessary to correct three minor errors that occurred during the final edits of that legislation relating to job and bureau titles.

The title of Director of Planning is corrected in the second instance, changing it from Director to Manager.

The word “development” is struck from the title, Comprehensive Plan, and the name of the Bureau of Buildings and Zoning is properly inserted where the Bureau of Inspection and Compliance Services inadvertently remained.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 4
(Int. No. 367)

Local Law amending the City Charter and correcting and clarifying Local Law 2-2017 with respect to the organization of the Department of Neighborhood and Business Development

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending the following provisions of Article X, Department of Neighborhood and Business Development to correct and be consistent with the amendments enacted in Local Law 2-2017:

§ 10-4 Division of Planning.

B. The Division of Planning shall conduct and coordinate the City's physical, environmental and transportation planning. The Manager of Planning shall undertake studies of the physical, economic and social factors relevant to the well-being of the City. The ~~Director~~ Manager shall be responsible for preparing and maintaining a Comprehensive Development Plan for the City; reviewing the conformity of municipal and private proposals to the City's development objectives; collecting, cataloging and analyzing data on demographic, economic and physical characteristics of the City; and coordinating the City's planning programs with those of the Genesee/Finger Lakes Regional Planning Council, the Monroe County Department of Planning and the Genesee Transportation Council.

§ 10-8 Issuance of appearance tickets.

State-certified Code Enforcement Officers in the Bureau of Buildings and Zoning or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Streets Code, Refuse and Sanitation Codes, Property Conservation Code, Zoning Code, Fire Prevention Code, Building Code, Electrical Code, Elevator Code, and Plumbing Code and any other laws and ordinances enforced by the Department of Neighborhood and Business Development over which the Municipal Code Violations Bureau has jurisdiction,

including violations of the New York State Uniform Fire Prevention and Building Code. Code Enforcement Inspectors in the Bureau of ~~Inspection and Compliance Services-Buildings and Zoning~~ or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Refuse and Sanitation Codes, and Property Conservation Code. Neighborhood Service Centers Administrators are further authorized to issue appearance tickets for violations of the Noise Code.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-327
Re: Agreement - Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Downtown 3D Model

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, to update and enhance a three dimensional (3D) model of downtown Rochester and a segment of the Genesee riverfront. The term of this agreement will be six months and the cost will be funded from 2016-17 Cash Capital.

Bergmann previously developed a 3D model for the City of Rochester in 2013. This project entails updating that model to reflect the changes to buildings, streets, and public spaces which have occurred since that time. Bergmann will also include simulations of future projects that are either proposed or envisioned for parts of downtown and the riverfront. A series of custom perspectives and “fly-through” videos will be developed to support various initiatives that will benefit from the model, such as the development of the City’s Comprehensive Plan, promotion of certain current and future site plans for downtown and the Genesee riverfront, and solicitation of support for future downtown and riverfront projects.

Since Bergmann developed the original 3D model of downtown, updating the product and adding future projects will take significantly less time than utilizing a different vendor to develop a model from scratch. A

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-170

Ordinance No. 2017-327
(Int. No. 368)

Authorizing an agreement to update and enhance a three dimensional model of Downtown Rochester

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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to update and enhance a three dimensional (3D) model of Downtown Rochester and a segment of the Genesee Riverfront. The maximum compensation for the agreement shall be \$15,000 which shall be funded from 2016-17 Cash Capital. The term of the agreement shall be six months.

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. 2017-328
Re: Amending Ordinance No. 2016-102 -
Lead Hazard Control Grant

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance No. 2016-102, which authorized the 2016 Lead Hazard Control grant. This amendment will allow City staff to receive lead hazard control training under the terms of an existing agreement with Environmental Education Associates. Under that agreement, only contractors and property owners are eligible for training, excluding City staff.

Five staff that currently oversee the lead hazard control program will attend the training, which will allow for certification as Lead Abatement Supervisors. This is an important credential to maintain when operating lead hazard control programs. The training and certification is recommended by the U.S. Department of Housing and Urban Development (HUD) because it provides staff with the knowledge and expertise to review and understand technical documents (such as lead-based paint evaluations and clearances) and the lead hazard control process that is undertaken by contractors in the field.

In addition, staff certifications will strengthen the City's credentials for undertaking lead hazard control work, which adds value to future applications for HUD funding.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-328
(Int. No. 369)

Amending Ordinance No. 2016-102 relating to the Lead Hazard Control Grant Program

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

Section 1. Ordinance No. 2016-102 regarding the 2016 Lead Hazard Control Grant Program, is hereby amended in Section 2 thereof as follows to allow City staff to receive training under the terms of the agreement with Environmental Education Associates, Inc.:

Section 2. The Mayor is hereby authorized to enter into professional services agreements between the City and the following consultants for Program services to be funded from the appropriation made in Section 1.a:

- a. PathStone Corporation, 400 East Avenue, Rochester, NY 14607, for application intake in a maximum amount not to exceed \$42,000.
- b. Action for a Better Community, Incorporated, 550 East Main St., Rochester, NY 14604, for application intake in a maximum amount not to exceed \$44,957.
- c. Environmental Education Associates, Inc., 346 Austin St., Buffalo, NY 14207, for training of lead abatement contractors and City staff in a maximum amount not to exceed \$98,400.
- d. The Housing Council at PathStone, Inc., 75 College Avenue, Rochester, NY 14607, for lead hazard outreach and education in a maximum amount not to exceed \$39,340.

Section 2. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-329
Ordinance No. 2017-330
Re: Local Waterfront Revitalization
Program Update

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation
related to the City's Local Waterfront Revitalization
Program (LWRP) Update. This legislation will:

1. Accept the LWRP Update and authorize sub-
mission of the document to New York State
Department of State (NYS DOS) to initiate a
formal 60-day review by potentially affected
State, federal and local agencies, and others,
in accordance with the Waterfront Revitali-
zation of Coastal Area and Inland Waterways
Act (Article 42 of the Executive Law) and its
implementing regulations at 19 NYCRR Part
600-603; and
2. Amend Chapter 112 Waterfront Consistency
Review Ordinance to include updated section
numbers and policy wording to be consistent
with the LWRP Update.

Upon completion of this 60-day review process, if no
substantive comments are generated, then the docu-
ment will be deemed acceptable to proceed to approval
by the NYS Secretary of State pursuant to the Water-
front Revitalization of Coastal Areas and Inland Water-
ways Act and the Act's implementing regulations. The
next step is to gain federal concurrence by the Office
for Coastal Management of the National Oceanic and
Atmospheric Administration in the U.S. Department of
Commerce on the LWRP Update's incorporation into
the Coastal Management Plan.

Funding for the preparation of the LWRP Update was
provided by an Environmental Protection Fund grant
from NYSDOS (Ord. No. 2007-455). The final grant
agreement with NYSDOS was approved and fully exe-
cuted in November 2010 and expired in December
2015.

The City's original LWRP was adopted by City Coun-
cil in 1990 and amended in 2010 to reflect proposed
changes to the Port of Rochester. This update expands
the boundary of the LWRP area to include all of the
City's waterfront areas along Lake Ontario, the Gene-
see River, and the Erie Canal. The update also identifies
new waterfront policies, projects and priorities that will
serve as a guide for future development and infrastruc-
ture improvements, and will help expand and leverage
potential funding opportunities.

The LWRP Update was prepared by City planning staff
with assistance from a waterfront planning consultant
team, and a 25-member Waterfront Advisory Commit-
tee. Five focus group meetings and two public informa-
tional meetings were held during the planning process.
A web page and web survey were also used to solicit
public input. Upon completion of the new Comprehen-
sive Plan, the LWRP will be adopted as a component

of that plan.

In June 2015, City Council authorized the submission
of the LWRP to the NYSDOS for the 60-day review
(Ord. No. 2015-178). Subsequently, DOS determined
that the document required further updating before it
could advance to the 60-day review. Also, since June
2015, some of the coastal policies were modified which
required additional changes to the LWRP. In light of
these updates, DOS requires City Council authorization
for the acceptance and transmission of the LWRP Up-
date for the State review process.

In accordance with the requirements of the State Envi-
ronmental Quality Review Act, an environmental deter-
mination will be issued prior to City Council action.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-171

Ordinance No. 2017-329
(Int. No. 370)

**Accepting the City's Draft Local Waterfront Revi-
talization Program amendment as complete and
ready for 60-day regulatory review and authorizing
submission of the accepted Local Waterfront Revi-
talization Program to the New York State Depart-
ment of State**

WHEREAS, the City of Rochester Local Water-
front Revitalization Program (LWRP) was adopted in
September 1990 and amended in March 2011; and

WHEREAS, the City of Rochester has prepared
a Draft LWRP Amendment and amendments to the
City's Waterfront Consistency Review Ordinance in
cooperation with the New York State Department of
State in accordance with the provisions of NYS Exec-
utive Law, Article 42; and

WHEREAS, the Draft LWRP Amendment and
amendments to the City's Waterfront Consistency Re-
view Ordinance have been prepared under the guidance
of the City of Rochester Department of Neighborhood
and Business Development, in coordination with the
established Waterfront Advisory Committee; and

WHEREAS, the Mayor of the City of Roches-
ter, as lead agency, determined that the proposed
LWRP Amendment would not have a significant ad-
verse environmental impact and filed a Negative Decla-
ration Notice of Determination of No Significant Ef-
fect on the Environment in accordance with the require-
ments of the State Environmental Quality Review Act
and Part 617 of the implementing regulations of Article
8 of the New York State Environmental Conservation
Law; and

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

Section 1. The Council hereby accepts the City
of Rochester draft LWRP Amendment, inclusive of a
Harbor Management Plan as complete and ready for
public review and the Draft LWRP shall be submitted

to the New York State Department of State for 60-day review by State, federal, regional agencies, and others pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603 (hereinafter "60-day review period").

Section 2. If no substantial revisions are necessary to address comments received during the 60-day review period, the City of Rochester LWRP Amendment and Waterfront Consistency Review Ordinance is hereby adopted and authorized for submission to the New York State Secretary of State for approval, pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603.

Section 3. The City of Rochester Manager of Planning in the Department of Neighborhood and Business Development, is authorized to work with the New York State Department of State to revise the draft LWRP Amendment as necessary to address non-substantial comments received during the 60-day review period.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-330
(Int. No. 371, as amended)

Amending Chapter 112 of the Municipal Code to be consistent with the updated Local Waterfront Revitalization Program

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

Section 1. Chapter 112 of the Municipal Code, Waterfront Consistency Review Ordinance, as amended, is hereby further amended to read in its entirety as follows:

§ 112-1 Purpose.

- A. The purpose of this chapter is to protect the public health, safety and general welfare in the City of Rochester by providing a framework for governmental agencies to review actions proposed within the boundaries of the City's Local Waterfront Revitalization Program (LWRP). This ~~homework~~framework will allow agencies to consider the policies and purposes contained in the City's LWRP when reviewing applications for actions or when directly approving, undertaking or funding agency actions located in the waterfront area. The framework will also ensure that such actions are consistent, to the maximum extent practicable, with said policies

and purposes.

- B. It is the intention of the City of Rochester that the preservation, enhancement and utilization of the natural and manmade resources of the City's unique coastal areas take place in a coordinated and comprehensive manner, in order to ensure a proper balance between natural resource protection and the need to accommodate population growth and economic development. Accordingly, this chapter is intended to achieve such a balance by permitting the beneficial use of coastal resources while preventing loss of living estuarine resources and wildlife; diminution of open space areas or public access to the waterfront; erosion of shoreline; impairment of scenic beauty; losses due to flooding, erosion and sedimentation; or permanent adverse changes to ecological systems.

§ 112-2 Authority.

This chapter is enacted under the authority of § 20 of the General City Law and the Waterfront Revitalization and Coastal Resources Act of the State of New York (Article 42 of the Executive Law).

§ 112-3 Definitions.

When used in this chapter, the following terms shall have the meanings ascribed to them:

ACTION

The same meaning as in § 48-4 of the Municipal Code (Environmental Review), but shall be limited to those activities that constitute an unlisted or Type I action, as defined in § 48-4.

AGENCY

Any governmental agency, including but not limited to the City Council, departments, offices, commissions, boards, agencies, officers or other bodies of the City of Rochester.

COASTAL AREA

The New York State coastal waters and adjacent shorelands, as defined in Article 42 of the Executive Law. The specific boundaries of the City's coastal area are shown on the Coastal Area Map on file in the office of the New York State Secretary of

State and as delineated in the City of Rochester's Local Waterfront Revitalization Program (~~TASK I~~Section 1).

COASTAL ASSESSMENT FORM (CAF)
The form, contained in Appendix A, which shall be used by an agency to assist it in determining the consistency of an action with the City's LWRP.

CONSISTENT TO THE MAXIMUM EXTENT PRACTICABLE
That an action will not substantially hinder the achievement of any of the LWRP policy standards or conditions and, whenever practicable, will advance one or more of them.

DIRECT ACTIONS
An action planned and proposed for implementation by an agency itself, such as but not limited to a capital project or rulemaking, procedure-making or policy-making decisions or determinations.

LOCAL WATERFRONT AREA (LWA)
That portion of the New York State Coastal Area within the City of Rochester, as delineated in the City's LWRP (~~TASK I~~Section 1).

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
The Local Waterfront Revitalization Program of the City of Rochester, as approved by the New York State Secretary of State, pursuant to the Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42), a copy of which is on file in the office of the Clerk of the City of Rochester.

§ 112-4 Review of actions.

- A. Whenever a proposed action is located in the LWA, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent, to the maximum extent practicable, with the applicable LWRP policy standards and conditions set forth in § ~~112-5~~112-4G herein.
- B. Whenever an agency receives an application for approval or

funding of an action or as early as possible in the agency's undertaking of a direct action to be located in the LWA, the applicant or, in the case of a direct action, the agency shall prepare a coastal assessment form (CAF) to assist with the consistency review.

- C. Prior to making its determination, the agency shall solicit and consider the recommendation of the Commissioner of the City of Rochester Department of Neighborhood and Business Development or his or her designee regarding the consistency of the proposed action by referring a copy of the completed CAF to the Commissioner within 10 days of its submission to or completion by the agency.]
 - D. After referral from an agency, the Commissioner shall consider whether the proposed action is consistent, to the maximum extent practicable, with the LWRP policy standards and conditions set forth in § ~~112-5~~112-4G herein. The Commissioner may require the applicant to submit all completed applications, ~~CAPs~~CAFs and any other information or documentation deemed to be necessary in order to make the consistency determination.
 - E. The Commissioner shall render his or her written recommendation to the agency within 10 working days following the submission by the applicant of the required information, unless extended by mutual agreement of the Commissioner and the applicant or, in the case of a direct action, the agency. The recommendation shall indicate whether, in the opinion of the Commissioner, the proposed action is consistent, to the maximum extent practicable, or inconsistent with one or more of the applicable LWRP policy standards or conditions. The recommendation shall state the manner and extent to which any inconsistency affects the LWRP policy standards and conditions.
- (1) The Commissioner shall, along with his or her

consistency determination, make any suggestions to the agency concerning modification of the proposed action in order to make it consistent, to the maximum extent practicable, with the LWRP policy standards and conditions or to greater advance them.

(2) In the event that the Commissioner's recommendation is not forthcoming within the specified time, ~~the application shall be deemed to have received a recommendation that it is consistent to the maximum extent practicable the agency shall make its consistency decision without the benefit of the Commissioner's recommendation.~~

F. The agency shall make the determination of consistency based on the CAF, the recommendation of the Commissioner and such other information as is deemed to be necessary in its determination. The agency shall issue its determination within seven days of receipt of the Commissioner's recommendation.

G. Actions to be undertaken within the LWA shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in ~~TASK III~~Section 3 of the City of Rochester's LWRP. The LWRP is on file in the City Clerk's office and is available for inspection during normal business hours. Agencies which undertake direct actions shall also consult with ~~Task IV~~Section 4, Uses and Projects, of the LWRP in making their consistency determination. The action shall be consistent with the policy to:

- (1) Revitalize and redevelop deteriorating or underutilized institutional, commercial, recreational and residential areas and uses (Policy ~~1, 1A, 1B, 1C, 1D, 1E, 1F, 1G~~ and sub-policies);
- (2) Encourage the development of water-dependent uses near coastal waters (Policy ~~2, 2A~~ and sub-policies);
- (3) Strengthen the economic base of smaller harbor areas (Policy 4 and sub-policies);
- (~~34~~) Ensure that development occurs where adequate public infrastructure is available to reduce health and pollution hazards (Policy ~~5, 5A, 5B, 5C~~ and sub-policies);
- (~~45~~) Streamline development permit procedures (Policy 6 and sub-policies);
- (~~56~~) Protect significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies ~~7, 7A, 7B, 7C~~ and 8 and the respective sub-policies);
- (~~67~~) Maintain and expand commercial fishing facilities to promote commercial and recreational fishing opportunities (Policy ~~9, 9A, 9~~ and sub-policies);
- (~~78~~) Minimize flooding and erosion hazards through nonstructural means, carefully selected, long-term structural measures and appropriate siting of structures (Policies ~~11, 11A, 11B, 12, 12A, 13, 13A, 14, 15 and 17, 17A~~ and the respective sub-

- policies);
- (89) Safeguard economic, social and environmental interests in the coastal area when major actions are undertaken (Policy 18);
- (910) Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment (Policies 19, ~~19A, 19B, 19C, 19D~~ and 20, ~~20A, 20B, 20C, 20D, 20E~~ and the respective sub-policies);
- (~~40~~11) Encourage and facilitate water-dependent and water-enhanced recreational resources and facilities near coastal waters (Policy 21, ~~21A, 21B, 21C~~ and sub-policies);
- (~~41~~12) Encourage the development of water-related recreational resources and facilities as multiple uses in appropriate locations within the shore zone (Policy 22, ~~22A, 22B~~ and sub-policies);
- (~~42~~13) Protect and restore historic and archaeological resources (Policy 23, ~~23A, 23B, 23C~~ and sub-policies);
- (~~43~~14) Protect and upgrade scenic resources (Policy 25, ~~25A, 25B, 25C~~ and sub-policies);
- (15) Determine public need, compatibility of facilities with environment, and the facility's need for a shoreline location before constructing major energy facilities in the coastal area (Policy 27 and sub-policies);
- (~~44~~16) Protect surface and ground
- waters from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, ~~32, 33, 34, 36, 37, and 38~~ and 40 and the respective sub-policies);
- (~~45~~17) Perform dredging and dredge spoil disposal in a manner protective of natural resources (Policy 35);
- (~~46~~18) Handle and dispose of hazardous wastes and effluents in a manner which will not adversely affect the environment nor expand existing landfills (Policy 39); and
- (19) Protect air quality in the coastal area (Policy 41); and
- (~~47~~20) Protect tidal and freshwater wetlands (Policy 44).
- H. If the agency determines that the action would cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action shall not be undertaken unless the agency determines with respect to the proposed action that:
- (1) No reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such LWRP policy standards and conditions or which would not hinder the overall implementation of the LWRP;
- (2) The proposed action and any required mitigation measures would be undertaken in a manner which would minimize all adverse effects on natural and man-made resources within the LWRP and would minimize the extent to which the

implementation of LWRP policy standards and conditions are hindered; and

- (3) The action will result in a significant and overriding city, regional or statewide public benefit.
- I. Such a finding by the agency shall constitute a determination that the action is consistent to the maximum extent practicable.
- J. Each agency shall maintain a file for each action which was the subject of a consistency determination, including any recommendations received from the Commissioner. Such files shall be made available for public inspection upon request.

§ 112-5 (Reserved)

§ 112-6 Coordinated review required.

The agency and the Commissioner of Neighborhood and Business Development or a designee shall coordinate the consistency determination process required by this chapter with the environmental review process required by Chapter 48 of the Municipal Code.

§ 112-7 Severability.

The provisions of this chapter are severable. If any provision is found invalid, such finding shall not affect the validity of any part or provision hereof other than the provision so found to be invalid.

Section 2. This ordinance shall not take effect until after it has been submitted to and approved in writing by the New York State Department of State as part of the City's proposed amended Local Waterfront Revitalization Program in accordance with Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-331
Amendatory Agreement - Strategic
Community Intervention LLC,
Training on Redesigned Nuisance
Abatement Program

Transmitted herewith for your approval is legislation

establishing \$28,000 as maximum compensation for an amendatory agreement with Strategic Community Intervention LLC (SCI) to provide training on the redesigned Nuisance Abatement Program and extending the term by six months (Ord. No. 2016-327). This agreement increases total maximum compensation from \$158,875 to \$186,875. The cost of the amendatory agreement will be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development (NBD).

SCI was previously hired to evaluate and make recommendations for the City's Nuisance Abatement Program. In order to implement their report's recommendations, SCI will create a training protocol on the redesigned program. Per the SCI report's "Recommendation 2.1" (p. 20), the training will be for civilian and uniformed personnel who are engaged with nuisance abatement and work from the Neighborhood Service Centers (NSCs), Police patrol officers and command staff not associated with NSC, as well as Animal Control Officers, the Fire Department's Fire Safety and Training personnel, and lawyers who are assigned nuisance cases. Police personnel, with the exception of those assigned to NSCs, will be trained consistently through the Police Training Academy, and such training will be a part of recruits' curriculum. All civilian personnel will be trained under a new regimen that will be managed by a Training Coordinator working under the supervision of the NSC Director.

Implementing "Recommendation 2.1" (p. 27), also means "... standardizing a training regimen [to] include: establishing an oversight structure; developing tiered training models and curricula; creating training programs to disseminate learning to the field; establishing a timeline for implementation; and managing the implementation of the work plan."

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-331
(Int. No. 372)

Authorizing an amendatory agreement for training on the redesigned nuisance abatement program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Strategic Community Intervention LLC for training to implement the redesigned nuisance abatement program. The amendments shall increase the maximum compensation of the existing agreement, which was last amended by Ordinance No. 2016-327, by \$28,000 to a total amount of \$186,875, and shall extend the existing agreement's term by 6 months. The amendatory agreement amount shall be funded from the 2017-18 Budget of Neighborhood and Business Development.

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.

By Councilmember Haag
October 17, 2017

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

- Int. No. 373 Authorizing agreements and appropriating funds for the West River Wall Project
- Int. No. 374 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,850,000 Bonds of said City to finance certain development costs of Phase I of the City's West River Wall Reconstruction Project
- Int. No. 375 Authorizing a grant agreement and appropriation for a Climate Smart Communities Priority Bicycle Boulevards Project
- Int. No. 376 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$218,000 Bonds of said City to finance costs of the Broad & Allen Firehouse Truck Bay Alterations
- Int. No. 377 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$352,000 Bonds of said City to finance the costs of the Genesee Valley Park Sewage Pump Station Replacement Project
- Int. No. 378 Authorizing an agreement for development of a Climate Vulnerability Assessment
- Int. No. 379 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,999,000 Bonds of said City to finance costs of the replacement of twelve solid waste collection vehicles

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-332
Ordinance No. 2017-333
Re: West River Wall Project

Council Priority: Jobs and Economic Development; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the West River Wall Project. This legislation will:

1. Authorize an agreement with the New York State Canal Corporation (NYSCC) for participation, funding and maintenance responsibilities for Segment 1 of the project;
2. Authorize the receipt and use of \$4,200,000 in anticipated reimbursements from NYSCC to finance a portion of the construction for Segment 1 of the project;
3. Authorize the receipt and use of \$750,000 in anticipated reimbursements from the NYS Environmental Protection Fund (EPF), Local Waterfront Revitalization Grant Program to finance portions of planning and preliminary design for Segment 2, and final design services of Segment 1 for the project;
4. Authorize the issuance of bonds totaling \$1,850,000 and the appropriation of the proceeds thereof to partially finance final design, construction and resident project representation (RPR) services for the project;
5. Establish \$1,500,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, for professional planning, engineering and design services. The term of the agreement will be six months after completion and acceptance of the construction of the project, and the cost will be financed as follows:

<u>Source</u>	<u>Amount</u>
2014-15 Cash Capital (Segment 2)	\$400,000
Bonds appropriated herein (Segment 1)	350,000
NYS EPF Fund / LWRP Grant Program (Segment 1 & 2)	750,000
TOTAL	\$1,500,000

The West River Wall project is divided into two distinct segments for logistical and implementation purposes. Segment 1 is defined as the Corn Hill Waterfront along Exchange Boulevard (from Corn Hill Landing to the Ford Street Bridge). Segment 2 is defined as the Vacuum Oil Waterfront (from the Ford Street Bridge to Utica Place). Planning and design services will be undertaken for the entire length of the project [6,400 linear feet (LF)] from Corn Hill Landing to Utica Place. Funding from the NYSCC, supplemented with revenue from the proceeds of the local bonds, will be used to begin construction on the northern section of the West River Wall (2,400 LF) from Corn Hill Landing to Ford Street.

Ordinance No. 2014-6 authorized an agreement with Bergmann and Ordinance No. 2014-319 amended the agreement for a total of \$266,000 to advance the planning and preliminary design of the Corn Hill Section. The cost of Segment 1 final design is estimated at \$750,000, with final construction and RPR estimated at \$5,700,000, for a total project cost for Segment 1 of \$6,716,000.

The project area along the West River Wall is characterized by a crumbling flood control wall, overgrown vegetation, and lack of public access. Restoration of the wall will provide a uniform waterfront gateway to downtown, support the community’s vision, enhance real estate values, support the goals of the Federal Emergency Management Agency (FEMA), and enhance public access to the Genesee River.

The property, identified in the Center City Master Plan as Erie Harbor Basin, has two principal owners: NYSCC, which owns and maintains the wall and the City, which owns and maintains the adjacent riverfront property. This property serves as a primary north-south corridor into Center City and is part of the Genesee Riverway Trail system.

The project leverages years of planning and public investment in the Corn Hill and Plymouth Exchange neighborhoods, in large part spurred by the Corn Hill Vision Plan, West River Wall Waterfront Master Plan, and Vacuum Oil Brownfield Opportunity Area Master Plan- all large-scale planning projects completed in collaboration with the neighborhoods, the NYS Department of State, and private sector developers and investors.

The project will improve flood protection, physical and visual access to the waterfront, access to the Genesee Riverway Trail, and contribute to the overall revitalization of a regionally significant area located between downtown and the University of Rochester, the region’s largest employer.

Based on previous findings, flood map revisions were approved by FEMA for Segment 1 in June 2016. The results of this Letter of Map Revision (LOMR) shall be incorporated into the final design and contract documents required for Segment 1. Further refinements to

flood modeling will be accomplished for the Vacuum Oil Waterfront (Segment 2 -Ford Street to Utica Place) under this project, which will lead to an LOMR for flood elevations along this section of the river.

The project begins to implement the strategic elements contained in the Vacuum Oil - South Genesee River Brownfield Opportunity Area Vision 2035 Plan and the West River Wall Master Plan. Work on the Vacuum Oil Waterfront (Segment 2) further aids in guiding and informing the City’s Brownfield Cleanup Program Site Remedial Alternatives Analysis (RAA).

Bergmann was selected for these services through a request for proposals process, which is described in the attached summary.

Planning and preliminary design services will begin in the fall of 2017. Construction activities related to Segment 1 of the River Wall (Corn Hill Landing to Ford Street) is anticipated to commence in the winter of 2018. The project results in the creation and/or retention of the equivalent of 78 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-172

Ordinance No. 2017-332
 (Int. No. 373)

Authorizing agreements and appropriating funds for the West River Wall 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 agreement with the New York State Canal Corporation for the receipt and use of \$4,200,000 to fund a portion of the construction of Segment 1 of the West River Wall Project (Project) and said grant funds, or such amount as shall be available, are hereby appropriated for that purpose.

Section 2. The Mayor is hereby authorized to accept \$750,000 in anticipated reimbursements from the New York State Environmental Protection Fund’s Local Waterfront Revitalization Program (LWRP) to

fund portions of planning and design services for the Project and said LWRP funds, or such amount as shall be available, are hereby appropriated in the amounts of \$400,000 for final design services for Segment 1 and \$350,000 for planning and preliminary design services for Segment 2.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide planning, engineering and design services for Segments 1 and 2 of the Project. The agreement shall provide for a maximum compensation of \$1,500,000, which amount shall be funded in the sums of \$750,000 from the LWRP funds appropriated by Section 2 herein, \$400,000 in 2014-15 Cash Capital, and \$350,000 from the proceeds of a bond ordinance to be authorized for Segment 1 of the Project. The term of the agreement shall continue until 6 months after the guarantee inspection that follows the completion of the Project.

Section 4. The agreements authorized herein shall contain such other terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-333
(Int. No. 374)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,850,000 Bonds of said City to finance certain development costs of Phase I of the City's West River Wall Reconstruction 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 development of Phase I of the City's West River Wall Reconstruction Project, including reconstruction of the flood control wall and ancillary amenities on the west side of the Genesee River from the Corn Hill Waterfront to the Ford Street Bridge (the "Project"). The estimated maximum cost of said class of objects or purposes of Phase I of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,716,000. The plan of financing includes the issuance of \$1,850,000 bonds of the City, and said amount is hereby appropriated therefor, a \$4,200,000 grant from the NYS Canal Corporation appropriated in an accompanying ordinance, a \$400,000 grant from the NYS Environmental Protection Fund, Local Waterfront Revitalization Program appropriated in an accompanying ordinance, \$122,000 from the proceeds of a prior NYS Environmental Protection Fund, Local Waterfront Revitalization Program Grant (appropriated by Ordinance 2014-6), \$122,000 from 2016-2017 City Cash Capital (appropriated by Ordinance 2014-6) and \$22,000 from 2013-2014 Cash Capital (appropriated by

Ordinance 2014-319) 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 \$1,850,000 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 \$1,850,000. 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. 3. of the Law, is thirty (30) 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:

Re: Ordinance No. 2017-334
Agreement - New York State
Department of Environmental
Conservation, Climate Smart
Communities Program Grant,
Priority Bicycle Boulevards
Implementation Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the design and construction of the Priority Bicycle Boulevards Implementation project. This legislation will:

- 1. Authorize the Mayor to enter into a grant agreement with the New York State Department of Environmental Conservation (NYSDEC); and,
- 2. Authorize the receipt and use of \$150,000 in anticipated grant funds from NYSDEC to finance the project.

In December 2016, the City was selected to receive a \$150,000 grant through the Climate Smart Communities (CSC) Program administered by NYSDEC. This

grant program is designed to provide funding to communities throughout the State to assist with efforts to mitigate climate change through the reduction of greenhouse gas emissions. Investment in the City's Bicycle Boulevards initiative will reduce vehicle miles traveled in the city by encouraging more trips to be taken by bicycle.

This project will result in the design and installation of approximately ten centerline miles of neighborhood Bicycle Boulevard routes and will enable the City to accelerate implementation of the Bicycle Boulevard Master Plan. Bicycle Boulevards are local, residential streets that have been optimized for bicycle travel through the use of pavement markings, directional signage, and traffic calming elements. Bicycle Boulevards provide a low-stress alternative to busy arterial streets and a cost-effective technique for improving the overall bike-friendliness of our city.

The project will be designed by City Street Design staff in coordination with an upcoming milling and resurfacing project. Construction is anticipated to begin in spring 2018 with scheduled completion in fall 2018. The project will result in the creation and/or retention of the equivalent of 3.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-173

Ordinance No. 2017-334
(Int. No. 375)

Authorizing a grant agreement and appropriation for a Climate Smart Communities Priority Bicycle Boulevards 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 agreement with the New York State Department of Environmental Conservation (NYSDEC) for the receipt and use of Climate Smart Communities program funds in the amount of \$150,000 and said funds are hereby appropriated to implement a Priority Bicycle Boulevards Project in furtherance of the City's Bicycle Boulevards Master Plan. The term of the agreement shall continue through the completion and NYSDEC's acceptance of said Project.

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. 2017-335
Re: Bond Authorization - Broad and Allen
Firehouse Truck Bay Alteration Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$218,000 for the Broad and Allen Firehouse Truck Bay Alteration project, and appropriating the proceeds thereof to finance the design and construction of the project.

The Broad and Allen Firehouse, built in 1966, has truck bays that are inadequate for new fire trucks the City is procuring. These new trucks are larger and heavier than the existing trucks. In order to safely park the vehicles in the firehouse truck bays, alterations must be made to the concrete slab and/or the apparatus bay opening to meet the minimum height and weight clearances.

Construction is anticipated to begin in spring 2018 with scheduled completion in fall 2018. The project will result in the creation and/or retention of the equivalent of 2.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-335
(Int. No. 376)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$218,000 Bonds of said City to finance costs of the Broad & Allen Firehouse Truck Bay Alterations

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 truck bay alterations for the City's Broad & Allen Firehouse, including costs of enhancing the concrete slab floor and the apparatus bay openings (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 \$218,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$218,000 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 \$218,000 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 \$218,000. 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.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-336
 Re: Bond Authorization - Genesee Valley
 Park Sewage Pump Station
 Replacement Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$352,000 for the Genesee Valley Park Sewage Pump Station Replacement project, and appropriating the proceeds thereof to finance the design and construction of the project.

The existing sewage pump station at Genesee Valley Park has reached the end of its service life and is in need of replacement. The pumps handle the building's main waste, storm water and pool backwash, and pump it to a gravity sewer on Elmwood Avenue. The system is comprised of a basin, two pumps, rails and associated controls.

Construction is anticipated to begin in summer 2018 with scheduled completion in fall 2018. The project will result in the creation and/or retention of the equivalent of 3.8 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-336
 (Int. No. 377)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$352,000 Bonds of said City to finance the costs of the Genesee Valley Park Sewage Pump Station 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"), is

hereby authorized to finance the costs of the Genesee Valley Park Sewage Pump Station Replacement Project, including design and construction of a new basin, two pumps, rails and associated controls (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 \$352,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$352,000 bonds of the City authorized herein 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 \$352,000 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 \$352,000. 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. 4. of the Law, is thirty (30) 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:

Re: Ordinance No. 2017-337
Agreement - City of Rochester Climate
Vulnerability Assessment

Transmitted herewith for your approval is legislation authorizing \$70,000 as maximum compensation for an agreement with Highland Planning, LLC, Rochester, New York, for the development of a Climate Vulnerability Assessment (CVA). The term of the agreement will be for two years with an optional one-year renewal, and the cost will be funded by a New York State Department of Environmental Conservation (NYSDEC) Climate Smart Communities (CSC) grant (\$35,000), which was appropriated in May 2017 via Ordinance No. 2017-101, and by 2016-17 Cash Capital (\$35,000).

In December 2016, the City was selected by NYSDEC to receive a grant through the CSC program. The grant provides the City with funding to assess and evaluate the degree to which the city is susceptible to adverse

climate change impacts, such as warmer summers, increasing storms, warmer waters, colder winters, and increasing drought. The CVA will include a description of each potential impact, the sensitivity of the city to those impacts, and the adaptive capacity of the city to react when necessary. The CVA will serve as an important resource in the development of climate adaptation actions and projects.

Highland Planning was selected through a request for proposals (RFP) process, which is described in the attached summary. The RFP was issued in July 2017 and four companies responded. Highland Planning was chosen based on the experience and expertise of the proposed project team, their ability to meet the City's schedule, and the quality and cost of their proposal. Highland Planning will be partnering with VHB, a Massachusetts-based firm, to develop the CVA.

The CVA is expected to be completed by December 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-174

Ordinance No. 2017-337
(Int. No. 378)

Authorizing an agreement for development of a Climate Vulnerability Assessment

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 Highland Planning, LLC for development of a Climate Vulnerability Assessment. The agreement shall provide for a maximum compensation of \$70,000, which amount, or so much thereof as is necessary, shall be funded in the amounts of \$35,000 from 2016-17 Cash Capital and \$35,000 from the New York State Department of Environmental Conservation's Climate Smart Communities program, which were appropriated for said purpose in Ordinance No. 2017-101. The term of the agreement shall be 2 years with the option to extend for up to one additional year.

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:

Re: Ordinance No. 2017-338
Bond Authorization - Solid Waste

Motor Equipment Replacement

Transmitted herewith for your approval is legislation authorizing the issuance of \$3,999,000 in bonds and appropriating the proceeds thereof to finance the purchase of Solid Waste collection vehicles. These bonds will be funded by the Refuse Fund.

The Department of Environmental Services periodically replaces collection vehicles based upon a combination of use and age. The 11 sideload packers and 1 stake body truck being replaced are first line vehicles that operate out of the Solid Waste Division located at 210 Colfax Street. Each of the 12 vehicles are nine years old. The sideload packers are used on a daily basis in the collection of refuse material set out at the curb by residents. The stake body truck is used on a daily basis to deliver containers to residents. Upon replacement, the existing sideload packers and stake body truck will replace reserve vehicles that are over 17 years old and eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-338
(Int. No. 379)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,999,000 Bonds of said City to finance costs of the replacement of twelve solid waste collection 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 costs of acquisition of eleven (11) sideload packers and one (1) stake body truck to be used in the City's solid waste collection system and to be garaged at 210 Colfax Street (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 \$3,999,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,999,000 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 \$3,999,000 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 \$3,999,000. 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. 29. 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.

Passed unanimously.

By Councilmember McFadden
October 17, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for Adoption the following entitled legislation:

Int. No. 380 Authorizing an agreement for the Flower City AmeriCorps program

Int. No. 381 Authorizing an agreement for an educational tracking management system for firefighters

Int. No. 382 Authorizing an agreement for medical director consultation services

Int. No. 383 Amending Ordinance No. 2017-316 and amending the 2017-18 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

Int. No. 385 Accepting and appropriating a grant for fire prevention and safety education

The following entitled legislation is being held in committee:

Int. No. 384 Authorizing an agreement with the Rochester City School District related to School Resource Officers

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott

PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-339
Agreement - New York State Office of
Children and Family Services,
AmeriCorps Grant

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

Transmitted herewith for your approval is legislation authorizing the receipt and use of a \$431,600 grant award, and any additional future cost of living adjustment funds, from the New York State Office of Children and Family Services (NYS OCFS) for the Flower City AmeriCorps program. The term of the agreement will be for 15 months, from October 1, 2017 to December 31, 2018, and was anticipated and included in the 2017-18 Budgets of the Department of Recreation and Youth Services (DRYS), Undistributed Expenses, and Rochester Public Library (RPL). This is the third of three cycles of funding.

The goal of the Flower City AmeriCorps program is to engage individuals and families in childhood literacy, financial literacy, employment readiness, food justice, and teen pregnancy prevention programs, with a focus on service delivery in poverty-stricken areas in each geographic quadrant of the City. Thirty-six AmeriCorps members will be selected (11 or more from the identified high poverty block groups) to provide one year of service to positively impact their neighborhoods through placement in DRYS (9 Corps members), RPL (8 Corps members), and Neighborhood Service Centers, Office of Innovation and Strategic Initiatives, and community organizations (19 Corps members).

AmeriCorps members are volunteers and, if serving full time (40 hours per week), will receive a \$12,530 annual "living allowance," along with childcare benefits provided by NYS upon qualification, assistance navigating the State Health Exchange, transportation support, and an education award of \$5,815 upon successful completion of the program. AmeriCorps members serving half time (20 hours per week) will receive a \$6,265 annual "living allowance" and an education award of \$2,907.50 upon successful completion of the program.

In this third cycle, the program is projected to reach at least 400 individuals through financial literacy programming, 80 youth through positive youth development and teen pregnancy prevention programming, 200 families through the Raising a Reader program, 125 individuals through Operation Transformation Rochester, 100 youth through youth employment programming, 50 youth through school-based and afterschool educational programming, 16 youth through adult-youth mentoring, and 770 individuals through food justice and community garden programming. Oversight of the program will be performed by two DRYS staff and one RPL staff. A program description and budget are attached.

The Flower City AmeriCorps grant was initially authorized on October 13, 2015 via Ordinance No. 2015-343 and last authorized on September 15, 2016

via Ordinance No. 2016-316.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-339
(Int. No. 380)

Authorizing an agreement for the Flower City AmeriCorps 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 Office of Children and Family Services for receipt and use of a grant award of \$431,600 and any additional future cost of living adjustments funds to operate the Flower City AmeriCorps program established by Ordinance No. 2015-343. The agreement shall have a term of 15 months commencing October 1, 2017 and continuing through December 31, 2018.

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:

Re: Ordinance No. 2017-340
Agreement - Ninth Brain, Inc.,
Educational Tracking Management System

Transmitted herewith for your approval is legislation establishing \$12,710 as maximum compensation for an agreement with Ninth Brain, Inc., Grand Rapids, Michigan, for the continued provision of a web-based software educational tracking management system for training certification and to facilitate New York State mandated report generation. The term of the agreement will be one year, with the option of four, one-year renewals, and the cost will be funded by the 2017-18 Budget of the Fire Department. The optional renewals will be funded by future Budgets of the Fire Department, contingent upon their approval, as follows: 2018-19 will cost a maximum of \$13,100; 2019-20, \$13,500; 2020-21, \$13,900; and 2021-22, \$14,320.

The Rochester Fire Department (RFD) Training Division is responsible for the provision and tracking of education and professional certification requirements for Firefighters. This includes Emergency Medical Technician (EMT) and Special Operations and Technical Rescue. In particular, EMT certifications are renewed every three years and report forms that verify compliance must be submitted to the State on an annual basis for each EMT certified, uniform member.

Since the implementation of the educational tracking management system, RFD's process for tracking various educational certifications throughout the department has improved, and significantly reduced reliance upon paper files. The software is accessible 24 hours, seven days a week to both the EMS Division and employees who are monitoring their own certification status. The system also automatically notifies employees and Training Division staff when re-certifications are due, which has improved the department's ability to ensure consistent compliance with mandated training and certification requirements for Firefighters.

In September 2014, Ninth Brain, Inc. was selected to provide this service through a request for proposals (RFP) process based on their expertise and familiarity with the State requirement and the training needs of the RFD (Ord. No. 2014-302). A full justification for not issuing another RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-175

Ordinance No. 2017 -340
(Int. No. 381)

Authorizing an agreement for an educational tracking management system for firefighters

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 Ninth Brain, Inc. for the continued provision of a web-based software educational tracking system for training certification and to facilitate state mandated report generation for firefighters. The agreement shall have a term of one year, with up to four one-year renewal options.

Section 2. The maximum annual compensation for the first year of the agreement shall be \$12,710. For each subsequent year that the parties exercise a renewal option, the maximum annual compensation shall be as follows: year two: \$13,100; year three: \$13,500; year four: \$13,900; and year five: \$14,320. The first year of the agreement shall be funded from the 2017-18 Budget of the Fire Department and optional subsequent years, if any, shall be funded from future budgets of the Fire Department contingent upon approval.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-341
Agreement - University of Rochester Medical Center, Medical Director Consultation Services

Transmitted herewith for your approval is legislation establishing annual maximum compensation of \$30,000 for an agreement with the University of Rochester Medical Center for Jeremy Cushman, M.C., M.S., EMT-P, FACEP to act as the Agency Medical Director. The term of this agreement will be for two years, with an optional two-year renewal, and will be funded from the 2017-18 and subsequent Budgets of the Fire Department, contingent upon their approval.

The Rochester Fire Department (RFD) is the primary local first responder emergency medical service (EMS) agency, and is required by New York State to provide medical consultation services for the enhancement and maintenance of integrated, systematic preparedness for pre-hospital emergency medical care. As such, the City must contract with a physician with knowledge and experience in the delivery of emergency medical care to provide the following services:

- Direction and guidance of pre-hospital emergency medical provision and documentation procedures;
- Review EMS Patient Care Reports and other documentation necessary to monitor quality of care;
- Participate in RFD Quality Improvement and Quality Assurance programs;
- Provide technical expertise on the design and structure of emergency medical procedures in the field;
- Review EMS documentation of quality of care provided by RFD;
- Provide technical assistance in the development of medical guidelines for the health and safety of RFD personnel;
- Participate in EMS certification training for RFD personnel;
- Advise RFD in the administration of the Ambulance contract on issues associated with patient care; and
- Represent the interests of the RFD in the medical community.

The most recent agreement for this service was authorized via Ordinance No. 2013-366.

The University of Rochester Medical Center was selected through a request for proposals process, which is

described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-176

Ordinance No. 2017-341
(Int. No. 382)

Authorizing an agreement for medical director consultation 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 the University of Rochester Medical Center to provide emergency medical consultation services for the Rochester Fire Department. The agreement shall have a term of two years with one optional two-year renewal. The maximum annual compensation for the agreement shall be \$30,000. The agreement shall be funded from the 2017-18 Budget of the Fire Department for the first year and future Budgets of the Fire Department for subsequent years, contingent upon approval of future budgets.

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:

Re: Ordinance No. 2017-342
Amendments - Ordinance No. 2017-316 and 2017-18 Budget of the Police Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-316, Child Passenger Safety Program, by increasing the amount authorized and appropriated to the Police Budget in Sections 1 and 3 from \$900 to \$2,400; and amending the 2017-18 Budget of the Police Department by \$11,900 to reflect the balance of carryover funds from existing grants.

The carryover funds are itemized below, and will be used for their original intended purpose.

GRANT	Amount to Carry Over
Maddie's Fund	\$ 800
MVTIFP	5,100
2017 Stop DWI	6,000
Total	\$11,900

The goal of Maddie's Fund is to help owners retain their pets by providing assistance that will keep pets safe and secure in their homes. By offering such support, the hope is to reduce the intake of pets with medical or behavioral concerns to the shelter. These funds will be used to buy supplies, such as collars, leashes, identity tags and cable tie-outs, to assist pet owners in the city with retaining their pets.

The Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant provides overtime, but not fringe, to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides funds to train police officers in specialized anti-theft techniques and technology.

The Stop DWI grant is used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2017 calendar year. Supported activities include expenses for Stop DWI overtime details and associated fringe costs, training, and underage alcohol enforcement.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-342
 (Int. No. 383)

Amending Ordinance No. 2017-316 and amending the 2017-18 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

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

Section 1. Ordinance No. 2017-316 regarding the Child Passenger Safety Program, is hereby amended in Sections 1 and 3 thereof as follows to increase the amount authorized and appropriated:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor's Traffic Safety Committee for receipt and use of \$9002,400 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2017 through September 30, 2018.

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for

the Rochester Police Department by the sum of \$9002,400, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$11,900, which amount is hereby appropriated from unspent grant funds appropriated in the 2016-17 Budget for the Police Department as shown below. Said funds shall be used for their original purpose.

Grant	Amount to Carry Over
Maddie's Fund	\$ 800
Motor Vehicle Theft and Insurance Fraud Prevention	5,100
2017 Stop DWI	6,000
Total	\$11,900

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Re: Ordinance No. 2017-343
 Grant Agreement - The Hartford Financial Services Group, Inc., Fire Prevention and Safety

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with The Hartford Financial Services Group, Inc. for the receipt and use of a \$10,000 grant, and amending the 2017-18 Budget of the Fire Department to reflect receipt of said grant. The term of the agreement will be October 13, 2017 to October 12, 2018.

The Fire Department's Community Risk Reduction unit reaches thousands of adults and school age children with fire prevention and safety curriculum at schools and other community events throughout the year. With the funding provided by The Hartford Financial Services Group, Inc., the department will purchase fun, educational equipment designed to teach and reinforce home fire safety skills and promote fire safety awareness to families and children.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-343
(Int. No. 385)

Accepting and appropriating a grant for fire prevention and safety education

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

Section 1. The Mayor is hereby authorized is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by the sum of \$10,000, which amount is

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Introductory No. 384
Intermunicipal Agreement - Rochester City School District, School Resource Officers

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

Transmitted herewith for your approval is legislation authorizing the Mayor to enter into an agreement with the Rochester City School District (RCSD) to provide sworn City of Rochester Police Officers to serve as School Resource Officers (SROs) at school facilities in return for RCSD providing up to \$1,120,000 as partial reimbursement of the City's cost. The term of this agreement is from July 1, 2017 through June 30, 2018. The number of Officers assigned to the SRO staff and the annual maximum reimbursement amount are the same as the staffing and reimbursement amount that were provided in the agreement for the 2016-17 school year (Ord. No. 2017-24).

Police Officers have been assigned as SROs since 1999 to assist in maintaining safe school environments. Some of the duties of SROs include functioning as role models for students, providing a police presence in the schools, anti-truancy enforcement, and handling calls for service that originate within the school setting.

The cost for the SRO service from its inception through 2003 was supported in part by a federal grant. From 2003 to 2007, the total cost was absorbed by the City. During the development of the 2007-08 Budget of the City of Rochester, it was agreed that the RCSD would provide annual support for the School Resource Officers.

Respectfully submitted,
Lovely A. Warren
Mayor

to enter into an agreement with The Hartford Financial Services Group, Inc. for the receipt and use of a grant in the amount of \$10,000 to support and enhance the Rochester Fire Department's ongoing program to provide fire prevention and safety education to school-age children. The term of the agreement shall be from October 13, 2017 through October 12, 2018. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended

hereby appropriated from funds to be received under the grant agreement authorized herein.

Introductory No. 384

AUTHORIZING AN AGREEMENT WITH THE ROCHESTER CITY SCHOOL DISTRICT RELATED TO SCHOOL RESOURCE OFFICERS

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District (RCSD) to provide sworn City of Rochester Police Officers to serve as School Resource Officers at RCSD facilities and for the receipt and use of funds in an amount not to exceed \$1,120,000 from the RCSD as partial reimbursement for the City's cost of providing the officers.

Section 2. The term of said agreement shall extend from July 1, 2017, through June 30, 2018.

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

Section 4. This ordinance shall take effect immediately.

Held in committee

The meeting was adjourned at 8:12 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

November 14, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Spaul – 8

Absent – Councilmember Patterson -1

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Service on Boards and Commissions:

Rochester Genesee Regional Transportation Authority Board

Barbara J. Jones

Retirement:

ECD:

* Susan G. Utter

NBD:

Mark A. Fitzstevens

* Peter J. Siegrist

RFD:

Willie J. Lightfoot

RPD:

* Catherine M. Farina

*Did not attend meeting

APPROVAL OF THE MINUTES

By Vice President Miller

RESOLVED, that the minutes of the Regular Meeting of October 17, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4272-17

Quarterly Report – Schedule of Revenues & Expenditures for the quarterly period ending September 30, 2017
4273-17

Quarterly Report – First Quarter Grant Administration Report 4274-17
Quarterly Report – Professional Service Agreements Less Than or Equal \$10,000 4275-17

The Council submits Disclosure of Interest Forms from President Scott on Int. No. 398 and Int. No. 399, and Councilmember Haag on Int. No. 401 and Int. No. 405.

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

Councilmember McFadden presented 62 signed letters in support of the speed limit being lowered to 25 mph Petition No. 1748
Councilmember Spaul presented 2 additional signatures in opposition of Rochester Mgmt. with Cobbs Hill Park Petition No. 1749

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Conklin
November 14, 2017

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

- Int. No. 386 Authorizing a professional services agreement for the Employee Assistance Program
- Int. No. 387 Authorizing agreements for drug and alcohol testing
- Int. No. 409 Petitioning the New York State Superintendent of Financial Services to revoke the anti-arson application requirement
- Int. No. 412 Authorizing receipt of a grant and appropriations to fund renovations and upgrades at the Central and Monroe Branch libraries
- Int. No. 413 Authorizing an agreement and funding for 2017 Step Jam

The Finance Committee recommends for Consideration the following entitled legislation:

- Int. No. 388 Amending City Charter Section 6-71.8 with respect to the Cold War veterans exemption from taxes
- Int. No. 389 Amending City Charter Section 6-71.9 with respect to exemption from taxes for persons with disabilities and limited incomes
- Int. No. 414 Amending City Charter Section 6-71.2 with respect to veterans exemption from taxes

Respectfully submitted,
Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ord. No. 2017-344
Agreement – Employee Network,
Inc., Employee Assistance Program

Transmitted herewith for your approval is legislation establishing \$88,776 as maximum total compensation for a three-year agreement with the Employee Network, Inc. (ENI), Vestal, New York, to provide services for the City’s employee assistance program (EAP). The term of this agreement will be from January 1, 2018 through December 31, 2020 and the approximate cost of \$29,592 per calendar year will be financed from the 2017-18 Budget of Undistributed Expenses and subsequent budgets, contingent on their approval.

The employee assistance program provides professional support services to employees whose job performance is affected by factors such as legal, financial and marital difficulties, emotional instability, alcoholism, and drug addiction. Non-uniformed City employees (1,527 people) and their families are eligible for participation. Uniformed Police and Fire employees are covered through their own programs.

ENI was selected through a request for proposals process, as described in the attached summary. Critical to selection was the ability to meet the following criteria:

- The EAP line is staffed 24 hours a day, 365 days a year by mental health professionals with a Master’s level degree or higher, which affords our employees direct access to trained counselors;
- The firm has a national provider network of over 40,000 credentialed counselors; and
- The firm offers state-of-the-art technological resources including web-based services, such as a mobile app and a personal assistant service for our employees to use to achieve and maintain a healthy work/life balance.

ENI was previously engaged by the City via Ordinance No. 2014-328 and will continue to provide counseling and referral services to eligible employees and their family members as appropriate. The firm will also conduct training programs for City personnel and supervisors through in-person and online training as required or as requested.

During calendar year 2016, ENI saw 168 employees and their family members for counseling and 51 people utilized their personal assistant service. These numbers show that a total of 14% of the eligible workforce used EAP, which exceeds the national average of 3% to 6%.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-177

Ordinance No. 2017-344
(Int. No. 386)

Authorizing a professional services agreement for the Employee Assistance Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement in the maximum amount of \$88,776 with Employee Network, Inc., to provide services for the City’s employee assistance program. The term of the agreement shall be three years. The cost of \$29,592 for the first year of the agreement shall be funded from the 2017-18 Budget of Undistributed Expenses and \$29,592 annually for the remaining two years from future budgets of Undistributed Expenses, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-345
Agreements – Energetix Corporation,
Drug and Alcohol Testing

Transmitted herewith for your approval is legislation related to drug and alcohol testing. This legislation will:

1. Establish \$16,737 as maximum compensation for an amendatory agreement with Energetix Corporation for drug and alcohol testing, thereby increasing total compensation to \$187,167; and
2. Establish \$189,720 as total maximum compensation for a new three-year term with Energetix Corporation for drug and alcohol testing from January 1, 2018 through December 31, 2020.

The amendatory agreement (\$16,737) and the first year cost of the new agreement (\$63,240) will be funded from the 2017-18 Budget of Undistributed Expenses. The following two years of the new agreement will be funded from future budgets, contingent upon their approval.

The original agreement with Energetix, authorized via Ordinance No. 2014-329, allowed for total maximum compensation in the amount of \$170,430. Due to unanticipated fluctuations in hiring patterns, additional compensation is needed to cover expenses for the remainder of the calendar year for pre-employment drug and alcohol testing and compliance with the New York State Department of Transportation’s testing and reporting.

In anticipation of the expiration of the current agreement with Energetix, a request for proposals was issued, as described in the attached summary. Energetix was selected based on their competitive pricing structure and ease of access to collection sites.

Energetix will also provide, as required by the Omnibus Transportation Employee Testing Act, random, follow-up and post-accident testing for drugs and alcohol for employees whose duties require the possession of a commercial driver’s license, and drug and alcohol testing of Emergency Communications Department employees, as required by the AFSCME collective bargaining agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-178

Ordinance No. 2017-345
(Int. No. 387)

Authorizing agreements for drug and alcohol testing

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 Energetix Corporation to provide drug and alcohol testing for pre-employment and New York State Department of Transportation compliance testing and reporting. The amendment shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2014-329, by \$16,737 to a total amount of \$187,167. The amendatory agreement amount shall be funded from the 2017-18 Budget of Undistributed Expenses.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement in the maximum amount of \$189,720 with Energetix Corporation, to provide drug and alcohol testing for pre-employment and New York State Department of Transportation compliance testing and reporting. The term of the agreement shall be three years. The cost of \$63,240 for the first year of the agreement shall be funded from the 2017-18 Budget of Undistributed Expenses and \$63,240 annually for the remaining two years shall be funded from future budgets of Undistributed Expenses, contingent upon approval.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Spaul -7

Nays – Councilmember Conklin - 1

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 5
Re: Amendments - Cold War Veterans
Tax Exemption, RPTL 458-b

Transmitted herewith for your approval is legislation adopting the amendment to the Cold War Veterans tax

exemption (RPTL-458-b) that was amended by New York State in 2016 to allow for a reduction in school taxes.

Chapter 253 of the Laws of 2016 authorizes school district taxing authorities to grant certain exemptions from real property tax to eligible veterans. The Cold War Veterans tax exemption had previously been allowed only for taxes levied for general municipal purposes.

The effect of the recommended change upon Rochester City School District tax revenues and rates is expected to be minimal. It's projected that the exemption will impact approximately 191 homestead properties, with exemptions totaling \$1,479,725. This amendment would result in a tax savings to the Veterans of \$18,500 or, on average, \$97 per parcel receiving the exemptions. Adoption of this tax exemption would result in a nominal increase in school taxes to the non-veteran.

Chapter 290 of Law 2017 from September of 2017 provides authorization to amend 458-b of the real property tax law (Cold War Veteran tax exemption) and allows it to continue without regard to the 10-year limitation that was originally enacted in 2007.

If approved, the amendments will go into effect for the 2018-19 tax year.

A public hearing on the exemption is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 5
(Int. No. 388)

Amending City Charter Section 6-71.8 with respect to the Cold War veterans exemption from taxes

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by Amending Section 6-71.8 to read in its entirety as follows:

§ 6-71.8. Tax exemption for Cold War veterans.

The Council hereby approves the exemption of qualifying real

property from taxation as authorized in Subdivision 2(a)(i) and (b) of § 458-b of the Real Property Tax Law, Exemption for Cold War veterans. Notwithstanding the ten-year limitation imposed by Subdivision 2(c)(iii) of § 458-b of the Real Property Tax Law, the Council hereby approves granting the foregoing exemption to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten-year limitation. Beginning with the 2018-19 tax year, the exemption provided for in this section shall also be applicable to taxes levied for school purposes.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 6
Re: Exemption for Persons with Disabilities and Limited Incomes, RPTL 459-c

Transmitted herewith for your approval is legislation adopting the Persons with Disabilities and Limited Incomes tax exemption (RPTL-459-c). The State enacted the exemption in 1997 and, if adopted by local option, may apply to general municipal and school taxes. Currently the exemption only applies to Monroe County taxes.

The effect of applying the exemption to City and School tax revenues and rates is expected to be minimal. There are approximately 343 homestead properties currently receiving the Disabilities and Limited Income Exemption from Monroe County with present exemptions totaling \$9,166,377. This would result in a City and School tax savings of \$168,001 or, on average, \$490 per parcel. Adoption of this exemption would result in a nominal increase in City and School taxes to the non-disabled/limited income property owner.

If approved, the amendments will go into effect for the 2018-19 tax year.

A public hearing on the exemption is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-179

Local Law No. 6
(Int. No. 389)

Amending City Charter Section 6-71.9 with respect to exemption from taxes for persons with disabilities and limited incomes

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by adding a new Section 6-17.9 to read in its entirety as follows:

§ 6-71.9. Tax exemption for persons with disabilities and limited incomes.

The Council hereby approves the partial tax exemption of qualifying real property that is owned by one or more persons with a disability whose income is limited by reason of such disability, as authorized in § 459-c of the Real Property Tax Law, Persons with disabilities and limited incomes, to commence with the 2018-19 tax year. In addition, Council hereby approves providing said tax exemption to qualifying property owners whose income exceeds the maximum income eligibility level set forth in Subsection 459-c(5)(a), provided that the exemption is reduced proportionately in accordance with Subsection 459-c(1)(b). The exemption provided for in this section shall also be applicable to taxes levied for school purposes.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS

Municipal Home Rule Law.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-346
Re: Eliminating the Anti-Arson
Application Requirement

Transmitted herewith for Council approval is legislation allowing Corporation Counsel to petition the New York State Superintendent of Financial Services to nullify the requirement of the use of the anti-arson application for property insurance policies in the City of Rochester.

When this requirement was originally passed at the State level it applied to cities with a population of over 400,000, and it has since been changed to cities with a population over 1,000,000 only.

This requirement no longer applies to the City of Rochester. Additionally, present methods of investigating an incident of arson no longer rely on the information provided by the anti-arson application.

Respectfully submitted,

Loretta C. Scott
President
At-Large Member

Ordinance No. 2017-346
(Int. No. 409)

Petitioning the New York State Superintendent of Financial Services to revoke the anti-arson application requirement

WHEREAS, in 1981, the State enacted a law (Chapter 711, Laws of 1981) that directs the Superintendent of Insurance (now the Superintendent of Financial Services) to require the preparation of an anti-arson application for those seeking property insurance policies covering the peril of fire or explosions;

WHEREAS, the anti-arson application requirement, which was originally codified in §168-j and is now codified in §3403 of the NYS Insurance Law, automatically applied only to cities more populous than the City of Rochester, but allowed any less populous municipality to opt in to the requirement by petitioning the Superintendent of Insurance to enforce the requirement within the petitioner's jurisdiction;

WHEREAS, in Ordinance No. 1982-416 in 1982, this Council petitioned the Superintendent of Insurance to implement the anti-arson application requirement in the City of Rochester;

WHEREAS, the State law and the City’s opt-in to the anti-arson application were prompted by a significant increase in arson incidents in some major cities during the late 1970’s and by certain economic circumstances that appeared to contribute to that increase;

WHEREAS, the anti-arson application has outlived its usefulness because insurance companies are now required to file fraud prevention plans with the State in order to prevent arson and other fraudulent activities and the present methods of investigating arson incidents no longer rely on the information provided by the anti-arson application; and

WHEREAS, the anti-arson application makes it more difficult for property owners to obtain and renew property insurance promptly.

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

Section 1. The Council hereby petitions the New York State Superintendent of Financial Services to cancel and nullify the mandate requiring use of the anti-arson application in the City of Rochester for property insurance policies covering the peril of fire and explosion pursuant to §3403 of the Insurance Law.

Section 2. The Corporation Counsel is hereby directed to forward a certified copy of this ordinance to the New York State Superintendent of Financial Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-347
Grant Authorization and Budget
Amendment – Rochester Public Library
Renovations and Upgrades

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to renovations and upgrades to the Central Library of Rochester and Monroe County and the Monroe Branch Library. This legislation will:

1. Authorize the receipt and use of a New York State Education Department, Division of Library Development construction grant in the amount of \$849,540 for the purpose of various renovations and upgrades to the Central Library and Monroe Branch Library, and
2. Amend the 2017-18 Budget of Cash Capital by a total of \$300,000 by transferring \$150,000 from Contingency and appropriating \$150,000 from the Library fund balance to support the 25% local match requirement of the grant.

Each year the Monroe County Library System is awarded State funds on a competitive basis for library construction projects. The following projects are recommended for a 75% match of State funding:

- *Central Master Space Plan, Phase 4 Technology Center:* Funding supports the build-out of the lower link level of the Bausch & Lomb building to accommodate public restrooms, computing areas, classroom and meeting room spaces, and flexible spaces for technology programs and third-party vendors or organizations. The estimated construction cost is \$881,600 (\$661,200 State funding; \$220,400, local match).
- *Rundel Auditorium Renovations:* Funding supports additional costs for asbestos abatement, HVAC replacement and upgrades to meet building and accessibility code. This supplemental application to a 2016 award totals \$154,130 in additional estimated construction cost (\$115,590 State funding; \$38,540, local match), bringing the total, estimated project cost to \$428,550.
- *Monroe Branch Library Façade:* Funding supports façade repointing and waterproofing on the portions of the building exterior, as well as interior plaster repairs. The estimated construction cost is \$97,000 (\$72,750 State funding; \$24,250 local match).

All projects are managed by the Department of Environmental Services, Bureau of Architecture and Engineering. The projects represent top priorities of the Library’s Capital Improvement Program submissions. Design of the Rundel Auditorium and Monroe Branch

projects are underway; design of Master Space Plan Phase 4 is anticipated to begin in December 2017. Construction durations vary and are anticipated in spring 2018 (Rundel Auditorium, Monroe Façade) and spring 2019 (Master Space Plan Phase 4).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-347
(Int. No. 412)

Authorizing receipt of a grant and appropriations to fund renovations and upgrades at the Central and Monroe Branch libraries

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

Section 1. The Council hereby authorizes the receipt and use of \$849,540 from the New York State Education Department, Division of Library Development as a construction grant for the purpose of completing various renovations and upgrades to the Central Library and to the Monroe Branch Library (the Project). The Mayor is hereby authorized to enter the City into a grant agreement with the funding agency or its designee if it is necessary to effectuate the City's receipt of this grant. If there is an agreement, it shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$300,000 to Cash Capital which are hereby appropriated from the following funds in order to satisfy the matching Project funding requirements for the grant authorized in Section 1: \$150,000 from the Library Fund and \$150,000 from Contingency.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-348
Re: Agreement – Monroe County
Broadcasting Company, Ltd., d/b/a
WDKX, Step Jam Event

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$12,500 as maximum compensation for an agreement with Monroe County Broadcasting Company, Ltd., d/b/a WDKX, for the December 9, 2017 Step Jam event. This agreement will be financed from the 2017-18 Budget of the Bureau of Communications.

The Step Jam has been a positive youth and community event held at the Blue Cross Arena at the War Memorial for the last nine years. It is a competition for county-wide step teams that fosters school spirit, community pride, and a sense of unity and belonging for participants. The event focuses on positive dance, step and music experiences for the entire family. Parents are given a chance to see their children showcase their talents and students get to interact in a positive way with City of Rochester police officers, school sentries, and Pathways to Peace personnel.

Schools reward students with free tickets to the event for doing well in school and keeping up attendance in school. Colleges have been known to attend the event to share their step teams' experience and recruit future college-ready youth to their teams.

WDKX will produce the event, which continues to grow each year with more performers, spectators and community vendors. This year's funding is the same as last year (Ord. No. 2016-388).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-180

Ordinance No. 2017-348
(Int. No. 413)

Authorizing an agreement and funding for 2017 Step Jam

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 Monroe County Broadcasting Company, Limited, d/b/a WDKX to present the Step Jam dance competition event to occur on or about December 9, 2017.

Section 2. The maximum compensation for the agreement shall be \$12,500 and shall be funded from the 2017-18 Budget of the Bureau of Communications.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 7
Re: Amendments – Eligible Funds Veterans
Tax Exemption, RPTL 458-a

Transmitted herewith for your approval is legislation adopting the amendment to the Eligible Funds Veterans tax exemption (RPTL-458-a) that was amended by New York State on October 23, 2017 to allow for a reduction in school taxes.

Chapter 376 of the Laws of 2017 provides authorization to grant certain exemptions from real property tax for school districts to eligible Veterans where such exemption is adopted by the governing body of the school district. The Eligible Funds Veterans tax exemption had previously only applied to taxes levied for general municipal purposes.

New York State enacted changes to the Alternative Veterans Exemption in 1994 and the City of Rochester adopted those changes in 1995. At that time all recipients of the Eligible Funds Veterans tax exemption were given the opportunity to convert to the Alternative Veterans tax exemption. If the percentage or exempt value amount the Veteran receiving the Eligible Funds Exemption was below 15% for non-combat or 25% for combat zone, it was beneficial to convert to the Alternative Veterans Exemption. According to New York State RPTL 485-a, once a taxing jurisdiction adopted the Alternative Veterans Exemption, there cannot be any new Eligible Funds Exemptions under RPTL 458(1) and former 458(5). However, a Veteran that previously had the Eligible Funds Exemption who later switched to the Alternative Veterans Exemption is allowed to switch back to the Eligible Funds Exemption.

The effect of the recommended change upon Rochester City School District tax revenues and rates is expected to be minimal. There are approximately 225 homestead properties currently receiving the Eligible Funds Veterans tax exemption, with present exemptions totaling \$7,859,128. This amendment would result in a tax savings to the Veterans of \$98,255 or, on average, \$437 per parcel receiving the exemptions. Adoption of this legislation would result in a nominal increase in school taxes to the non-veteran.

If approved, the amendments will go into effect for the 2018-19 tax year.

A public hearing on the exemption is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 7
(Int. No. 414)

Amending City Charter Section 6-71.2 with respect to veterans exemption from taxes

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 6-71.2 to read in its entirety as follows:

~~§ 6-71.2. Increase in amount of~~
~~¶ Veterans' exemption for real~~
~~property purchased with eligi-~~
~~ble funds.~~

A. The City Assessor is authorized and directed to increase the amount of each veterans' exemption granted under § 458 of the Real Property Tax Law, pursuant to the provisions of Subdivision 5(a) of such section.

B. Beginning with the 2018-19 tax year, the veterans' exemption from taxes pursuant to §458 of the Real Property Tax Law shall also be applied to taxes levied for school purposes, pursuant to Subdivision 1(3) of such section.

~~BC.~~ All other provisions of § 458 of the Real Property Tax Law shall continue to apply to all veterans' exemptions.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Vice President Miller
November 14, 2017

Int. No. 392 Amending the Zoning Map
for 50, 59, 70 Goodwill
Street, 17 Woodside Street
and a portion of 1991 Lake
Avenue

To the Council:

The Business & Economic Development Committee
recommends for Adoption the following entitled legis-
lation:

Int. No. 393 Amending the Zoning Map
for 25 May Street

Int. No. 390 Authorizing loan agreement
for the 103 Court Street
Redevelopment Project, as
amended

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT
COMMITTEE

The Business & Economic Development recommends
for Consideration the following entitled legislation:

Int. No. 391 Authorizing an application
and agreement for a grant
under Round 5 of the Restore
NY Communities Initiative

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Introductory No. 390
103 Court Street Redevelopment
Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing a \$1,500,000 loan agreement with Court Street Rochester LLC or an entity yet to be formed for the redevelopment of a privately owned parcel located at 103 Court Street. The loan will be financed as follows: \$22,852 from Prior Years' Cash Capital, \$265,076.30 from 2016-17 Cash Capital, \$928,908 from 2017-18 Cash Capital, and \$283,163.70 from the Housing Revolving Loan Fund.

The project consists of constructing a new 223,900 gross square feet, five-story mixed-use building with 111 residential apartments for rent, approximately 4,500 square feet of commercial space on the first floor, and 109 spaces of underground parking.

The City loan will be used as construction and permanent financing for costs associated only with the residential component of the project. The loan for the construction phase will have a term of up to two years and will be payable interest-only on an annual basis. Upon issuance of a Certificate of Occupancy, the loan will convert to permanent. The loan for the permanent phase will have a term of up to 10 years. Principal and interest will be fully amortized over the ten year term and will be payable monthly. Each phase of the loan will have a 3% interest rate.

As a condition of the loan, 10% of the residential units shall be rented to households that meet the following Median Family Income (MFI) limits: six units under 120% MFI, three units under 80% MFI, and two units under 50% MFI. The affordability period for the six units under 120% MFI and three units under 80% MFI is 15 years. The affordability period for the two units under 50% MFI is 10 years. Once the affordability period for the two units under 50% MFI has ended, they will convert to under 80% MFI for the remaining five years of the under 80% MFI affordability period. The City-assisted affordable units will be comparable in terms of size, features and type of the project as a whole.

This project is also subject to Minority, Women-Owned, Small, and Disadvantaged Business Enterprises (MWSDBE) and workforce goals. The MWSDBE goals for this loan are that the developer or its general contractor shall enter into construction contracts equaling 20% of the total qualifying cost attributed to the dollar amount of the construction contracts for the project. The workforce goals for this project are: 20% of the total employment hours for the project shall be carried out by minority employees and 6.9% of the total employment hours for the project shall be carried out by women employees. This project has a city of Rochester resident workforce goal of 25%.

The estimated sources and uses of funds for 103 Court Street are as follows:

Sources		Uses	
M&T Bank Loan	\$25,000,000.00	Construction Costs	\$27,477,302.53
City of Rochester Loan	1,500,000.00	Site Work	1,609,775.00
Developer Equity	<u>7,096,998.05</u>	Land	900,000.00
Total Permanent Sources	\$33,596,998.05	Soft Costs	<u>3,609,920.52</u>
		Total Uses	\$33,596,998.05

In accordance with the requirements of the State Environmental Quality Review Act, a Negative Declaration was issued on April 28, 2014.

Respectfully submitted,
 Lovely A. Warren
 Mayor

(Introductory No. 390, as amended)

Authorizing loan agreement for the 103 Court Street Redevelopment 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 Court Street Rochester LLC, or an entity to be formed for the purpose, for construction and permanent financing of the residential component of the 103 Court Street Redevelopment Project. The loan shall be in the amount of \$1,500,000, which shall be funded in the following amounts: \$22,852 from Prior Years' Cash Capital, \$265,076.30 from 2016-17 Cash Capital, \$928,908 from 2017-18 Cash Capital, and \$283,163.70 from the Housing Revolving Loan Fund.

Section 2. Each phase of the loan shall have an annual interest rate of 3%. The construction phase of the loan agreement shall have a term of up to 2 years and be subject to interest-only payments payable on an annual basis. The loan shall convert to permanent financing upon issuance of a Certificate of Occupancy. The permanent phase of the loan shall have a term of up to 10 years, during which principal and interest shall be amortized over the entire term and payable monthly. As a condition of the loan, 10% of residential units shall be rented to households that meet the following Median Family Income (MFI) limits: six units under 120% MFI, three units under 80% MFI and two units under 50% MFI.

Section 3. The agreement authorized herein 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 documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

New text is underlined.

Failed by the following vote:

Ayes – Vice President Miller, Councilmembers McFadden, Spaul-3

Nays – President Scott, Councilmembers Clifford, Conklin, Haag, Ortiz-5

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2017-349
 Re: Restore New York
 Communities Initiative - Round 5

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

Transmitted herewith for your approval is legislation authorizing an application to Empire State Development (ESD), and a subsequent grant disbursement agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant totaling up to \$5,000,000 through Round 5 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, condemned and surplus properties. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 5 is \$80,000,000. Municipalities with populations over 100,000 are eligible to apply for one project, with a maximum grant request of \$5,000,000. A single Restore NY project may include multiple properties.

An internal advisory committee composed of staff from the departments of Neighborhood and Business Development, Environmental Services, Finance and Law reviewed properties for inclusion in the City's 2017 Restore NY application. The advisory committee prioritized a project called the "Center City Restore-NY Initiative" which would provide gap funding for the adaptive reuse of eight properties on several significantly vacant, blighted blocks that are strategically important to downtown Rochester's continued revitalization. A letter of intent to apply for this project was submitted to ESD on October 13, 2017 and a full application is due to ESD by December 15, 2017.

The City will request \$5,000,000 in funding for the properties in the amounts listed below, or others, if deemed necessary by the Mayor, which would be used to create approximately 145 new housing units and the renovation of approximately 64,572 square feet of commercial space in the following seven downtown buildings:

1. 176-182 East Main Street
 Developer: Robert Bartosiewicz
 Total Development Cost: \$1,025,000
 ESD Request Amount: \$250,000
 Commercial space to be renovated: 26,340
 New housing units to be created: 0

2. 186 and 190-194 East Main Street (two properties)
 Developer: Ren Square LLC (Patrick, Luke, and Gary Dutton)
 Total Development Cost: \$9,775,000
 ESD Request Amount: \$1,565,000
 Commercial space to be renovated: 15,000 square feet
 New housing units to be created: 32

3. 220-222 and 224-226 East Main Street (two properties)
 Developer: Scott Hopwood
 Total Development Cost: \$3,000,000
 ESD Request Amount: \$710,000
 Commercial space to be renovated: 2,200 square feet
 New housing units to be created: 10

4. 250 East Main Street, Condo Unit #100
 Developer: Sibley Redevelopment LP
 Total Development Cost: \$31,616,261
 ESD Request Amount: \$1,190,000
 Commercial Space to be renovated: 0
 New housing units to be created: 103

5. 35 State Street
 Developer: Carmen Coleman
 Total Development Cost: \$3,408,000
 ESD Request Amount: \$1,000,000
 Commercial space to be renovated: 16,432 square feet
 New housing units to be created: 0

6. 79 State Street
 Developer: Scott Hopwood
 Total Development Cost: \$800,000
 ESD Request Amount: \$285,000
 Commercial space to be renovated: 4,600 square feet
 New housing units to be created: 0

In accordance with Restore NY program guidelines, this application is consistent with the following principles:

- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan/Strategic Plan 2015/16 – 2019/20; 3) Center City Master Plan; 4) Housing Policy; and 5) Midtown Urban Renewal District Plan;
- The proposed financing is appropriate for the identified project;
- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

A public hearing and three days notification in a local daily newspaper is required.

Respectfully submitted,
Lovely A. Warren
Mayor

resources so as to promote both economic development and preservation of community resources; and

Attachment No. AQ-181

Ordinance No. 2017-349
(Int. No. 391)

- (d) where applicable, the Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

Authorizing an application and agreement for a grant under Round 5 of the Restore NY Communities Initiative

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Section 1. The Mayor is hereby authorized to submit an application to the Empire State Development Corporation (ESD) and to enter the City into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million under Round 5 of Restore NY Communities Initiative (Restore NY), which shall be used by the City for the Center City Restore-NY Initiative (the Project) that provides gap funding for the adaptive reuse of properties identified as strategically important to the continued revitalization of the Center City.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-350
Zoning Map Amendment –
50, 59 and 70 Goodwill Street,
17 Woodside Street and a
portion of 1991 Lake Avenue

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

Section 3. The Council, after conducting a duly noticed public hearing and having reviewed the Project that is proposed for the application in accordance with Restore NY program guidelines, hereby finds that the application is consistent with the following principles:

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties at 50, 59 and 70 Goodwill Street, 17 Woodside Street and a portion (southwest corner) of 1991 Lake Avenue from PD #12 Eastman Business Park to R-3 High Density Residential District to facilitate the construction of a mixed-use development (The Eastman Reserve). All of these properties are currently owned by Kodak and were formerly used as parking lots.

This rezoning request is being initiated by PathStone Corporation which has a purchase agreement with Kodak to buy these properties. If the rezoning is approved, PathStone is proposing to construct two townhouse buildings, 14 single-family buildings, a club house, and a low-rise building with commercial space. There will be 176 units of multi-family rental housing including 79 one-bedroom units, 67 two-bedroom units, and 30 three-bedroom units. Of the 176 units, 27 will be set aside for those who have experienced domestic violence, and for young adults between the ages of 18 and 25, who have experienced homelessness. PathStone is partnering with affiliate Sojourner House at PathStone (known as "Sojourner") to provide services to those who will reside in these set aside units. This development will require Site Plan Review.

- (a) the proposed Project is consistent with:
 - 1) the Comprehensive Plan;
 - 2) the Consolidated Community Development Plan/Strategic Plan for 2015-16 through 2019-20;
 - 3) the Center City Master Plan;
 - 4) the Housing Policy; and
 - 5) the Midtown Urban Renewal District Plan;
- (b) the proposed financing is appropriate for the Project;
- (c) the Project will facilitate effective and efficient use of existing and future public

The Planning Commission held an informational meeting on the proposed map amendment on Monday,

October 16, 2017. Six people, including the applicants, spoke in support of the rezoning; no one spoke in opposition. By a vote of 6-1, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-182

Ordinance No. 2017-350
(Int. No. 392)

Amending the Zoning Map for 50, 59, 70 Goodwill Street, 17 Woodside Street and a portion of 1991 Lake Avenue

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map's classification of the following land from PD#12 Eastman Business Park Planned Development District to R-3 High Density Residential District:

Address	SBL #
50 Goodwill Street	090.26-2-4.002
59 Goodwill Street	090.26-2-3.003
70 Goodwill Street	090.26-2-28
17 Woodside Street	090.26-2-5
A portion of 1991 Lake Avenue	075.83-1-18.003/EBPK

and the area extending from those parcels to the center line of any adjoining public street, alley, or right-of-way.

Section 2. The portion of 1991 Lake Avenue reclassified herein shall consist of

ALL THAT TRACT OR PARCEL OF LAND, more or less, situate in Town Lots 25 & 42, Township 1, Short Range 4, of the 20,000 Acre Tract, in the City of Rochester, County of Monroe, and State of New York, as shown on the drawing

entitled "Eastman Reserve Sub-division" prepared by Magde Land Surveying, P.C., being more particularly bounded and described as follows:

1. Commencing at a point at the intersection of the east right-of-way line of Goodwill Street and the north right-of-way line of Eastman Avenue, at the southwest corner of the described lot; said point being the point of beginning;
2. Thence, continuing along the east right-of-way line of Goodwill Street having a bearing of N00°09'10"W a distance of 344.94 feet to a point;
3. Thence, turning to the right and running along a line having a bearing of S89°49'48"E a distance of 172.44 feet to a point;
4. Thence, turning to the right and running along a line having a bearing of S00°31'38"E a distance of 343.98 feet to a point;
5. Thence, turning to the right and running along a line having a bearing of S89°50'50"W a distance of 174.68 feet to a point; said point being point or place of beginning.

Intending to describe a parcel to be conveyed for Eastman Reserve Lot 1 consisting of 1.371 Acres

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-351
Re: Zoning Map Amendment –
25 May Street

Transmitted herewith for your consideration is legislation amending the Zoning Map of the City of Rochester by rezoning the vacant property at 25 May Street from R-1 Low Density Residential District to C-1

Neighborhood Center District. The purpose of this rezoning is to facilitate the construction of a 22 space ancillary parking lot to serve The Distillery at 1142 Mt. Hope Avenue and Pellegrino’s at 1118-1120 Mt. Hope Avenue. (It should be noted that the adjacent properties at 20 and 24 Stewart Street are existing parking areas that also serve both of these uses.)

Peter Psyllos, who owns both The Distillery and Pellegrino’s, is initiating this rezoning request. If the rezoning is approved, this project will also include the demolition of the Westfall Florist building at 1092 Mt. Hope Avenue. The ancillary parking lot will then be constructed on 25 May Street and a portion of 1092 Mt. Hope Avenue. Since these properties will be combined to develop this lot, they must be in the same Zoning District. Currently, 1092 Mt. Hope Avenue is in the C-1 District, and 25 May Street is in the R-1 District. The portion of 1092 Mt. Hope Avenue where the Westfall Florist building will be demolished will remain green space for the foreseeable future. This parking lot proposal will also require Site Plan Review and Special Permit approval from the City Planning Commission.

The City Planning Commission held an informational meeting on the proposed map amendment on Monday, October 16, 2017. The applicant spoke in support of the rezoning, and one person spoke in opposition. After a lengthy discussion and much deliberation, however, the Planning Commission **RECOMMENDED DENIAL** by a vote of 3-4. The Commission members in opposition concluded that to rezone 25 May Street to C-1 Neighborhood Center District would allow for the commercial district (and parking) to further encroach into this residential neighborhood that is situated between two major thoroughfares. Written testimony in opposition noted a potential increase in traffic, noise and lighting, and although this may be acceptable in a commercial district, residents did not want to see this becoming standard practice in this residential neighborhood, which they believe would further challenge its existence.

Even though the Planning Commission issued a negative recommendation, the applicant would still like to pursue the rezoning request.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-183

Ordinance No. 2017-351
(Int. No. 393)

Amending the Zoning Map for 25 May Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map’s classification of the following property from R-1 Low Density Residential District to C-1 Neighborhood Center District:

Address	SBL #
25 May Street	136.38-1-44

and the area extending from that parcel to the center line of any adjoining public street, alley, or right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Conklin, McFadden, Miller, Spaul – 5

Nays –Councilmembers Clifford, Haag, Ortiz -3

By Councilmember Ortiz
November 14, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for Adoption the following entitled legislation:

- Int. No. 394 Authorizing the sale of real estate
- Int. No. 395 Authorizing the acquisition of 21 Kensington Street
- Int. No. 396 Approving appointment to the Rochester Environmental Commission
- Int. No. 397 Appropriating funds for the Emergency Assistance Repair Program
- Int. No. 398 Authorizing appropriations of Community Development

Block Grant funds and amendatory agreement for the Target Housing Rehabilitation and the Window Replacement programs

Int. No. 399 Appropriating funds and authorizing agreements for the Owner-Occupant Rehabilitation Program

Int. No. 400 Authorizing an agreement and appropriating funds for the 2018 Rochester Citywide Housing Market Study

Int. No. 410 Authorizing agreements and appropriating funds for the Emergency Solutions Grant Program

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-352
Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of thirteen properties. City records have been checked to ensure that 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 nine properties were sold to the respective highest bidder at a surplus auction. All purchasers will be required to rehabilitate the structures within 12 months of City Council approval.

The next property is a vacant lot sold by request for proposal to the adjacent owner. The purchaser will

combine the lot with their existing lot and utilize it as green space.

The next property is parking lot sold by negotiated sale to the adjacent owner. The purchaser will combine the lot with their existing property.

The last two properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these thirteen properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$8,141.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-184

Ordinance No. 2017-352
(Int. No. 394)

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 sale of the following parcels of improved property by regular auction:

Address	SBL#	Lot Size	Use	Price	Purchaser
49 Bauman St	091.80-2-45	33 x 112	1 Fam	\$10,200	Francisco A. Moreta
223 Breck St	107.78-1-81	35 x 140	1 Fam	\$1,000	Yurina Leyva Velazquez
‡ 227 Breck St	107.78-1-82	35 x 140	Vacant Lot		
391 Columbia Av	120.75-1-26	40 x 112	2 Fam	\$16,000	Mohamed Ali Abdullahi
236 First St	106.43-3-38	40 x 91	1 Fam	\$6,000	Silia Leyva Velazquez
12 Hoff St	091.80-2-59	33 x 81	1 Fam	\$12,100	Teriance A. Hunter
‡ 8Hoff St	091.80-2-58	33 x 81	Vacant Lot		
33 Rosewood Ter	107.53-2-6	40 x 135	1 Fam	\$10,000	Yurina Leyva Velazquez
279 Terrace Pk	135.41-2-27	40 x 141	1 Fam	\$37,500	Julie A. Arzu

‡ designates vacant parcels to be sold in conjunction with the preceding listed parcel.

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

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
495 Lake Av	105.43-2-25.1	50 x 234	11,711	\$3,056	James S. Fletcher

Section 3. The Council hereby approves the negotiated sale of the following parcel of vacant land:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
13 Gosnell St	106.56-1-50	15 x 87	2,251	\$500	Wedge 24, LP*

* William Farmer, III - Sole Proprietor

Section 4. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
E/H 43 Lenox St	120.67-1-47	17 x 105	1,805	Tara D. Radford
W/H 43 Lenox St	120.67-1-47	17 x 105	1,805	Debbie L. Payne

Section 5. 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 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-353
Real Estate Acquisition –
21 Kensington Street,
Bull’s Head Revitalization Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation of 21 Kensington Street for a total cost of \$51,000 (purchase price and closing costs) to be funded from 2016-17 Cash Capital. The property is situated adjacent to and in proximity with other City-owned properties in the Bull’s Head Revitalization target area (see attached map).

21 Kensington Street consists of a ±0.11 acre parcel with a single family residential dwelling. The dwelling is currently occupied by the owner. The property is adjacent to City-owned property located at 64 York Street.

The current owner of the property, Ms. Angela D. Smith, approached the City with expressed interest to sell her property. As part of the Bull's Heads Revitalization project, the City intends to prepare this property and other adjacent properties for future redevelopment. Activities for such preparation may include occupant relocation, environmental testing, environmental clean-up and demolition.

The City has hired R.K. Hite & Co., Inc. to provide relocation and moving assistance related services for the occupant of the property. The associated relocation benefits and eligible moving costs will be funded from 2016-17 Cash Capital.

A purchase price of \$49,000 was established by an independent appraisal prepared by Stropp Appraisal on October 4, 2017; an appraisal review was completed by R.K. Hite & Co., Inc. on October 14, 2017.

A Phase I Environmental Site Assessment (ESA), dated October 6, 2017, was completed for the property by Day Environmental, Inc. Upon review by the City's Division of Environmental Quality, the Phase I ESA report identified recognized environmental conditions associated with nearby properties consistent with typical developed urban sites. There were not any recognized environmental conditions that would preclude the City's acquisition of the property.

City taxes and other current-year charges against the property shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the property, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-185

Ordinance No. 2017-353
(Int. No. 395)

Authorizing the acquisition of 21 Kensington Street

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below. The acquisition costs shall not exceed

\$51,000, including closing costs, and shall be funded from 2016-17 Cash Capital.

Address	S.B.L.#	Lot Size	Owner
21 Kensington Street	120.42-2-44	±0.11 acre	Angela D. Smith

Section 2. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be cancelled. The properties shall be conveyed to the City with no other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Resolution No. 2017-18
Board Appointment –
Rochester Environmental Commission

Transmitted herewith for your approval is legislation confirming the appointment of Ms. Laura M. Smith of 346 Yarmouth Road, Rochester, New York, 14610, to the Rochester Environmental Commission (REC).

Ms. Smith is an environmental and land use attorney with Harter Secrest & Emery LLP. She will replace Tanya Zwahlen, who recently resigned from the Commission. Ms. Smith will be serving out the remainder of Ms. Zwahlen's term which expires on May 31, 2018.

Ms. Smith's resume is available in the Office of the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-186

Resolution No. 2017-18
(Int. No. 396)

Ordinance No. 2017-354
(Int. No. 397)

**Approving appointment to the Rochester
Environmental Commission**

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

Section 1. The Council hereby approves
the appointment to the Rochester Environmental
Commission of the following person as member, for a
term which shall expire on May 31, 2018:

Name	Address
Laura M. Smith	346 Yarmouth Road, 14610

Section 2. This resolution shall take effect
immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-354
Re: Emergency Assistance Repair Program

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation
appropriating \$200,000 from the Emergency Assis-
tance Repair Program allocation of the Housing De-
velopment Fund of the 2017-18 Community Develop-
ment Block Grant (CDBG) for the City’s use to oper-
ate the program.

The City’s Emergency Assistance Repair Program
provides assistance to owner occupants for furnace re-
pair/replacement and hot water tank replacement. The
appropriation will serve approximately 95 households.
Repairs include an estimated 60 furnace replacements
and 35 new hot water tanks.

The City will continue to operate the program under
term contracts with Mr. Rooter Plumbing, for hot wa-
ter tanks, and Betlem Heating and Cooling, for
furnaces.

Respectfully submitted,
Lovely A. Warren
Mayor

**Appropriating funds for the Emergency Assistance
Repair Program**

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

Section 1. The amount of \$200,000 is
hereby appropriated from the Emergency Assistance
Repair Program allocation of the Housing Develop-
ment Fund of the 2017-18 Community Development
Block Grant for the City’s use to operate the Emer-
gency Assistance Repair Program to assist eligible
homeowners with repair and/or replacement of fur-
naces and hot water tanks.

Section 2. This ordinance shall take effect
immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-355
Re: Amendatory Agreements-
PathStone Corporation
and Action for a Better Community, Inc.,
Application Intake Services for
Housing Repair Programs

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation
related to the City’s Targeted Housing Rehabilitation
Program and the Window Replacement Program. This
legislation will:

1. Appropriate \$100,000 from the Housing
Repair Programs - Application Intake Ser-
vices allocation of the Housing Develop-
ment Fund of the 2017-18 Community De-
velopment Block Grant (CDBG);
2. Re-appropriate \$3,824 from the Targeted
Housing Rehabilitation Program allocation
of the Housing Development Fund of the
2011-12 CDBG for application intake ser-
vices;
3. Amend an agreement with PathStone Cor-
poration (Ord. No. 2016-366) to extend the
term by one year and increase the maxi-
mum amount of compensation by \$54,682,

which will be funded from the appropriations made above; and

- 4. Amend an agreement with Action for a Better Community, Inc. (Ord. No. 2016-366) to extend the term by one year and increase the maximum amount of compensation by \$49,142, which will be funded from the appropriations made above.

A request for proposals (RFP) for application intake services for housing repair programs was completed in 2016, and PathStone Corporation and Action for a Better Community, Inc. were selected . A continuation of services with both these groups is recommended for the following reasons: 1) the City has invested significant time training staff at both organizations to ensure their understanding of all the City's housing programs in terms of what documents need to be collected for each program and what regulations must be followed; 2) the City is satisfied with the level of performance from both groups; and 3) these groups have gained considerable visibility in the community as representatives of the City, and introducing a new group(s) would disrupt this continuity.

The increase in cost for services is attributed to the rise in general personnel costs plus the cost increase associated with the projected rise in applications from the City's new Windows Program authorized last year that will be processed during the contract term.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-187

Ordinance No. 2017-355
 (Int. No. 398)

Authorizing appropriations of Community Development Block Grant funds and amendatory agreement for the Targeted Housing Rehabilitation and the Window Replacement programs

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

Section 1. The Council hereby appropriates \$100,000 from the Housing Repair Programs-Application Intake Services fund of the 2017-18 Community Development Block Grant (CDBG) for the City's use to operate the Targeted Housing Rehabilitation

Program and the Window Replacement Programs (the housing repair programs).

Section 2. The Council hereby re-appropriates \$3,824 from the Targeted Housing Rehabilitation Program allocation of the Housing Development Fund of the 2011-12 CDBG for application intake services for the housing repair programs.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with PathStone Corporation for application intake services for the City's housing repair programs. The amendments shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2016-366, by \$54,682 to a total amount of \$101,682, and shall extend the existing agreement's term by one year. The amendatory agreement amount shall be funded in the amounts of \$50,858 from the appropriation in Section 1 above and \$3,824 from the appropriation in Section 2 above.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement with Action for a Better Community, Incorporated for application intake services for the City's housing repair programs. The amendments shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2016-366, by \$49,142 to a total amount of \$91,142, and shall extend the existing agreement's term by one year. The amendatory agreement amount shall be funded from the appropriation in Section 1 above.

Section 5. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2017-356
 Re: Owner-Occupant Rehabilitation Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation appropriating \$400,000 for the newly created Owner-Occupant Rehabilitation Program (OORP), which will be funded from the Focused Investment Strategy allocation of the 2017-18 Community Development Block Grant (CDBG) for the City's use.

OORP is a program designed to assist eligible homeowners of single-family properties with roof replacement and lead hazard control. A total of \$400,000 will be available citywide to assist approximately 16 eligible owners.

Marketing efforts for the OORP resulted in the receipt of approximately 1,200 applications by the Neighborhood Service Centers. Sixteen owners will be selected for the program through a lottery, with equal distribution from all four quadrants. All applicants have been asked to verify the following:

- Applicant is an owner-occupant and the property is their principal place of residency;
- Household income is at or below 80% of the area median income;
- City and Monroe County property taxes are up-to-date and/or current with a tax agreement; and
- Applicant has not received a housing grant in the past seven years (excluding lead hazard control).

The proposed funding is part of \$500,000 originally allocated for the Focused Investment Strategy (FIS) program, to be used in a new area. It has been determined that the Comprehensive Planning process should be completed prior to selection of a new FIS area, and the proposed funding be used for OORP, to assist income eligible homeowners. A concurrent request for the balance of \$100,000, related to a Housing Market Study that will assist the Comprehensive Plan, is also before City Council this month. OORP is being proposed to ensure that funds are spent in accordance with CDBG timeliness standards. It is anticipated that these funds will be expended by December 2018.

Action for a Better Community, Inc. and PathStone Corporation will manage the intake process by providing assistance to complete the application. Completed applications will be forwarded to the City for approval, after which individual project work specifications will be completed by City staff. Since the program is being funded with federal funds, the City is required to identify and address all lead-based paint hazards. Projects will be awarded to term contractors

on a rotating basis while lead hazard control work will be competitively bid to City-approved lead hazard control contractors.

It is expected that the cost of the roof replacement and lead hazard control work will average \$24,000 per property.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-356
(Int. No. 399)

Appropriating funds and authorizing agreements for the Owner-Occupant Rehabilitation Program

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

Section 1. The amount of \$400,000 is hereby appropriated from the Focused Investment Strategy fund of the 2017-18 Community Development Block Grant to fund an Owner-Occupant Rehabilitation Program to assist eligible owners of single-family residences with rehabilitation work including roof replacement and lead paint hazard control.

Section 2. The Mayor is hereby authorized to enter into agreements with Program recipients and such other agreements as may be necessary to implement the Program. All such agreements shall be contingent on compliance with federal regulations and 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. 2017-357
Re: Agreement – czb, LLC, 2018
Rochester Citywide Housing
Market Study

Council Priority: Rebuilding and
Strengthening Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$100,000 in Community Development

Block Grant funds from the Focused Investment Strategy project allocation in the 2017-18 Consolidated Community Development Annual Action Plan and establishing \$100,000 as maximum compensation for an agreement with czb, LLC, Alexandria, Virginia, to conduct the 2018 Rochester Citywide Housing Market Study. The term of the agreement will be for one year, with an optional six-month extension.

The goal of the 2018 Rochester Citywide Housing Market Study is to contextualize the current housing market and identify the best data, methods, indicators, and collaborative strategies that can help the City achieve more balanced, sustainable growth. Information, analysis, and materials generated by the Housing Market Study will be integrated into the City's Comprehensive Plan Update. As such, it will directly inform the Comprehensive Plan's analysis of neighborhood types and shape strategies for how to tailor future focused investment initiatives accordingly.

czb was selected to prepare the study through a request for proposals (RFP) process, as described in the attached summary. czb is a nationally known firm that produces comprehensive plans, neighborhood revitalization plans, affordable housing strategies, and a wide range of policy analyses. The firm specializes in working with communities where two ends of the housing market spectrum (weak and strong) have come to exist in very close proximity. Recent czb projects include developing a Housing Opportunity Strategy for Buffalo and providing technical assistance to develop neighborhood typologies that inform Memphis' Comprehensive Plan. The firm includes staff with deep experience working in Western New York and the Finger Lakes region, and their references all "enthusiastically recommended" the firm as providing significant value to past municipal projects.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-188

Ordinance No. 2017-357
(Int. No. 400)

Authorizing an agreement and appropriating funds for the 2018 Rochester Citywide Housing Market Study

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

Section 1. The Council hereby appropriates \$100,000 from the Focused Investment Strategy

fund of the 2017-18 Consolidated Community Development Annual Action Plan to conduct the 2018 Rochester Citywide Housing Market Study.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement in the maximum amount of \$100,000 with czb, LLC to conduct the 2018 Rochester Citywide Housing Market Study. The cost shall be funded from the appropriation in Section 1 above. The term of the agreement shall be one year, with one six-month extension if funds remain.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-358
2017-18 Consolidated Community
Development Plan - Emergency
Solutions Grants Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the US Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) Program. This legislation will authorize agreements with six not-for-profit providers of services for homeless individuals and families, and establish \$270,177 as total maximum compensation for the agreements. The agreements will be funded from the Housing Choice Fund of the 2017-18 Consolidated Community Development Plan/ESG, with a one-time allocation of HUD ESG funding for the 2017-18 program year, as follows:

<u>Organization</u>	<u>Amount</u>
Volunteers of America of Western New York, Inc.	\$10,934
Willow Domestic Violence Center of Greater Rochester, Inc.	20,000
Veterans Outreach Center Inc.	31,703
The Housing Council at Pathstone, Inc.	93,484
YWCA of Rochester and Monroe County, N.Y.	33,697
Catholic Charities of the Diocese of Rochester, operating as Catholic Family Center	80,359
Total:	\$270,177

This program was last authorized by City Council on August 16, 2017 via Ordinance No. 2017-261. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid rehousing. The appropriation will fund rapid rehousing, homelessness prevention, and shelter operations.

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act’s ESG Program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC). The third round of ESG 2017-18 providers were selected through a request for proposals (RFP) process as described in the attached summary.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-189

Ordinance No. 2017-358
(Int. No. 410)

Authorizing agreements and appropriating funds for the Emergency Solutions 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 agreements with the following providers for services to homeless individuals under the Emergency Solutions Grant program. The agreements shall obligate the City to pay an aggregate amount not to exceed \$270,177 with the maximum amount for each agreement being as follows:

Organization	Amount
Volunteers of America of Western New York, Inc.	\$10,934
Willow Domestic Violence Center of Greater Rochester, Inc.	20,000
Veterans Outreach Center Inc.	31,703
The Housing Council at Pathstone, Inc.	93,484
YWCA of Rochester and Monroe County, N.Y.	33,697
Catholic Charities of the Diocese of Rochester, operating as the Catholic Family Center	80,359
Total:	\$270,177

Section 2. The Council hereby appropriates the sum of \$270,177, or so much thereof as may be necessary, to fund the agreements from the Housing Choice Fund-Emergency Solutions Grants (ESG) fund in the Consolidated Community Development Plan/2017-18 Annual Action Plan.

Section 3. The agreements shall be for one year, with an option to extend for up to one additional year if funds remain in the original appropriation.

Section 4. The Mayor is hereby authorized to revise the maximum compensation and scope of work of one or more of the agreements, in the event that the available ESG funds are less, or subject to different conditions, than anticipated.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
November 14, 2017

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

- Int. No. 402 Authorizing agreements and appropriating funds for the Main Street Streetscape & Pedestrian Wayfinding Phase II project
- Int. No. 403 Authorizing an agreement with North East Area Development, Inc.
- Int. No. 404 Authorizing an amendatory agreement with the Village of Lima and Town of Lima Water District 2 and amending the Municipal Code with respect to wholesale water rates

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

- Int. No. 401 Authorizing Official Map Amendments related to the Elmwood Avenue/Collegetown Cycle Track Project

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-359
Re: Official Map Amendment - Elmwood Avenue/Collegetown Cycle Track

Transmitted herewith for your approval is legislation authorizing an Official Map Amendment that dedicates to street and sidewalk purposes the permanent easements donated by the owners of property adjacent to the Elmwood Avenue Cycle Track project. This project will connect the Genesee Riverway Trail and the Collegetown redevelopment along Elmwood Avenue.

The properties are owned by the City of Rochester or have been donated by the University of Rochester. Acceptance of the necessary easements from the University of Rochester was authorized by City Council on August 13, 2013 (Ord. No. 2013-285).

The project is being designed by C&S Engineering, as authorized by City Council on June 17, 2014 (Ord. No. 2014-182). An amendatory agreement with C&S for additional work related to right of way acquisitions was authorized on July 18, 2017 (Ord. No. 2017-228). Design of the project will be completed in the fall of 2017 and construction is scheduled to begin in spring of 2018, with substantial completion by November 2018.

Public outreach included a community meeting held on August 5, 2015, the minutes of which were previously forwarded to Council and are again attached. A second community meeting is scheduled for November 8, 2017, the minutes of which will be forwarded prior to the Council Meeting.

The associated Official Map Amendment was presented to the City Planning Commission on August 8, 2016 and received a favorable recommendation by a vote of 6-0.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-190

Ordinance No. 2017-359
(Int. No. 401)

Authorizing Official Map Amendments related to the Elmwood Avenue/Collegetown Cycle Track Project

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

Section 1. In furtherance of the development of the Elmwood Avenue/Collegetown Cycle Track Project, the Mayor is hereby authorized to amend the Official Map by dedicating as public right-of-way the following permanent easements:

**PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Parcel No. 1**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 1 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 1, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 7949 of deeds at page 271 filed in the Monroe County Clerk's Office on July 10, 1990 said Parcel No. 1 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Elmwood Avenue and the Joseph C. Wilson abandonment line per ordinance 90-275, said line is also the boundary line between lands now or formerly owned by the City of Rochester, TM # 135.43-1-1.1 to the west and lands now or formerly owned by the University of Rochester, TM #135.51-1-2 to the east, said point being 91.86 feet left of and at

right angles to station 11+81.51 of the hereinafter described 2014 Survey Baseline; thence northwesterly along said Joseph C. Wilson abandonment line along a tangent curve to the right, said curve having a radius of 400.00 feet, a distance of 101.86 feet to a point, said point being 102.93 feet left of and at right angles to Station 10+80.53 of said Baseline; thence N 60°12'08" W through said lands now or formerly owned by the City of Rochester a distance of 116.93 feet to a point, said point being 103.41 feet left of and at right angles to Station 9+63.60 (on the ahead tangent extended back) of said Baseline; thence N 32°42'24" W continuing through said lands now or formerly owned by the City of Rochester a distance of 20.62 feet to a point, said point being 113.00 feet left of and at right angles to Station 9+45.35 (on the ahead tangent extended back) of said Baseline; thence S 75°35'59" W continuing through said lands now or formerly owned by the City of Rochester a distance of 18.09 feet to a point, said point being 100.44 feet left of and at right angles to Station 9+32.33 (on the ahead tangent extended back) of said Baseline; thence S 25°30'19" W continuing through the lands now or formerly owned by the City of Rochester a distance of 26.20 feet to a point on said northerly Highway Boundary of Elmwood Avenue, said point being 74.31 feet left of and at right angles to Station 9+34.18 (on the ahead tangent extended back) of said Baseline; thence S 64°29'41" E along said northerly Highway Boundary of Elmwood Avenue a distance of 247.95 feet to the POINT OF BEGINNING.

The above described parcel contains 4,333± sq. ft. or 0.099± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 10+00.00; thence S 60°26'07" E to Station 14+13.07. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Parcel No. 2**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 2 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks,

drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 2, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 1588 of deeds at page 294 filed in the Monroe County Clerk's Office on Oct. 20, 1931 said Parcel No. 2 being shown on the accompanying map and more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Highway Boundary of Elmwood Avenue and the easterly boundary line of lands now or formerly owned by the University of Rochester, TM # 135.52-1-1 to the east and lands now or formerly owned by the University of Rochester, TM # 135.51-1-2 to the west, said point being 94.19 feet left of and at right angles to station 13+10.69 of the hereinafter described 2014 Survey Baseline; thence northwesterly along said northerly Highway boundary of Elmwood Avenue a distance of 98.29 feet to the true Point of Beginning, said point being 92.42 feet left of and at right angles to Station 12+12.41 of said Baseline; thence N 28°31'45" E through the lands now or formerly owned by the University of Rochester a distance of 4.92 feet to a point, said point being 97.34 feet left of and at right angles to Station 12+12.32 of said Baseline; thence N 55°26'10" W continuing through the lands now or formerly owned by the University of Rochester a distance of 60.87 feet to a point, said point being 102.64 feet left of and at right angles to Station 11+51.68 of said Baseline; thence N 60°12'08" W continuing through the lands now or formerly owned by the University of Rochester a distance of 71.15 feet to a point on the Joseph C. Wilson abandonment line per ordinance 90-275, said point being 102.93 feet left of and at right angles to Station 10+80.53 of said Baseline; thence southeasterly continuing along said Joseph C. Wilson abandonment line along a non-tangent curve to the left, said curve having a radius of 400.00 feet, a distance of 101.86 feet to a point on said northerly Highway Boundary of Elmwood Avenue, said point being 91.86 feet left of and at right angles to Station 11+81.50 of said Baseline; thence S 61°28'15" E along said northerly Highway Boundary of Elmwood Avenue a distance of 30.90 feet to the POINT OF BEGINNING.

The above described parcel contains 923± sq. ft. or 0.021± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement

beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 10+00.00; thence S 60°26'07" E to Station 14+13.07. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 3**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 3 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 3, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 1193 of deeds at page 146 filed in the Monroe County Clerk's Office on Dec. 13, 1922 said Parcel No. 3 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Elmwood Avenue and the easterly boundary line of lands now or formerly owned by the University of Rochester, TM # 135.51-1-2 to the west and lands now or formerly owned by the University of Rochester, TM # 135.60-1-2.2 to the east, said point being 26.42 feet left of and at right angles to station 15+29.60 of the hereinafter described 2014 Survey Baseline; thence N 28°31'45" E along said boundary line of lands now or formerly owned by the University of Rochester a distance of 10.25 feet to a point, said point being 33.84 feet left of and at right angles to Station 15+36.67 of said Baseline; thence northwesterly through said lands now or formerly owned by the University of Rochester along a non-tangent curve to the right, said curve having a radius of 140.00 feet, a distance of 32.14 feet to a point of tangency, said point being 53.13 feet left of and at right angles to Station 15+11.05 of said Baseline; thence N 61°28'15" W continuing through the lands now or formerly owned by the University of Rochester a distance of 23.37 feet to a point, said point being 69.24 feet left of and at right angles to Station 14+94.12 of said Baseline; thence S 28°31'45" W continuing through the lands now or formerly owned by the University of Rochester a distance of 10.00 feet to a point

on the northerly Highway Boundary of Elmwood Avenue, said point being 61.99 feet left of and at right angles to Station 14+87.23 of said Baseline; thence S 61°28'15" E along said northerly Highway Boundary of Elmwood Avenue a distance of 23.37 feet to a point of curvature, said point being 45.89 feet left of and at right angles to Station 15+04.16 of said Baseline; thence continuing southeasterly along a tangent curve to the left, said curve having a radius of 150.00 feet, a distance of 32.10 feet to the POINT OF BEGINNING.

The above described parcel contains 555± sq. ft. or 0.013± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 14+13.07; thence N 74°58'07" E to Station 18+25.05. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 4**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 4 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 4, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 9384 of deeds at page 351 filed in the Monroe County Clerk's Office on Nov 6, 2000 said Parcel No. 4 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Elmwood Avenue and the easterly boundary line of lands now or formerly owned by the University of Rochester, TM # 135.51-1-2 to the west and lands now or formerly owned by the University of Rochester, TM # 135.60-1-2.2 to the east, said

point being 26.42 feet left of and at right angles to station 15+29.60 of the hereinafter described 2014 Survey Baseline; thence N 28°31'45" E along said boundary line of lands now or formerly owned by the University of Rochester a distance of 13.33 feet to a point, said point being 36.08 feet left of and at right angles to Station 15+38.79 of said Baseline; thence southeasterly through said lands now or formerly owned by the University of Rochester along a non-tangent curve to the left, said curve having a radius of 137.00 feet, a distance of 104.40 feet to a point of tangency, said point being 21.40 feet left of and at right angles to Station 16+39.62 of said Baseline; thence N 61°25'17" E continuing through said lands now or formerly owned by the University of Rochester a distance of 48.28 feet to a point, said point being 32.71 feet left of and at right angles to Station 16+86.56 of said Baseline; thence S 28°34'09" E continuing through said lands now or formerly owned by the University of Rochester a distance of 6.00 feet to a point, said point being 26.87 feet left of and at right angles to Station 16+87.96 of said Baseline; thence N 61°25'17" E continuing through said lands now or formerly owned by the University of Rochester a distance of 140.71 feet to a point, said point being 58.55 feet left of and at right angles to Station 18+37.35 of said Baseline; thence N 63°01'00" E continuing through said lands now or formerly owned by the University of Rochester a distance of 125.72 feet to a point on the boundary line, of lands now or formerly owned by the University of Rochester, TM # 135.60-1-2.2 to the west and lands now or formerly owned by the University of Rochester, TM # 135.60-1-3 to the east, said point being 58.12 feet left of and at right angles to Station 19+63.07 of said Baseline; thence S 03°18'09" E along said boundary line a distance of 3.87 feet to a point on said northerly Highway Boundary of Elmwood Avenue, said point being 54.59 feet left of and at right angles to Station 19+61.50 of said Baseline; thence S 61°25'17" W along said northerly Highway Boundary of Elmwood Avenue a distance of 313.00 feet to a point of curvature, said point being 8.76 feet left of and at right angles to Station 16+42.67 of said Baseline; thence continuing westerly along a tangent curve to the right, a distance of 117.41 feet to the POINT OF BEGINNING.

The above described parcel contains 3,711± sq. ft. or 0.085± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 14+13.07; thence N 74°58'07" E to Station 18+25.05; thence N 62°49'15" E to Station 26+31.05. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 5**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 5 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 5, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 1193 of deeds at page 146 filed in the Monroe County Clerk's Office on Dec. 13, 1922 said Parcel No. 5 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Elmwood Avenue and the westerly boundary line of lands now or formerly owned by the University of Rochester, TM # 135.60-1-2.2 to the west and lands now or formerly owned by the University of Rochester, TM # 135.60-1-3 to the east, said point being 54.59 feet left of and at right angles to station 19+61.50 of the hereinafter described 2014 Survey Baseline; thence N 03°18'09" W along said boundary line a distance of 3.87 feet to a point, said point being 58.12 feet left of and at right angles to Station 19+63.07 of said Baseline; thence N 61°25'17" E through said lands of the University of Rochester a distance of 71.50 feet to a point, said point being 59.87 feet left of and at right angles to Station 20+34.55 of said Baseline; thence N 28°34'43" W continuing through said lands of the University of Rochester a distance of 4.50 feet to a point, said point being 64.37 feet left of and at right angles to Station 20+34.44 of said Baseline; thence N 61°25'17" E continuing through said lands of the University of Rochester a distance of 112.30 feet to a point, said point being 67.11 feet left of and at right angles to Station 21+46.70 of said Baseline; thence N 66°34'43" E continuing through said lands of the University of Rochester a distance of 99.77 feet to a point, said point being 60.57 feet left of and at right angles to Station 22+46.25 of said Baseline; thence S 25°29'43" E con-

tinuing through said lands of the University of Rochester a distance of 2.50 feet to a point on said northerly Highway Boundary of Elmwood Avenue, said point being 58.08 feet left of and at right angles to Station 22+46.18 of said Baseline; thence southwesterly along said northerly Highway Boundary of Elmwood Avenue along a tangent curve to the left, said curve having a radius of 2,391.82 feet, a distance of 128.71 feet to a point of tangency, said point being 58.40 feet left of and at right angles to Station 21+17.49 of said Baseline; thence continuing S 61°25'17" W along said northerly Highway Boundary of Elmwood Avenue, a distance of 156.03 feet to the POINT OF BEGINNING.

The above described parcel contains 1,650± sq. ft. or 0.038± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 18+25.05; thence N 62°49'15" E to Station to Station 26+31.05. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 6**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 6 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 6, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 1584 of deeds at page 370 filed in the Monroe County Clerk's Office on Nov 19, 1931 and City Ordinance 78-493 said Parcel No. 6 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Highway Boundary of Elmwood Avenue and the division line between lands now or formerly owned by the University of Rochester, TM # 135.60-1-3 to the west and lands now or formerly owned by the City of Rochester to the east, said point being 31.50 feet left of and at right angles to station 25+38.32 of the hereinafter described 2014 Survey Baseline; thence N 18°14'22" W along said division line a distance of 2.93 feet to a point, said point being 34.39 feet left of and at right angles to Station 25+38.78 of said Baseline; thence N 69°44'37" E through said lands now or formerly owned by the City of Rochester a distance of 111.43 feet to a point of curvature, said point being 25.59 feet left of and at right angles to Station 26+42.05 of said Baseline; thence easterly along a non-tangent curve to the right, said curve having a radius of 2,400.82 feet, a distance of 122.15 feet to a point on the easterly division line of lands now or formerly owned by the City of Rochester, said point being 36.41 feet left of and at right angles to Station 27+63.71 of said Baseline; thence N 86°11'12" E along said division line of lands now or formerly owned by the City of Rochester a distance of 62.02 feet to a point on said northerly Highway Boundary of Elmwood Avenue, said point being 30.51 feet left of and at right angles to Station 28+25.45 of said Baseline; thence westerly along said northerly Highway Boundary of Elmwood Avenue along a non-tangent curve to the left, said curve having a radius of 2,391.82 feet, a distance of 293.95 feet to the POINT OF BEGINNING.

The above described parcel contains 1,980± sq. ft. or 0.045± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 18+25.05; thence N 62°49'15" E to Station 26+31.05 thence N 80°44'07" E to Station 33+13.36. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 8**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 8 above, for the

purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 8, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 3495 of deeds at page 133 filed in the Monroe County Clerk's Office on July 25, 1963 said Parcel No. 8 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of Elmwood Avenue and the division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.001 to the west and lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.002 to the east, said point being 48.25 feet right of and at right angles to station 38+27.13 of the hereinafter described 2014 Survey Baseline; thence S 03°27'46" E along said division line a distance of 3.00 feet to a point, said point being 51.25 feet right of and at right angles to Station 38+27.13 of said Baseline; thence S 86°32'14" W through the lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.001 a distance of 39.00 feet to a point, said point being 51.24 feet right of and at right angles to Station 37+88.13 of said Baseline; thence N 03°27'46" W continuing through the lands now or formerly owned by the University of Rochester, a distance of 3.00 feet to a point on the southerly Highway Boundary of Elmwood Avenue, said point being 48.24 feet right of and at right angles to Station 37+88.13 of said Baseline; thence N 86°32'14" E along said southerly Highway Boundary of Elmwood Avenue a distance of 39.00 feet to the POINT OF BEGINNING.

The above described parcel contains 117± sq. ft. or 0.003± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 33+13.36; thence S 86°23'50" E to Station 37+01.10; thence N 86°31'34" E

to Station 40+52.71. All bearings refer to True North at the 78° -35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 9**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 9 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 9, being part of Town Lot 26, formerly in the Town of Brighton, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 3495 of deeds at page 133 filed in the Monroe County Clerk's Office on July 25, 1963 said Parcel No. 9 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of Elmwood Avenue and the easterly division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.002 to the west and lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.003 to the east, said point being 52.18 feet right of and at right angles to station 40+82.17 of the hereinafter described 2014 Survey Baseline; thence S 04 °03'03" E along said division line a distance of 14.00 feet to a point, said point being 66.10 feet right of and at right angles to Station 40+80.64 of said Baseline; thence N 86 °21'14" W through the lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.002 a distance of 88.92 feet to a point, said point being 51.28 feet right of and at right angles to Station 40+00.08 of said Baseline; thence S 86 °32'14" W continuing through said lands now or formerly owned by the University of Rochester TM # 136.53-1-1.002, a distance of 172.95 feet to a point on the division between lands now or formerly owned by the University of Rochester, TM # 136.53-1-1.001 to the west, said point being 51.25 feet right of and at right angles to Station 38+27.13 of said Baseline; thence N 03 °27'46" W along said division line a distance of 3.00 feet to a point on the said southerly Highway Boundary of Elmwood Avenue, said point being 48.25 feet right of and at right angles to Station 38+27.13 of said Baseline; thence N 86 °32'14" E along said southerly Highway Boundary of Elmwood Avenue a distance of 261.04 feet to the POINT OF BEGINNING.

The above described parcel contains 1,268± sq. ft. or 0.029± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 37+01.10; thence N 86 °31'34" E to Station 40+52.71; thence N 79 °41'28" E to Station 44+51.13. All bearings refer to True North at the 78 °-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 10**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 10 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 10, being part of Lot 68, Second Division of Lots, Township 13 Range 7, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 6196 of deeds at page 70 filed in the Monroe County Clerk's Office on Sept 1, 1982 said Parcel No. 10 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of Elmwood Avenue and the division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.003 to the west and lands now or formerly owned by the University of Rochester, TM # 136.53-1-2.002 to the east, said point being 56.27 feet right of and at right angles to station 41+09.89 of the hereinafter described 2014 Survey Baseline; thence S 04 °03'03" E along said division line a distance of 14.06 feet to a point, said point being 70.25 feet right of and at right angles to Station 41+08.36 of said Baseline; thence S 88 °12'10" W through the lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.003 a distance of 28.02 feet to a point on the division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.003 to the east and lands now or formerly owned by the University of

Rochester, TM # 136.53-1-1.002 to the west, said point being 66.10 feet right of and at right angles to Station 40+80.64 of said Baseline; thence N 04°03'03" W along said division line a distance of 14.00 feet to a point on the said southerly Highway Boundary of Elmwood Avenue, said point being 52.18 feet right of and at right angles to Station 40+82.17 of said Baseline; thence easterly along said southerly Highway Boundary of Elmwood Avenue a distance of 20.56 feet to a point, said point being 54.63 feet right of and at right angles to Station 41+02.58 of said Baseline; thence continuing S 87°37'39" E along said Highway Boundary a distance of 7.49 feet to the POINT OF BEGINNING.

The above described parcel contains 401± sq. ft. or 0.009± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 37+01.10; thence N 86°31'34" E to Station 40+52.71; thence N 79°41'28" E to Station 44+51.13. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

**PERMANENT EASEMENT FOR HIGHWAY
PURPOSES
Parcel No. 11**

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 11 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 11, being part of Lot 68, Second Division of Lots, Township 13 Range 7, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 6196 of deeds at page 70 filed in the Monroe County Clerk's Office on Sept 1, 1982 and Liber 3495 of deeds at page 133 filed in the Monroe County Clerk's Office on July 25, 1963 said Parcel No. 11 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of Elmwood Avenue and the division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-2.002 to the west and lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.004 to the east, said point being 99.80 feet right of and at right angles to station 44+95.67 of the hereinafter described 2014 Survey Baseline; thence S 03°56'27" E along said division line a distance of 11.16 feet to a point, said point being 110.96 feet right of and at right angles to Station 44+95.76 of said Baseline; thence S 86°35'15" W through the lands now or formerly owned by the University of Rochester, TM # 136.53-1-2.002 a distance of 143.49 feet to a point, said point being 98.25 feet right of and at right angles to Station 43+39.78 of said Baseline; thence N 05°06'38" W continuing through said lands of University of Rochester, TM # 136.53-1-2.002 a distance of 1.90 feet to a point, said point being 96.36 feet right of and at right angles to Station 43+39.96 of said Baseline; thence S 86°19'43" W continuing through said lands of University of Rochester, TM # 136.53-1-2.002 a distance of 15.83 feet to a point, said point being 94.53 feet right of and at right angles to Station 43+24.23 of said Baseline; thence S 03°40'17" E continuing through said lands of University of Rochester, TM # 136.53-1-2.002 a distance of 1.83 feet to a point, said point being 96.35 feet right of and at right angles to Station 43+24.02 of said Baseline; thence S 86°35'30" W continuing through said lands of University of Rochester, TM # 136.53-1-2.002 a distance of 217.23 feet to a point on the division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-2.002 to the east and lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.003 to the west, said point being 70.25 feet right of and at right angles to Station 41+08.36 of said Baseline; thence N 04°03'03" W along said division line a distance of 14.06 feet to a point on the said southerly Highway Boundary of Elmwood Avenue, said point being 56.27 feet right of and at right angles to Station 41+09.89 of said Baseline; thence S 87°37'39" E along said southerly Highway Boundary of Elmwood Avenue a distance of 34.09 feet to a point, said point being 63.76 feet right of and at right angles to Station 41+43.15 of said Baseline; thence N 86°30'01" E continuing along said Highway Boundary a distance of 342.75 feet to the POINT OF BEGINNING.

The above described parcel contains 4,122± sq. ft. or 0.095± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or

reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's Office and described as follows: Beginning at Station 40+52.71; thence N 79°41'28" E to Station 44+51.13; thence N 86°31'25" E to Station 49+49.72. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

PERMANENT EASEMENT FOR HIGHWAY PURPOSES Parcel No. 12

A permanent easement to be exercised in, on and over the property delineated as Parcel No. 12 above, for the purpose of constructing, reconstructing and maintaining thereon a City street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester.

All that piece or parcel of property hereinafter described as Parcel No. 12, being part of Lot 68, Second Division of Lots, Township 13 Range 7, City of Rochester, County of Monroe, State of New York, also being a portion of lands described in Liber 6196 of deeds at page 70 filed in the Monroe County Clerk's Office on Sept 1, 1982 said Parcel No. 12 being shown on the accompanying map and more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Highway Boundary of Elmwood Avenue and the westerly Highway Boundary of Mount Hope Avenue, said point being 99.70 feet right of and at right angles to station 47+47.48 of the hereinafter described 2014 Survey Baseline; thence S 37°33'59" E along said westerly Highway Boundary of Mount Hope Avenue a distance of 13.62 feet to a point, said point being 110.98 feet right of and at right angles to Station 47+55.11 of said Baseline; thence S 86°31'38" W through the lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.004 a distance of 259.35 feet to a point on the division line between lands now or formerly owned by the University of Rochester, TM # 136.53-1-3.004 to the east and lands now or formerly owned by the University of Rochester, TM # 136.53-1-2.002 to the west, said point being 110.96 feet right of and at right angles to Station 44+95.76 of said Baseline; thence N 03°56'27" W along said division line a distance of 11.16 feet to a point on the said southerly Highway Boundary of Elmwood Avenue, said point being 99.80 feet right of and at right angles to Station 44+95.67 of said Baseline; thence N 86°30'01" E along said southerly Highway Boundary of Elmwood Avenue a distance of 251.81 feet to the POINT OF BEGINNING.

The above described parcel contains 2,867± sq. ft. or 0.066± acre.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Elmwood Avenue as shown on a map and plan on file in the City Clerk's office and described as follows: Beginning at Station 44+51.13; thence N 86°31' 25" E to Station 49+49+72. All bearings refer to True North at the 78°-35' Meridian of West Longitude.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-360
Re: Agreement – Stantec Consulting Services, Inc., Main Street Streetscape and Pedestrian Wayfinding Phase II

Transmitted herewith for your approval is legislation related to the Main Street Streetscape and Pedestrian Wayfinding Phase II project. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project;
2. Appropriate \$179,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance design and inspection services; and,
3. Establish \$473,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc., Rochester, New York, for design and inspection services related to the project.

The Main Street Streetscape and Pedestrian Wayfinding Phase I project is presently in construction. It is implementing streetscape improvements along the Main Street corridor, from St. Paul Street to East Avenue, and eight pedestrian wayfinding kiosks located between Plymouth Avenue and Gibbs Street. The Phase II project will extend the Phase I designed streetscape elements from St. Paul Street west to State Street, and design and implement additional pedestrian wayfinding signage throughout the Center City. Phase II is a federal aid project through the Transportation Alternatives Program administered by the City under agreement with the NYSDOT. Federal aid will reimburse the City for 74% of eligible project costs; local funds will support the balance.

Stantec was selected through a request for proposals process using the State's Local Design Services Agreement, or LDSA, as described in the attached summary. The term of the consultant agreement shall terminate six months after completion and acceptance of the construction of the project. In the event that project construction is not undertaken, the agreement shall terminate one year after the completion of the contract documents by the consultant and the acceptance by the City of such contract documents.

The cost of the agreement with Stantec will be financed as follows:

<u>Source</u>	<u>Amount</u>
2017-18 Cash Capital	\$ 84,000
2015-16 Cash Capital	25,000
2014-15 Cash Capital	185,000
<u>Federal aid appropriated herein</u>	<u>179,000</u>
TOTAL	\$473,000

Design services will begin in winter 2017 and it is anticipated that construction will begin in spring 2019 with scheduled completion in fall 2019. The agreement will result in the creation and/or retention of the equivalent of five full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-191

Ordinance No. 2017-360
 (Int. No. 402)

Authorizing agreements and appropriating funds for the Main Street Streetscape & Pedestrian Wayfinding Phase II project

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

Section 1. The sum of \$179,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund design and inspection services for the Main Street Streetscape & Pedestrian Wayfinding Phase II project (the Project).

Section 2. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the use of FHWA funding for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. to provide design and inspection services for the Project. The maximum compensation for the agreement shall be \$473,000, which shall be funded in the amounts of \$179,000 from the FHWA appropriation authorized in Section 1 herein, \$84,000 in 2017-18 Cash Capital, \$25,000 in 2015-16 Cash Capital, \$185,000 in 2014-15 Cash Capital. The term of the agreement shall continue until 6 months after the completion and the City's acceptance of the Project, provided however that the agreement shall terminate one year after the consultant's completion and the City's acceptance of contract deliverables in the event that Project construction is not undertaken.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Re: Ordinance No. 2017-361
 Agreement – North East Area
 Development, Inc., Pilot Community
 Snow Plowing Program

Council Priority: Jobs and Economic
 Development

Transmitted herewith for your approval is legislation establishing \$5,400 as maximum compensation for an agreement with North East Area Development, Inc. (NEAD) to partner with the City in the implementation of a pilot community snow plowing program. The term of the agreement will be for one year and the

cost will be funded from 2017-18 Budget of the Department of Environmental Services.

NEAD will provide snow plow operators and 4 x 4 pickup trucks with plows to clear one of the City's alley routes throughout the 2017-18 winter season. The route is comprised of a series of short and narrow streets and alleys located in the Northeast quadrant (see attached map). The plowing season will commence at approximately the midpoint of November and conclude by the end of April.

The City will provide performance expectations and reviews of the work performed. Work performance will be evaluated by the City using the same process by which the City's contracted plowing program is reviewed: Through visible inspections by a City snow inspector of each street and alley serviced.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-192

Ordinance No. 2017-361
(Int. No. 403)

Authorizing an agreement with North East Area Development, Inc.

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 North East Area Development, Inc. to implement a pilot community snow plowing program within the Northeast Quadrant. The term of the agreement shall be one year from November 15, 2017 to November 14, 2018.

Section 2. The maximum compensation for the agreement shall be \$5,400. Said amount shall be funded from the 2017-18 Budget of the Department of Environmental Services.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-362
Amendatory Agreement – Village
Of Lima and Town of Lima
Water District 2, Extension and
Rate Increase

Transmitted herewith for your approval is legislation related to a wholesale water supply agreement with the Village of Lima and Town of Lima Water District 2. This legislation will:

1. Authorize an amendatory agreement with the Village of Lima and Town of Lima Water District 2 extending the term of the existing agreement until June 30, 2018 and raising the wholesale water rate for Water District 2 and the Village of Lima to \$1.68 effective December 1, 2017.
2. Amend Section 23-37 of the Municipal Code relating to water fees.

The original 30-year agreement was authorized by Council in November 1987 via Ordinance No. 1987-249. The Village and Water District 2 purchase approximately 200,000 gallons of water per day.

The current rate of \$1.61 per 1,000 gallons was approved by Council in April 2016 via Ordinance No. 2016-166. In September 2017, Section 23-37 of the Municipal Code was amended to raise the wholesale water rate to \$1.68 for Water District 1 and 2, when it was intended to only raise the rate for Water District 1 (Ord. No. 2017-305). Subsection F (9) is to be amended to note that his rate also applies to the Village of Lima.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-362
(Int. No. 404)

Authorizing an amendatory agreement with the Village of Lima and Town of Lima Water District 2 and amending the Municipal Code with respect to wholesale water rates

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 Village of Lima and the Town of Lima Water District 2 to extend the term of the existing agreement authorized by Ordinance No. 1987-249 until June 30, 2018. The amendatory agreement shall raise the wholesale water rate to \$1.68 per 1,000 gallons effective December 1, 2017.

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

Section 3. Chapter 23, Section 37 of the Municipal Code, relating to water fees, as amended, is hereby further amended by amending subsection F(9) thereof to read in its entirety as follows:

- (9) Wholesale rate: \$1.68 per 1,000 gallons for Water Districts 1 and 2 of the Town of Lima and the Village of Lima.

Section 4. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

By Councilmember McFadden
November 14, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for Adoption the following entitled legislation:

- Int. No. 384 Authorizing an agreement with the Rochester City School District related to School Resource Officers
- Int. No. 405 Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program
- Int. No. 406 Authorizing an agreement and funding for the Motor Vehicle Theft and Insurance Fraud Prevention program
- Int. No. 407 Authorizing a professional services agreement for pre-employment psychological testing

Int. No. 408 Authorizing an agreement with the County of Monroe for the Grant for Improving the Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking

Int. No. 411 Authorizing an agreement for Text to 911 services for the Emergency Communications Department

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

Introductory No. 384 was introduced on October 17, 2017 and appears in its original form with its transmittal letter on page 434 of the 2017 Council Proceedings.

Ordinance No. 2017-363
(Int. No. 384)

Authorizing an agreement with the Rochester City School District related to School Resource Officers

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District (RCSD) to provide sworn City of Rochester Police Officers to serve as School Resource Officers at RCSD facilities and for the receipt and use of funds in an amount not to exceed \$1,120,000 from the RCSD as partial reimbursement for the City's cost of providing the officers.

Section 2. The term of said agreement shall extend from July 1, 2017, through June 30, 2018.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-364
Agreements – New York State
Department of Health,
Comprehensive Adolescent
Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant program to address teen pregnancy. This legislation will:

1. Authorize an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$598,407 for the January 1 through December 31, 2018 program period.
2. Establish \$259,032 as total maximum compensation for the following agreements, funded from the grant authorized herein, for a term of one year:

Baden Street Settlement, Inc. / Metro Council for Teen Potential	\$ 83,242
Highland Family Planning	46,170
Society for the Protection and Care of Children	54,261
YWCA of Rochester and Monroe County, NY	50,359
Christopher Communications (marketing and media)	<u>25,000</u>
TOTAL	\$259,032

The \$123,109 of grant funds apportioned to personnel costs and benefits for three full-time and two part-time employees for January 1, 2018 through June 30, 2018, was anticipated and included in the 2017-18 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses. The remaining \$125,751 apportioned to personnel costs and benefits for those grant-funded employees for July 1, 2018 through December 31, 2018, will be anticipated and included in the 2018-19 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses, contingent upon approval.

The remaining \$90,515 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, office supplies, and indirect expenses.

The NYSDOH CAPP Grant program is for a five-year term, from January 1, 2017 through December 31, 2021. This will be year two of the five-year grant. The grant was last authorized by City Council via Ordinance Nos. 2016-382 and 2017-284. The contracted agencies, with the exception of Christopher Communications, were included as partners in the original grant application after being selected through a request for proposals process.

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 the Rochester City School District
- Reduce adolescent pregnancy rates in the city of Rochester
- Improve high school graduation rates in the city of Rochester

The program will serve a total of 810 unduplicated youth and 200 parents each year.

Respectfully submitted,
Lovely A. Warren
Mayor

Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention 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 for the receipt and use of \$598,407 in funding for the Comprehensive Adolescent Pregnancy Prevention Program (the Program) for the January 1, 2018 to December 31, 2018 program period.

Section 2. The Mayor is hereby authorized to enter into professional service agreements to provide Program services with the following organizations up to the maximum amount specified therein for a term of one year:

Organization	Amount
Baden Street Settlement, Inc. /Metro Council for Teen Potential	\$83,242
Highland Family Planning	46,170
Society for the Protection and Care of Children	54,261
YWCA of Rochester and Monroe County, N.Y.	50,359
Christopher Communications (marketing & media)	25,000
Total	\$259,032

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into amendatory agreements with one or more of the other above providers to use the unexpended funds to provide additional Program services.

Section 3. The provider agreements shall obligate the City to pay an aggregate amount not to exceed \$259,032, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the New York State Department of Health under the grant agreement authorized in Section 1 herein.

Section 4. Funds from that grant agreement in the amount of \$90,515 are hereby appropriated to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 5. The grant agreement and provider agreements 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. 2017-365

Re: Agreement –New York State Division
of Criminal Justice Services,
Motor Vehicle Theft and Insurance
Fraud Prevention Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$49,600 for the Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant, and amending the 2017-18 Budget of the Police Department by \$29,600 to reflect a portion of this grant.

This award, for the reduction of auto theft and insurance fraud, will provide overtime in the amount of \$43,500 to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides \$4,100 for an alarm system and \$2,000 to train police officers in specialized anti-theft techniques and technology. This grant does not cover fringe which is estimated at \$14,190.

The previous MVTIFP award was authorized by City Council in October 2016 (Ord. No. 2016-352). The term of this agreement is for one year, January 1 through December 31, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017 -365
(Int. No. 406)

Authorizing an agreement and funding for the Motor Vehicle Theft and Insurance Fraud Prevention program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of grant funds for the Motor Vehicle Theft and Insurance Fraud Prevention program in the amount of \$49,600. The term of this agreement shall be January 1, 2018 through December 31, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$29,600, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-366
Agreement – Public Safety Psychology, PLLC, Pre-Employment Psychological Testing

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum annual compensation for an agreement with Public Safety Psychology, PLLC, Albany, New York, to provide clinical services for pre-employment psychological testing of new hires for the Rochester Police Department (RPD) and the Emergency Communications Department (ECD). The annual cost of the agreement will be funded from the 2017-18 Budgets of RPD (\$60,000) and ECD (\$30,000). The term of this agreement will be December 1, 2017 through November 30, 2018, with the option to renew for four, one-year terms.

Public Safety Psychology, a board-certified specialist in police and public safety psychology, will provide pre-employment psychological evaluations for candidates who are in the process to be hired by RPD and ECD. Evaluations will include a variety of written tests, a background questionnaire, and a personal interview. Public Safety Psychology will then provide a written report detailing the suitability of the candidate.

The consultant was selected through a request for proposals process, as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-193

Ordinance No. 2017-366
(Int. No. 407)

Authorizing a professional services agreement for pre-employment psychological testing

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 in the maximum annual amount of \$90,000 with Public Safety Psychology, PLLC to provide clinical services

for pre-employment psychological testing of new hires for the Rochester Police Department (RPD) and the Emergency Communications Department (ECD). The term of the agreement shall be December 1, 2017 through November 30, 2018 with the option to renew for up to four additional one year periods. The cost for the agreement shall be funded from the 2017-18 Budget of RPD (\$60,000) and 2017-18 Budget of ECD (\$30,000) and funding for any renewal periods shall be from future budgets of RPD and ECD, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-367
Re: Agreement – Monroe County, Grant for Improving the Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of the US Department of Justice, Office on Violence Against Women, Grant for Improving the Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking (SADVS) in the amount of \$111,890 and amending the 2017-18 Budget of the Police Department (\$5,400) and Undistributed Expenses (\$1,800) for overtime and associated fringe costs, respectively. The term of this agreement is October 1, 2017 through September 30, 2020.

Monroe County received \$750,000 from US Department of Justice for the SADVS program to implement a comprehensive collaborative among agencies dealing with domestic violence. This collaborative, in-

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$5,400 and the Budget of Undistributed expenses by \$1,800 for funds received under the grant agreement authorized herein.

cluding RPD, previously received domestic violence-funding from the federal government during the period 2014 - 2017 under the Grants to Encourage Arrest initiative, that ended on September 30, 2017.

The funds will be used to support the salary and fringe benefits of a part-time staff member in Family and Victims Services Section who will work with other members of RPD assigned to this grant to provide enhanced domestic violence victim services. The grant will also support the cost of overtime and associated fringe benefits for the Domestic Violence Response Team, comprised of police officers and police supervisors as needed, to respond to targeted domestic violence situations.

RPD is one of the founding members of the Rochester/Monroe County Domestic Violence Consortium, which has been active for over 25 years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-367
(Int. No. 408)

Authorizing an agreement with the County of Monroe for the Grant for Improving the Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for receipt and use of funding from the U.S. Department of Justice, Violence against Women, Grant for Improving the Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking in the amount of \$111,890. The agreement shall have a term of October 1, 2017 through September 30, 2020.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other documents as may be necessary for the City to participate in and administer the use of the grant funds authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-368
Agreement – West Safety Solutions
Corp., Text to 911

Transmitted herewith for your approval is legislation establishing \$48,750 as total maximum compensation for a three year agreement with West Safety Solutions Corp. for text to 911 services and connectivity. The cost of this agreement will be funded from the 2017-18 and subsequent budgets (contingent upon approval) of the Emergency Communications Department (ECD) as follows: 2017-18, \$18,750; 2018-19, \$15,000; and 2019-20, \$15,000. The agreement includes the option for two, one-year renewals, to be funded from future budgets of ECD at \$15,000 per year, contingent upon approval of the future budgets. All costs will be reimbursable to the City from Monroe County under the 911 Center Operating Agreement.

The consultant will improve the ability of ECD to receive text-based messages by eliminating the need for a third-party internet application and allow text messages to go directly to the actual 911 telephone system. This change will also better position ECD for the eventual implementation of Next Generation 911, a national initiative to create a 911 system capable of keeping up with advances in communication technology used by the public.

West Safety Solutions Corp. was selected through a request for proposals process as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-194

Ordinance No. 2017-368
(Int. No. 411)

Authorizing an agreement for Text to 911 services for the Emergency Communications Department

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 West Safety Solutions Corp. to improve Text to 911 connectivity for the Emergency Communications Department (ECD). The term of the agreement shall be three years with an option to extend for up to two additional periods of 1 year each.

Section 2. The maximum compensation for the regular term of the agreement shall be \$48,750, which shall be funded from the Budgets of ECD in the amounts of \$18,750 from 2017-18, \$15,000 from 2018-19, and \$15,000 from 2019-20, contingent upon the approval of the latter two Budgets. The maximum compensation for any optional extended term shall be \$15,000 per year, which amount shall be funded from subsequent Budgets of ECD, contingent upon their approval.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:02 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 19, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 9

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

ECD:

- * Salvatore P. Arnone
- * Lynee A. Kita
- * Bernard J. Sturtevant
- * Mark Teuchert

NBD:

- * Linda M. Session-Gordon

Special Recognition:

COUNCIL:

- Carolee A. Conklin
- Matt Haag
- Vice President Dana K. Miller

*Not attending meeting

APPROVAL OF THE MINUTES

By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of November 14, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4276-17

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. No. 427 and Int. No. 448, and Councilmember Haag on Int. No. 439.

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

Councilmember Spaul presented 44 signatures in support of the speed limit reduction Petition No. 175

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Conklin
December 19, 2017

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

- Int. No. 415 Local Law amending the City Charter with respect to the salary of the Mayor
- Int. No. 416 Local Law amending the City Charter with respect to the salary of members of the City Council, as amended
- Int. No. 417 Resolution approving appointments to the Board of Assessment Review
- Int. No. 418 Local Law amending the Code of Ethics
- Int. No. 419 Authorizing agreements for information technology contract services
- Int. No. 420 Authorizing an amendatory agreement with Entre Computer Services, Inc. related to the upgrade of the City Microsoft Access Systems
- Int. No. 421 Authorizing an agreement for the 2018 Xerox Rochester International Jazz Festival
- Int. No. 422 Authorizing an agreement for the 2018 Rochester Twilight Criterium
- Int. No. 423 Authorizing an agreement for the ROC the Park Concerts
- Int. No. 424 Authorizing an agreement with The Springut Group, Inc. for production of the 2018 Party in the Park, as amended
- Int. No. 425 Appropriating Firefighters' Insurance Funds
- Int. No. 426 Authorizing an agreement for web-based solicitation and bidding services
- Int. No. 427 Amending the 2017-18 Budget
- Int. No. 428 Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2018
- Int. No. 429 Authorizing an agreement for State lobbying services, as amended
- Int. No. 449 Authorizing an agreement with Ostroff Associates, Inc. for state lobbying services
- Int. No. 450 Bond Ordinance of the City of Rochester, New York amending Ordinance No. 2014-243 and authorizing the issuance of \$20,375,000 Bonds of said City to finance the costs of improvements to specified City School District schools
- Int. No. 451 Authorizing an agreement for special event production services
- Int. No. 452 Authorizing an agreement for the Rochester MusicFest

Respectfully submitted,
Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

TUESDAY, DECEMBER 19, 2017

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Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law 1 (2018)
Local Law 2 (2018)
Re: Salary Adjustments

Transmitted herewith for your approval is legislation involving the salaries of the Mayor and City Council. As you are aware, Section 2-12 of the City Charter requires that the City Council establish the salary of the Mayor.

Since 1989, the City Council has used the approach of setting a salary level for the Mayor in the first year of each term and stipulating annual cost of living adjustments (COLAs), with a specific cap on such increases. It has been the intent of this approach that the COLA's would generally protect the salary from erosion by inflation, while the cap would protect the taxpayer from any spikes that might occur in the Consumer Price Index (CPI).

As has been the City Council's practice for over twenty years, the Mayor's current salary will remain frozen in 2018 at the 2017 rate and in January of 2019, 2020 and 2021, that salary would be adjusted to reflect any changes in the CPI-Urban during the previous year, with an annual cap of 3% on such adjustments. The second piece of legislation also freezes the Council salary in 2018 and then re-establishes the same long-standing cost of living formula for the Council.

Legislation was adopted in 2008 allowing for the Mayor or any Councilmember to decline any scheduled salary increase.

Respectfully submitted,

Carolee A. Conklin
Chair, Finance Committee
At-Large Member

Local Law No. 1 (2018)
(Int. No. 415)

Local Law amending the City Charter with respect to the salary of the Mayor

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, (hereinafter, the City Charter) is hereby further amended by amending Subsection A of Section 3-3.1, Salary of the Mayor, to read in its entirety as follows:

- A. The annual salary of the Mayor is One Hundred Forty-Five Thousand, Eight Hundred Thirty-Seven Dollars (\$145,837).

Section 2. City Charter Section 3-3.1, Salary of the Mayor, is hereby further amended by amending Subsection C to read in its entirety as follows:

- C. On January 1 of 2019, 2020, and 2021, the annual salary of the Mayor shall be increased by the same percentage, if any, that the Consumer Price Index - Urban has increased during the most recent twelve-month period prior to January 1 for which such Index has been published, except that no such annual increase shall exceed three percent (3%).

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Passed unanimously.

Local Law No. 2 (2018)
(Int. No. 416, as amended)

Local Law amending the City Charter with respect to the salary of members of the City Council

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 5-2 thereof, relating to members of the Council, by amending the third to last

and second to last sentences of said Section to read in their entirety as follows:

The annual salary of each member of Council is Thirty-Four Thousand, Nine Hundred Ninety-Four Dollars (\$34,994). On January 1 of 2019, 2020, and 2021, such annual salary shall be increased by the same percentage, if any, that the Consumer Price Index - Urban has increased during the most recent twelve-month period prior to January 1 for which such Index has been published, except that no such increase shall exceed an annual rate of three percent (3%).

Section 2. This local law shall take effect ~~45 days after the date of its adoption immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.~~

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Resolution No. 2017-19
Appointment - Board Of
Assessment Review

Council Priority: Rebuilding and Strengthening
Neighborhood Housing and Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation to approve the appointments of the following individuals to the Board of Assessment Review:

Permanent Panel Members (5-year term)

Justin R. Martin, 232 Henrietta Street, Rochester, NY 14620

Temporary Panel Members (1-year term)

Carmen Diamond, 342 Birr Street, Rochester, NY 14613
Carlos Mercado, 12 Vick Park A, Rochester, NY 14607
Gerald Roberts, 32 Berkeley Street, Rochester, NY 14607
Gary Thomas, 1 Bly Street, Rochester, NY 14620
LaShay Harris, 323 Aldine Street, Rochester, NY 14619

Resumes of the above appointees are on file with the City Clerk and all have maintained a perfect attendance when scheduled while serving on the City's 2018 Board of Assessment Review. Carmen Diamond was appointed last year but due to unforeseen health issues she was unable to serve. She has indicated that they she is able to be scheduled in a more regular manner in 2018.

Respectfully submitted,

Loretta C. Scott
President

Resolution No. 2017-19
(Int. No. 417)

Resolution approving appointments to the Board of Assessment Review

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

Section 1. The Council hereby approves the appointment of

Justin R. Martin
232 Henrietta Street
Rochester, NY 14620

to the Board of Assessment Review for a term that will expire on September 30, 2022.

Section 2. The Council hereby approves the appointments of

Carmen Diamond
342 Birr Street
Rochester, New York 14613

And

Carlos Mercado
12 Vick Park A
Rochester, New York 14607

And

Gerald Roberts
32 Berkeley Street
Rochester, New York 14607

And

Gary Thomas
1 Bly Street

TUESDAY, DECEMBER 19, 2017

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Rochester, NY 14620

And

LaShay Harris
323 Aldine Street
Rochester, NY 14619

Molly Clifford
Northwest District

Attachment No. AQ-195

Local Law No. 3 (2018)
(Int. No. 418)

to the Board of Assessment Review for a term that will expire on September 30, 2018.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Local Law 3 (2018)
Local Law – Amending Section 2-18 of the
City Charter - Code of Ethics

Transmitted herewith for Council approval is a local law amending Section 2-18 of the City Charter with respect to the Code of Ethics for the City of Rochester.

The amendments to the Code of Ethics include:

- Updating the list of titles required to fill out an annual Financial Disclosure Form.
- Updating the Financial Disclosure Form by increasing the amount of information required to be shared, thus allowing for conflicts to be more closely identified.
- Modernizing the value that is allowed for a gift; this value has not been updated since 1985. This legislation would change the maximum value of a gift from \$25 to \$75. This updated value more accurately reflects the assessment of gifts that are given to City Officials from other cities, dignitaries and organizations. It should also be noted that currently the amounts for other Upstate cities in New York State are as follows: Buffalo shall not exceed \$100, Syracuse and Ithaca shall not exceed \$75, and Albany does not mention a limit within their Code of Ethics.

Respectfully submitted,

Carolee A. Conklin
Finance Committee Chair
At-Large Member

Adam C. McFadden
Public Safety, Youth
& Recreation Committee
Chair
South District

Local Law amending the Code of Ethics

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending the following provisions of Section 2-18, Code of Ethics:

A. Subdivision C(6) to read in its entirety as follows:

No City officer or employee shall solicit any gift, nor shall any City officer or employee accept or receive any gift having a value of \$25 \$75 or more, regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before any City agency. The provisions of this subsection shall not apply to contributions solicited or received in accordance with the Election Law of the State of New York.

B. In Subdivision G(1), the list of positions required to file financial disclosure statements to read in its entirety as follows:

Mayor
Candidate for Mayor
Deputy Mayor
Director of Special Projects and Educational Initiatives
Executive Staff Assistant IV
Assistant to the Mayor
Member of City Council
Candidate for City Council
City Clerk
Deputy City Clerk
Chief of Staff
Chief Legislative Assistant
Senior Legislative Analyst
Legislative Aide (part-time)
Director of Budget and Efficiency
Director of the Office of Management and Budget

~~Chief of Performance Accountability and Customer Satisfaction~~
 Director of Human Resource Management
 Manager of Labor Relations
~~Executive Secretary of the Civil Service Commission~~
 Director of Communications
~~Deputy Director/Communications~~
 Corporation Counsel
~~Municipal Attorney IV~~
~~Deputy Corporation Counsel~~
~~Youth Intervention Supervisor~~
 Assistance Manager/Parks & Recreation
 Director of the Office of Public Integrity
 Manager of Internal Audit
 Chief Information Officer
~~IT Relationship Manager, Back Office~~
~~IT Relationship Manager, Front Office~~
 Technical Infrastructure Service Manager
 Business Process Services Manager
 Application Services Manager
 Information Services Manager
 Director of Finance
 Deputy Director of Finance
 Director of Accounting
 City Treasurer
 Deputy City Treasurer
 Assessor
 Parking Director
 Assistant Director of Parking
 Purchasing Agent
 Commissioner of Neighborhood and Business Development
 Neighborhood Service Centers Director
 Neighborhood Service Centers Administrator
 Director of Development Services
 Director of Buildings and Zoning
 Manager of Code Compliance
 Manager of Planning
 Manager of Zoning
 Manager of Housing Director of Real Estate
 Manager of Downtown Development
~~Manager of Contract Services~~
~~Manager of Small Market Development~~
~~Principal Staff Assistant/Department of Neighborhood and Business Development~~
 Commissioner of Environmental Services
 Assistant Commissioner of Environmental Services
 City Engineer
~~Assistant City Engineer~~
 Managing Engineer/Street Design
 Members of City Boards and Commissions, except for the Downtown Enhancement District Advisory Board and the Environmental Commission

City Appointees to Boards and Commissions, except for the Downtown Enhancement District Advisory Board and the Environmental Commission

Managing Engineer/Construction
 Director of Operations
~~Assistant Director of Operations~~
 Refuse Operations Manager
~~Operations Manager~~
~~Director of Buildings and Parks~~
 Manager of Building Services
 Manager of Environmental Quality
~~Cemetery Manager~~
 City Forester
~~Director of Equipment Services~~
 Managing Architect
 Director of the Water Bureau
 Managing Engineer/Water Design
 Manager of Water Distribution
 Manager of Water Production
~~Fleet Manager~~
~~Manager of Administrative Services~~
 Emergency Communications Center Director
 Deputy Director/Emergency Communications Department
 Chief of Police
~~Executive Deputy Police Chief~~
 Deputy Chief of Police Chief
~~Deputy Chief of Community Engagement~~
 Police Commander
 Manager of Police Property
 Senior Property Clerk
 Property Clerk
~~Director of Animal Services~~
 Chief of Security Operations
~~Director, Pathways to Peace~~
 Fire Chief
 Executive Deputy Fire Chief
 Deputy Fire Chief
~~Director of Fire Administration~~
 Fire Marshal
 Superintendent of Fire Equipment Maintenance
 Captain in Charge of Supply Depot
 Commissioner of Recreation and Youth Services
~~Deputy Commissioner of Recreation and Youth Services~~
~~Assistant Commissioner/Recreation~~
~~Assistant Commissioner/Youth Services~~
~~Director/Office of Employment Opportunities~~
 Library Director
 Assistant Library Director III
 Manager of Library Finance

Persons occupying other positions, determined by the Mayor to be policy-making positions in a document transmitted to the Secretary of the Board of Ethics by December 31 of each year, shall also be required to file financial disclosure statements as prescribed herein.

The Statement of Financial Disclosure form incorporated into the Charter by Subdivision G(13) and designated as C Attachment 1 is hereby replaced with the following form:

**STATEMENT OF FINANCIAL DISCLOSURE
FOR CALENDAR YEAR 20__**

Last Name:	First Name:	Middle Initial:
------------	-------------	-----------------

Title of Position	
Name of Spouse/Domestic Partner	
Unemancipated Child & Age	

Rochester City Charter requires all City officials and certain employees to complete a financial disclosure statement each year. You have been identified as occupying a position in which disclosure is mandated. Reference City Charter 2-18., Code of Ethics, Section G-Financial Disclosure. **Please complete this form and return it no later than April 15, 20__.**

Please Complete Electronically, Print or Type – **Sign completed form and return**

Please answer each question by checking the appropriate box. **If you answer yes to any question,** you must complete the corresponding numbered item on Page 2 of this form. Each question **refers to the period from January 1, 20__ through December 31, 20__.**

1	Did you, or any member of your immediate family, including family members employed by the City, receive compensation from any person or entity that engaged in any transaction or activity with the City?	NO	YES
2	Did you, or any member of your immediate family, have a direct financial interest (including stocks, bonds, mutual funds, partnership interest) in any person or entity that engaged in any transaction or activity with the City?	NO	YES
3	Did you, or any member of your immediate family, serve as an officer, director or trustee of any entity (non-City boards, associations or organizations) that engaged in any transaction or activity with the City?	NO	YES
4	Did you or any member of your immediate family, own or hold an interest in any real estate located in the City of Rochester?	NO	YES
5	Did you or any member of your immediate family, own or hold an interest in any real estate located outside the City of Rochester?	NO	YES

Provide Additional Information for Questions 1 – 5 that were answered “yes”

1. Please indicate: a) the name and address of each person or entity from which you or an immediate family member received compensation; b) the name and address of the recipient of that compensation; c) the amount of the compensation using the letter categories specified below and using “U” for an amount that is equal or less than \$1000; and d) the name of each City agency involved in each of the transactions or activities, if known:

2. Please Indicate: a) the name and address of each entity in which you or an immediate family member had a direct financial interest; b) the name and address of the person who holds the direct financial interest; and c) the name of each City agency involved in each of the transactions or activities, if known:

- 3. Please indicate: (a) the name of the person holding the position (you or an immediate family member); (b) the title of the office, directorship or trusteeship held; (c) the name and address of the entity; and (d) the name of each City agency involved in each of the transactions or activities, if known:

- 4. Please provide the address or legal description of all real estate located in Rochester in which you or an immediate family member own or hold a direct financial interest and the name of the person (you and/or an immediate family member) who is the owner or interest holder.

- 5. Please provide the address or legal description of all real estate located outside of Rochester in which you or an immediate family member own or hold a direct financial interest and the name of the person (you and/or an immediate family member) who is the owner or interest holder.

Categories of Amount or Value

In the remaining sections, when asked to indicate the amount or value of the items required to be listed, indicate the amount or value by using the following category title only:

- | | |
|---|---|
| Category A: \$1,001 to \$5,000 | Category D: \$50,001 to \$100,000 |
| Category B: \$5,001 to \$25,000 | Category E: \$100,001 to \$250,000 |
| Category C: \$25,001 to \$50,000 | Category F: Over \$250,000 |

Identification

In providing the information required to be listed in the remaining sections hereof, the person required to file shall indicate whether a particular item listed pertains solely to such person (P), a spouse (S), or an unemancipated child (U) by printing the appropriate letter at the beginning (i.e. left end) of each line.

Sources of Income, Benefits and Gifts

List by name of donor or payor each and every source of income, benefits and gifts received, or accrued and deferred, during the last calendar year which totaled in aggregate net amount before taxes, or had a fair market value of, more than \$1,000.00, and indicate for each source the category of amount by using the appropriate letter. State the general basis for receipt or accrual of the item and its general nature. Exclude from this list salary

and benefits from the City of Rochester; campaign contributions; reimbursements for actual business expenses; inheritances; gifts from family members; alimony and child support payments; insurance payments; settlements or awards for personal injury or property damage; and individual names of clients/customers/patients/tenants/etc. (as to which use name of firm or descriptive groupings, e.g. "medical practice" or "rental income from (address for building)").

<u>Donor/Payor</u>	<u>Category of Amount of Value</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Other Employment/Compensation

Please list all sources of income outside of your employment/affiliation with the City of Rochester – include all fulltime, part-time, self-employment, consultant, contract, etc). Include company name, your position/title, compensation and nature of the business.

If you are a partner in a company or have an interest in one, please provide the same information as above.

List the name of each and every corporation whose stock or bonds were owned in excess of 10% or partnership or other business entity in which an interest was held in excess of 10% for longer than 60 days at any time during the reporting period.

Transfers and Assignments

List each and every assignment of income or benefits of more than \$1,000, and each and every transfer of any asset having a fair market value more than \$1,000, made during the last calendar year, other than to a family member. Indicate the name of the assignee or transferee. Indicate the category of amount or value of the assignment or transfer by using the appropriate letter.

<u>Assignment/Transfer</u>	<u>Category of Amount of Value</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Liabilities

- a. List each and every liability outstanding as of December 31 of the last calendar year having a face value exceeding \$5,000, and indicate for each liability the category of amount by using the appropriate letter. Describe each liability and to whom it was owed sufficiently for it to be identified (e.g., Central Trust Bank loan for 1990 Ford Mustang). Exclude from this list any liabilities to family members and any obligation to pay alimony and child support.

<u>Item</u>	<u>Category of Amount of Value</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- b. List the category of amount or value that best describes as of the filing the sum total of all payments for revolving charges, loans, notes, mortgages, non-escrowed property taxes, and judgments due and owing during the next twelve months.
- _____
- _____

Associations and Organizations

List by proper name each and every association and organization, of whatever form, whether proprietary or not-for-profit, in which the position of an officer or director was held, or another type of decision-making or policy-making position was held, or in which more than 50% of the stock or partnership interest was held, during the last or current calendar year, if the association or organization, at any time during the last or current calendar year, has had or is reasonably anticipated to have or seek (i) a contract, lease or license with the City; (ii) a regulatory license from the City; or (iii) an application, request, proposal or appeal of a non-ministerial nature before any city officer or agency.

<u>Association and Organization</u>	<u>Position Held</u>	<u>Nature of Contact w/City</u>

Occupational Licenses

List each and every occupational license held during the last or current calendar year.

Post-Government Employment

Describe the terms of, and the parties to, any contract, promise, or other agreement between the person required to file any person, firm, or corporation with respect to the employment of such person after leaving his or her government office or position. If the contract, promise or agreement is in writing, attach a copy.

I hereby swear that the information contained in or attached to this request is true and accurate.

Signature

Date

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law and the new financial disclosure statement prescribed herein shall first be used in 2018 for reporting on calendar year 2017.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-369
Term Agreements –
Project Contract Services

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to project management, process improvement work, information security, database administration, technical infrastructure and application support services:

Company	Address
TEKSystems, Inc.	7437 Race Road, Hanover, MD 21076
Avani Technology Solutions, Inc.	687 Lee Road, Rochester, NY 14606
Genuent, LLC	1400 Post Oak Blvd., Houston, TX 77056
Modis, Inc.	10151 Deerwood Park Blvd., Jacksonville, FL 32256
Trigyn Technologies, Inc.	100 Metroplex Drive, Edison, NJ 08817
Randstad Technologies, LLC	150 Presidential Way, Woburn, MA 01801

The agreements will be financed from the annual budgets of the Department of Information Technology and, if necessary, the departments using the services or from Capital funds appropriated for specific projects such as: Payroll/Personnel, Land Management, Enterprise Content Management, Financial System upgrades, Electronic Payment Processing and computer replacements. The term of the agreements will be for two years with the option to extend for an additional year.

Services will be provided at specified unit prices. The selection of the company will be based on project specific proposals, type of service required, and the ability to perform the services within the time specified by the City.

The vendors listed above were selected for project contract services through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-196

Ordinance No. 2017-369
(Int. No. 419)

Authorizing agreements for information technology contract services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies to provide services related to information technology project management, process improvement, information security, database administration, technical infrastructure and application support, as required by the City:

Company	Address
TEKSystems, Inc.	7437 Race Road, Hanover, MD 21076
Avani Technology Solutions Inc.	687 Lee Road, Rochester NY 14606
Genuent, LLC	1400 Post Oak Blvd., Houston, TX 77056
Modis, Inc.	10151 Deerwood Park Blvd., Jacksonville, FL 32256
Trigyn Technologies, Inc.	100 Metroplex Drive, Edison, NJ 08817
Randstad Technologies, LLC	150 Presidential Way, Woburn, MA 01801

Section 2. Each agreement shall have a term of two years with the option to extend for one additional year. Each agreement shall provide for services to be performed on an as needed basis and shall establish a unit price to be paid for a particular service. The cost of said agreements shall be funded from the annual budgets of the Department of Information Technology and of the departments using the services, or from the capital funds appropriated for specific information technology projects, contingent upon the adoption or appropriation thereof.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-370
(Int. No. 420)

Re: Ordinance No. 2017-370
Amendatory Agreement –
Entre Computer Services,
Microsoft Access Systems
Upgrade

Authorizing an amendatory agreement with Entre Computer Services, Inc. related to the upgrade of the City Microsoft Access Systems

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

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an amendatory agreement with Entre Computer Services, Rochester, New York, for additional services to upgrade the City’s Microsoft Access Systems. This amendatory agreement brings total compensation to \$100,000, and increases the services provided by the consultant. The term of the agreement (one year) remains the same (Ord. No. 2017-153). The cost will be funded from the 2017-18 Budget of the Information Technology Department.

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Entre Computer Services, Inc. to provide additional services to upgrade the City Microsoft Access Systems. The amendment shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2017-153, by \$50,000 to a total amount of \$100,000. The amendatory agreement amount shall be funded from the 2017-18 Budget of the Department of Information Technology.

Entre Computer Services will provide additional staff hours to complete the upgrade of approximately 40 Microsoft Access Systems to a currently supported version. These systems are used in various departments within the City.

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

The consultant was selected via a request for proposals (RFP) process in 2016 and has expertise in the skills needed to continue upgrading our Microsoft Access environment. A justification for not issuing another RFP is attached.

Section 3. This ordinance shall take effect immediately.

Respectfully submitted,
Lovely A. Warren
Mayor

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-371
Agreement - Xerox Rochester
International Jazz Festival

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Attachment No. AQ-197

Transmitted herewith for your approval is legislation establishing \$243,000 as maximum compensation for an agreement with Rochester International Jazz Festival, LLC to designate the City of Rochester as the lead government sponsor of the 2018

Xerox Rochester International Jazz Festival (XRIJF). The cost of this agreement will be funded from the 2017-18 Budget of the Bureau of Communications. The term of the agreement is one year.

The 17th annual festival will be held June 22- June 30 and will include more than 347 shows at 19 diverse indoor and outdoor city venues located within walking distance of each other in the East End Cultural District. The City's contribution to the festival will underwrite free, outdoor events, including 14 headliner shows that take place on the weekends during the festival at the East Avenue and Chestnut Street stage, and more than 35 regional and local shows that take place daily on the Jazz Street (Gibbs Street) stage. The Jazz Street stage includes performances by local high schools and continuing education music programs. The festival also provides an additional 30 free performances, jam sessions, and children's workshops in both indoor and outdoor venues throughout the course of the nine days. These events are designed to attract approximately 15,000-25,000 visitors each night of the festival.

The XRIJF is one of the nation's most popular and respected music festivals. The festival's growing recognition throughout the world further enhances Rochester's reputation as a major music destination. In 2002, attendance for the festival was 15,000. In the last few years, attendance estimates have been close to 200,000.

The Rochester International Jazz Festival, LLC consistently delivers a multi-dimensional festival with something for everyone. From legendary performers and familiar favorites to rising stars and new discoveries, the festival navigates all genres of creative improvised music from all corners of the world.

City Council approved a similar agreement in February 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-198

Ordinance No. 2017-371
(Int. No.421)

Authorizing an agreement for the 2018 Xerox Rochester International Jazz Festival

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$243,000 with Rochester International Jazz Festival, LLC for the 2018 Xerox Rochester International Jazz Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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. 2017-372
Re: Agreement - Full Moon Vista
Productions, Inc., Rochester
Twilight Criterium

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Full Moon Vista Productions, Inc. (Principal: Scott Page), Rochester, New York, to support the 2018 Rochester Twilight Criterium and related competitive bicycling activities. The cost of the agreement will be funded from the 2017-18 Budget of Undistributed Expenses and the term will be for one year.

The 2018 Twilight Criterium will take place in downtown Rochester on Saturday, May 19. This event has been approved by USA Cycling and is part of the U.S. National Criterium Calendar for 2018. The Rochester Twilight Criterium is one of only 11 events in the U.S. with competition at this level. Hundreds of athletes from all over the world will be in Rochester the

week of the event with most staying in downtown hotels.

USA Cycling (USAC), the governing body of professional cycling in the United States, recommended that the Rochester event move from August to May to position it at the beginning of USAC's professional season. Since the races are physically demanding on the cyclists, fatigue experienced toward the end of the season negatively affects participant numbers. USAC believes that the Rochester Twilight Criterium is one of the nation's most elite productions and, therefore, wants to showcase the event when the athletes are at their peak at the start of the season. In addition, USAC is attempting to create a geographically practical tour, so that fans can follow along from one coast to the other, instead of bouncing back and forth across the country.

Races are free and open to the public and will take place throughout the afternoon and night, with the men's professional race taking place under the street lights of downtown. Last year, organizers projected that more than 25,000 spectators attended the event.

Professional athletes from around the globe attend the event, including Olympians and world and national champions from Argentina, Australia, Canada, Germany, Italy, Ireland, France, New Zealand, Russia, Uruguay, England and the United States. Unlike many events in professional sports, this one provides an equal prize purse to both the men's and women's winners.

The Twilight Criterium is a unique event that aligns well with the City's dedication to become a world-class bicycling community. Moving this event to the start of the Rochester event season helps populate a timeframe which is traditionally less busy than later in the summer.

City Council approved a similar agreement in April 2017 via Ordinance No. 2017-79.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-199

Ordinance No. 2017-372
(Int. No. 422)

Authorizing an agreement for the 2018 Rochester Twilight Criterium

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 Full Moon Vista Productions, Inc. to present the 2018 Rochester Twilight Criterium and related competitive bicycling activities. The maximum compensation for the agreement shall be \$30,000, which shall be funded from the 2017-18 Budget of Undistributed Expenses. The agreement shall have a term of one year.

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. 2017-373
Re: Agreement – Carlton Wilcox
LIVE, ROC the Park Concerts
at Dr. Martin Luther King, Jr.
Memorial Park

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum annual compensation for an agreement with Carlton Wilcox LIVE (Principal: Ronald Carlton Wilcox), Rochester, New York, for booking regional artists and producing the 2018 ROC the Park Concerts. The cost of this agreement will be funded from the 2018-19 and subsequent years' Budgets of the Bureau of Communications, contingent upon their approval, and the term will be for three years with two optional one-year renewals.

The promoter was selected through a request for proposals (RFP) process. The RFP was sent directly to area promoters, posted publicly on the City's website, and one proposal was received. (A summary of the RFP process is attached.) Carlton Wilcox Live has promoted the event for the past three years and the City looks forward to continuing the partnership and grow the event.

This outdoor concert series heads into its fourth year at Dr. Martin Luther King, Jr. Memorial Park in 2018. The three events take place over the summer months and feature regional and local musicians from genres like Motown, Latino, rhythm and blues, and jazz/neo-soul. Carlton Wilcox Live will provide talent booking, site management, sound and light production, marketing, food and beverage vending coordination, concert security, and clean-up services for the series.

Admission will continue to be \$6. The base fee for the promoter’s services will not exceed \$55,000, but after the successful completion of the series, the promoter will receive \$1 from each admission ticket sold, not to exceed \$5,000. The City will retain the remaining \$5 from each ticket and receive a revenue-sharing component from vendor fees.

A similar agreement for the series was executed for \$60,000 in 2015 via Ordinance No. 2015-416. Over the past two years, more than 5,000 people attended the ROC the Park concerts.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-200

Ordinance No. 2017-373
(Int. No. 423)

Authorizing an agreement for the ROC the Park Concerts

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 Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, to provide booking and production services for the annual ROC the Park Concerts series. The term of the agreement shall be 3 years with two optional renewals of 1 year each. The maximum annual compensation for the agreement shall be \$60,000, consisting of an annual base fee of \$55,000 plus \$1 for each concert ticket sold up to a maximum of \$5,000 per year. The compensation shall be funded on an annual basis from the Budgets of the Bureau of Communications, beginning with the 2018-19 Budget for the first year and continuing with subsequent years’ Budgets, contingent upon the adoption thereof.

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:

Re: Ordinance No. 2017-374
Agreement – The Springut Group, Inc., Party in the Park Production

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$125,000 as maximum compensation for an agreement with The Springut Group, Inc. (Principal: Jeff Springut), Rochester, New York, for the production of the 2018 Party in the Park. The cost of this agreement will be financed from the 2017-18 (\$65,000) and 2018-19 (\$60,000) Budgets of the Bureau of Communications, contingent upon approval of the latter, and the term will be for one year with four optional one-year renewals.

The Springut Group, Inc. was selected through a request for proposals process, the summary of which is attached. Interviews were held with all three respondents, and The Springut Group, Inc. was chosen.

Party in the Park will enter its 22nd year in 2018. The Springut Group, Inc. will provide national and regional talent booking, event promotion and marketing, overall site management, and sponsorship solicitation. The City retains all ticket revenue and receives a percentage of food and beverage revenue as well.

Included in the City’s investment in this signature event are in-kind public safety services and equipment rental.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-201

Ordinance No. 2017-374
(Int. No. 424, as amended)

Authorizing an agreement with The Springut Group, Inc. for production of Party in the Park, 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 in the maximum annual amount of \$125,000 with The Springut Group, Inc. for the production of the ~~2018~~ Party in the Park. The agreement shall have a term of three years with two 1-year renewal options. Said amount-The compensation for the first year of the agreement shall be funded from the 2017-18 Budget of the Bureau of Communications (\$65,000) and the 2018-19 Budget of the Bureau of Communications (\$60,000), contingent upon approval of the latter budget. ~~The agreement shall have a term of one year with four one-year renewal options with a maximum annual compensation of \$125,000. The compensation for the following years shall be funded from subsequent budgets of the Bureau of Communications, contingent upon approval.~~

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-375
Re: Firefighters' Insurance Fund

Transmitted herewith for your approval is legislation authorizing expenditures from the Firefighters' Insurance Fund ("Two Percent Fund") as per the Settlement Agreement between the Rochester Firefighters, Inc., Local 1071, IAFF, AFL-CIO and the City of Rochester dated August 7, 2012. This legislation will:

1. Appropriate a total of \$358,640 from the Firefighters' Insurance Fund at the request of the Rochester Firefighters Two Percent Committee to benefit City firefighters.

2. Appropriate a total of \$166,236.72 from the Firefighters' Insurance Fund for uses nominated by the City to benefit City firefighters.

The Firefighters' Insurance Fund is the City fund established to collect and distribute monies received from the State pursuant to Sections 9104 and 9105 of the Insurance Law, and is under the custody of the City Treasurer.

Ordinance No. 2012-313 authorized the Settlement Agreement resulting from litigation brought by Rochester Firefighters Local 1071. These funds must be used in a manner that is consistent with the Court Order and with the provisions of Insurance Law Sections 9104 and 9105. Fund expenditures must be for the benefit of firefighters as provided in statutory law, case law, administrative rules and regulations, and the New York State Comptroller's Opinions.

In accordance with the Settlement Agreement, the firefighters have formed a not-for-profit corporation named the Rochester Firefighters Two Percent Committee (TPC) to be the firefighters' representative for purposes of the Fund. Items to be paid from the Fund may be nominated by the firefighters or by the City.

The following are firefighter nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance Fund:

- 1) Firehouse items set forth in Section 1G of the original agreement (\$99,000).
- 2) Firehouse items not identified in Section 1G of the agreement, to be approved by the TPC in accordance with NY State Comptroller's Opinions and Insurance Law Sections 9104 and 9105 (\$67,000).
- 3) Legal and accounting expenses (\$47,000).
- 4) Firehouse cable and internet expenses (\$38,400).
- 5) RFBA Firefighters Ball/Annual Open House (\$25,000).
- 6) Building expenses for 2018 (\$80,000).

- 7) Audit of the Two Percent Fund held by the City of Rochester and the TPC (\$2,240).

The following are City nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance fund:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310).
- 2) Linen and laundry expense (\$80,000).
- 3) Small equipment and minor firehouse renovations (\$34,966.72).
- 4) Audit of the Two Percent Fund held by the City of Rochester and the TPC (\$960).

The City of Rochester has engaged Freed Maxick to conduct an audit of the Two Percent Fund held by the City of Rochester and the TPC. The cost of the audit is estimated at \$3,200, of which the City will pay 30% and the TPC will pay 70% of the auditing fee, as per Section 1J of the agreement. The cost of the audit will be funded from the respective Two Percent Fund accounts controlled by the City of Rochester.

Also, all amounts from the Building Fund (\$3,000,000) have been fully expended by the TPC for the purchase of land, construction, and furnishing for the IAFF Local 1071 headquarters located at 65 Hudson Avenue, as per Section I of the agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-375
(Int. No. 425)

Appropriating Firefighters' Insurance Funds

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

Section 1. The following funds are hereby appropriated from the Firefighters' Insurance Fund (Two Percent Fund) for the following purposes to benefit the firefighters of the City in accordance with the terms of the settlement agreement with Rochester Firefighters Local 1071 dated August 7, 2012 (Agreement) that was authorized in Ordinance No. 2012-313:

- A. Firefighter Nominated Items:

- 1.) Firehouse items set forth in Section 1G of the Agreement (\$99,000).
- 2.) Firehouse items not identified in Section 1G of the Agreement, to be approved by the Rochester Firefighters Two Percent Committee (Two Percent Committee) in accordance with NY State Comptroller's Opinions and Insurance Law Sections 9104 and 9105 (\$67,000).
- 3.) Legal and accounting expenses (\$47,000).
- 4.) Firehouse cable and internet expenses (\$38,400).
- 5.) Rochester Firefighters' Benevolent Association Firefighters Ball/Annual Open House (\$25,000).
- 6.) Building Expenses for 2018 (\$80,000).
- 7.) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,240).

Firefighter Nominated Total: \$358,640.

B. City Nominated Items:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310).
- 2) Linen and laundry expense (\$80,000).
- 3) Small equipment and minor firehouse renovations (\$34,966.72).
- 4) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$960).

City Nominated Total: \$166,236.72.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-376
Re: Agreement- International
Database Corp. d/b/a BidNet,

Web-Based Solicitation and Bidding Services

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with International Data Base Corp., doing business under the trade name BidNet, to provide web-based solicitation and bidding services for distributing and collecting City bids through the internet. There is no cost to this agreement, and the term will be for one year with the option of 10 one-year renewals.

BidNet has been used by the Purchasing Agent on a trial basis since January 2017. BidNet was selected because it is an industry leader for these services in the government sector. Over 1,100 government agencies in 15 states use BidNet, including over 200 in New York. Locally, Monroe Community College, the two Boards of Cooperative Educational Services or BOCES, and the Rochester City School District utilize BidNet in addition to the City.

Using BidNet provides three advantages to the City:

1. All City specifications except public works are available online. Vendors simply have to register on BidNet, at no cost, to view and download the bid specifications. BidNet tracks and delivers specifications to potential bidders. This provides administrative efficiencies and reduces mailing costs. Since January, 97% of specifications have been picked up electronically through BidNet.
2. BidNet provides a notification service to vendors for upcoming bids in areas of interest to the vendor. This can be for bids issued by all New York agencies who participate in BidNet as well as our City bids. The fee for this subscription service is \$89.95 per year.
3. BidNet provides an approved secure electronic bidding system so that bidders can submit

bids electronically, creating additional efficiencies for both the City and vendors. Rochester was the first city in New York to accept electronic bids. Since January, 26% of bids have been submitted electronically.

BidNet's subscription services are available at no cost to the City, therefore there is no base contract amount. In the event that the City may request enhanced services in the future, any fees for such enhanced services will be established by the agreement and will not exceed funds available for this purpose in the annual authorized Purchasing budget for subsequent years, contingent upon Council approval. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-202

Ordinance No. 2017-376
(Int. No. 426)

Authorizing an agreement for web-based solicitation and bidding 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 International Data Base Corp., doing business under the trade name BidNet, to provide web-based solicitation and bidding services. The term of the agreement shall be one year, with the option to renew annually for up to 10 additional years. The subscription services shall be available at no cost to the City. In the event the City wishes to purchase enhanced services in the future, any fees for such enhanced services shall be established by the agreement and will not exceed funds available for this purpose in the Budget of the Department of Finance for subsequent years, contingent upon adoption.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-377
Re: 2017-18 Budget Amendment
Wage Settlement, AFSCME,
CSEA, and APT

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation amending the 2017-18 Budget to reflect wage and salary increases for non-uniformed employees. This legislation will transfer \$2,303,500 from the Contingency Account and distribute these funds to Undistributed Expenses (\$163,200) for related fringe benefits, with the remaining balance of \$2,140,300 to departments, as follows, for salaries and wages:

City Council & Clerk	21,600
Information Technology	89,200
Administration	119,500
Library	56,600
Law	35,800
Emergency Communications	320,900
Environmental Services	770,000
Neighborhood & Bus. Dev't	186,600
Finance	119,200
Police	200,200
Fire	52,600
Recreation & Youth Services	168,100

When the 2017-18 Budget was adopted by City Council in June 2017, salary and wage rates had not yet been established for employees represented by the full-time or part-time American Federation of State, County and Municipal Employees (AFSCME), nor the part-time Library employees represented by the Civil Service Employees Association (CSEA). In addition, no wage adjustment decision had been made for employees in the Confidential or Administrative, Professional, Technical (APT) groups. As a result, a provision for possible increases for these employees was included in Contingency.

The four-year contract with CSEA, Local 828, Rochester Public Library Part-Time Employees Unit, negotiated and signed in July 2017, provides for a retroactive wage increase effective July 1, 2017 with the following rates:

1.5% effective July 1, 2017

2% effective July 1, 2018
2% effective July 1, 2019
2% effective July 1, 2020

The five-year contract with AFSCME Local 1635, negotiated and signed in September 2017, provides for a retroactive wage increase effective July 1, 2017 with the following rates:

2% effective July 1, 2017
2% effective July 1, 2018
2% effective July 1, 2019
2% effective July 1, 2020
2% effective July 1, 2021

Also effective July 1, 2017 is that the shift differential for those full-time AFSCME individuals that work shifts other than the common day shift doubled from 30 cents per hour to 60 cents per hour. Longevity payments to employees that have worked for the City for five or more years also increased by \$100 per year.

Upon ratification and settlement of both the AFSCME and CSEA agreements, the Administration determined that similar wage increases would be granted to the Confidential and APT groups. The amounts required by classification are as follows:

AFSCME Full Time	\$1,157,900
AFSCME Part Time	74,800
APT/Confidential	736,100
CSEA	26,600
Other non-represented part time	144,900
Salary Benefits-Undistributed	<u>163,200</u>
Total	\$2,303,500

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-377
(Int. No. 427)

Amending the 2017-18 Budget

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

Section 1. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by appropriating the sum of

\$2,303,500 from the Contingency Account to other Budget accounts as follows:

City Council & Clerk	21,600
Information Technology	89,200
Administration	119,500
Library	56,600
Law	35,800
Emergency Communications	320,900
Environmental Services	770,000
Neighborhood & Bus. Dev't	186,600
Finance	119,200
Police	200,200
Fire	52,600
Recreation & Youth Services	168,100
Undistributed Expenses	163,200
TOTAL	\$ 2,303,500

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-378
Re: Authorization – 2018
Administrative Tax Cancellations
and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to \$1,000 per account during the 2018 calendar year.

Each year, approximately 63,000 tax bills are issued by the City. In 2016-17 these bills contained a total of \$245,562,778.30 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling \$2,171,256.95, or 0.88 % of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 174 accounts or 0.28 % of the total number.

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

allows administrative cancellations of up to \$2,500 per account.

Delegation of this authority was initially approved by the Council in March 1987. Annual authorization is required. In December 2016, Council re-authorized the Director of Finance to cancel up to \$1,000 per account during 2017 (Ord. No. 2016-390). Such delegation reduces the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to apply:

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

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-378
(Int. No. 428)

Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2018

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

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to those taxes subject to the following conditions:

- a. The amount to be cancelled for any year for any particular account shall be \$1,000 or less.
- b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month.

c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of the tax reserve (provisions for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2018.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-379
Re: Agreement – Capitol Hill Management Services, Inc., State Lobbying Services

Transmitted herewith for your approval is legislation establishing \$98,500 as maximum compensation for an agreement with Capitol Hill Management Services, Inc. (CHMS) to research, track, and advocate for the City’s legislative and administrative agenda with New York State. The cost of the agreement will be funded from the 2017-18 Budget of the Mayor’s Office and will have a term of one year (January 1 – December 31, 2018) with the option of three, one-year renewals.

The \$98,500 includes \$96,000 annually for services and no more than \$2,500 annually for reimbursable expenses, including travel. CHMS will provide the following services:

- Present and explain the City’s legislative proposals to State officials and staff,
- Arrange for introduction, consideration, and approval of specific bills,
- Identify, review, and present comments on legislation affecting the City,
- Review of the State budget with respect to its impact on the City,
- Arrange and coordinate meetings between State and City officials,
- Coordinate Rochester’s activities with the NY State Conference of Mayors and the other large cities in New York, and
- General guidance on legislative matters.

CHMS was selected through a request for proposal process as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-203

Ordinance No. 2017-379
(Int. No. 429, as amended)

Authorizing an agreement for State lobbying services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Capitol Hill Management Services, Inc. for the provision of State lobbying services. The term of the agreement shall be one year with the option for up to three extensions of one year each. The maximum annual compensation for the agreement shall be \$98,500. The compensation for the first year shall be funded in the amounts of \$47,250 from the 2017-18 Budget of the Office of the Mayor and \$47,250 from the 2018-19 Budget of the Office of the Mayor, contingent upon approval of the latter Budget. ~~†~~The compensation for subsequent years, if any, shall be funded from subsequent years’ Budgets of the Office of Mayor, contingent upon their approval.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-380
Re: Agreement – Ostroff Associates, Inc., State Lobbying Services

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with Ostroff Associates, Inc. to coordinate the City of Rochester’s State advocacy for

high-level projects, such as the redevelopment of the Genesee River waterfront. The term of the agreement will be for one year (January 1 – December 31, 2018) and the cost will be funded from the 2017-18 Budget of Undistributed Expenses.

Ostroff Associates, Inc. will provide the following services:

- Coordinate the City of Rochester’s State advocacy for high-level projects, such as the redevelopment of the Genesee River waterfront;
- Meet with state agencies on behalf of the City of Rochester to advocate for such projects; and
- Assist in the tracking of legislation and other State government news affecting the City of Rochester.

Of the \$25,000 cost, no more than \$1,000 will be for reimbursable expenses, including travel.

Ostroff Associates, Inc. was selected through a request for proposals process as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-204

Ordinance No. 2017-380
(Int. No. 449)

Authorizing an agreement with Ostroff Associates, Inc. for state lobbying services

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$25,000 with Ostroff Associates, Inc. to coordinate the City’s state advocacy for high-level projects. Said amount shall be funded from the 2017-18 Budget of Undistributed Expenses. The agreement shall have a term of one year.

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. 2017-381
Re: Capital Improvement Program
- City School District

Council Priority: Deficit Reduction and Long-Term Financial Stability; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation relating to the Capital Improvement Program (CIP) of the Rochester City School District (RCSD). This legislation will:

1. Authorize \$20,375,000 of debt for the 2017-18 fiscal year for the RCSD;
2. Authorize the issuance of bonds for \$20,375,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the RCSD; and
3. De-authorize \$1,592,000 of bonds originally authorized by City Council via Ordinance No. 2014-243 for the purpose of turf field construction at Wilson Foundation and the Franklin Campus.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year. During fiscal year 2017-18 the RCSD will liquidate \$20,378,000 in principal. *Attachment A* is a projection of the School District debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the New York State (NYS) Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$56,932,753 (*Attachment B*).

In accordance with Resolution No. 2016-8, bonding for schools in the CIP does not in-

clude schools in a current phase of the Facilities Modernization Program. As such, *Attachment C* consists of documents from the RCSD detailing the planned uses of the new bonds and the use of cash capital. A copy of the Board of Education's Resolution No. 2017-18: 414, which approves the capital plan, is included.

Resolution No. 2016-8 also requires the City of Rochester's Bureau of Engineering and Architecture staff to review the RCSD's bonding request and for the RCSD to provide a list of school closings. *Attachment D* is a document from the Assistant City Engineer confirming the completion of the Bureau's review. *Attachment E* is a letter from the RCSD regarding school closures.

The NYS Education Department, by letter dated December 1, 2017, has confirmed that the RCSD has met the Maintenance of Effort (MOE) requirement for 2017-18 (*Attachment F*). When the City issues this debt, the repayments will be structured, to the extent possible, to continue meeting the MOE requirements, while remaining within the constraints of NYS Local Finance Law.

With respect to the de-authorization of debt, Ordinance No. 2014-243 authorized the borrowing of up to \$5,292,000 for the purpose of financing the construction of turf fields at Wilson Foundation and the Franklin Campus. Of this authorized amount, \$3,700,000 has been issued. RCSD has requested that the remaining authorization amount of \$1,592,000 be de-authorized as it is no longer needed for the completion of the turf fields.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-205

Ordinance No. 2017-381
(Int. No. 450)

Bond Ordinance of the City of Rochester, New York amending Ordinance No. 2014-243 and authorizing the issuance of \$20,375,000 Bonds of said City to finance the costs of improvements to specified City School District schools

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 \$20,375,000 of the costs of the City School District 2017-2018 Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (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 \$20,375,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$20,375,000 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 \$20,375,000 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. The principal of the Bonds authorized by this Ordinance does not exceed the principal of the Bonds being redeemed on behalf of the School District during the City's 2017-2018 Fiscal Year. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

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 \$20,375,000. 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(a)(1) of the Law, is twenty five (25) years.

Section 5. The City hereby amends Ordinance No. 2014-243, dated August 19, 2014, by reducing the \$5,292,000 initial Bond authorization by \$1,592,000 to the to-date issued total of \$3,700,000 for construction of the new turf fields at Wilson Foundation and the Franklin Campus. All remaining terms of Ordinance No. 2014-243 are hereby ratified.

Section 6. 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 7. 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 8. 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 9. 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. 2017-382
Re: Agreement – Northeastern Production Systems Inc., Special Event Production Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$116,000 as maximum compensation for the first year of an agreement with Northeastern Production Systems, Inc., (principal: Ray DiBiase), Rochester, New York, to provide sound, lighting, staging, and power production services at City-produced special events beginning July 1, 2018. The term of the agreement will be three years with two optional, one-year renewals.

Funding for the agreement will be as follows: maximum compensation will be \$116,000 for the first year, \$118,320 for the second year, \$120,686 for the third year, and \$123,100 and \$125,562 for the fourth and fifth optional years, respectively. The first year will be financed by the 2018-19 Budget of the Bureau of Communications and subsequent annual budgets of the Bureau of Communications, contingent upon approval of the future budgets.

Special events and concerts produced by the City typically require the provision of various sound, lighting, and staging services. In some cases, they also require generators for power and distribution of such power. Under its proposed agreement, Northeastern will provide the sound, lighting, stage, stage roof, power and power distribution equipment and related services required for some of the City-produced special events and performances provided by the Bureau of Communications, including the Party in the Park concerts, July 4, noontime concerts, the Liberty Pole Lighting, Artist Row at the Public Market, and various other events that may require production support throughout the year.

A request for proposals (RFP) for production services was sent out in October 2017 via email to local production companies and also posted on the City’s website. Three proposals were received and Northeastern Production Systems, Inc. was selected. A summary of the RFP process is also attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-206

Ordinance No. 2017-382
(Int. No. 451)

Authorizing an agreement for special event production 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 Northeastern Production Systems, Inc., to provide for sound, lighting, staging, and power production services at City-produced special events. The term of the agreement shall be 3 years with two optional renewals of 1 year each. The maximum compensation shall be \$116,000 for the first year, \$118,320 for the second year, \$120,686 for the third year, \$123,100 for the optional fourth year, and \$125,562 for the optional fifth year. The compensation shall be funded on an annual basis from the Budgets of the Bureau of Communications, beginning with the 2018-19 Budget for the first year and continuing with subsequent years’ budgets, contingent upon the adoption thereof.

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. 2017-383
Re: Agreement –Xperience Live
LLC, 2018 Rochester MusicFest

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for an agreement with Xperience Live LLC (principal: Varick Baiyina), National Harbor, Maryland, for booking national and regional artists and providing the overall production of the 2018 Rochester MusicFest. The term of this agreement will be for one year with four, one-year renewal options (contingent upon approval of future years’ budgets), and the cost will be financed from the 2017-18 (\$150,000) and 2018-19 (\$50,000) Budgets of the Bureau of Communications, contingent upon approval of the latter budget.

The 2018 Rochester MusicFest will take place in summer. The specific date and location will be identified during the initial planning phases. Xperience Live LLC will provide national and regional talent booking for an urban audience, all site-related procurement and overall site management, advertising, marketing, sponsorship solicitation, ticket sales, and general administration of the day event. A wide range of ticket prices will be available to accommodate an economically diverse audience.

The event will continue to offer a family-friendly, festival atmosphere, while also expanding to include additional amenities that will enhance its appeal and attract more attendees. Toward that end, MusicFest may also be rebranded to better capture the new direction that the City wants the event will take: the provision of an event that will appeal to a mature audience while maintaining its family-friendly quality.

Included in the City’s investment are public safety services and equipment rental. No City revenue component is planned for 2018, but that may be negotiated for the optional renewals.

Xperience Live LLC was selected through a request for proposals process, the summary of which is attached. Two proposals were received, and interviews were held with both promoters.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-207

Ordinance No. 2017-383
(Int. No. 452)

Authorizing an agreement for the Rochester MusicFest

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 Xperience Live LLC to provide booking and production services for the annual Rochester MusicFest event. The term of the agreement shall be one year with four optional renewals of 1 year each. The maximum annual compensation for the agreement shall be \$200,000. The cost of the agreement for its first year shall be funded in the amounts of \$150,000 from the 2017-18 Budget of Communications and \$50,000 from the 2018-19 Budget of Communications, contingent upon the adoption of the latter budget. The cost for each extension of the agreement term, if any, shall be funded from subsequent years' Budgets of Communications, contingent upon the adoption thereof.

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.

By Vice President Miller
December 19, 2017

To the Council:

The following entitled legislation is being held in the Business & Economic Development Committee:

Int. No. 430 Authorizing the acquisition of 768 Brown Street

Respectfully submitted,
Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 430

Re: Acquisition- 768 Brown Street

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation of 768 Brown Street for a total cost of \$57,000 (purchase price and closing costs) to be funded from 2016-17 Cash Capital. The property is situated adjacent to and in proximity with other City-owned properties and is located within the Bull's Head Revitalization target area.

768 Brown Street consists of a ±0.1 acre parcel with a single family residential dwelling. The dwelling is currently vacant. The property is adjacent to City-owned vacant property located at 762 Brown Street, 774 Brown Street, and 15 Essex Street.

The current owner of the property is Mr. Ronald S. Clifford. Mr. Clifford approached the City with expressed interest to sell his property. As part of the Bull's Head Revitalization project, the City intends to prepare this property, and other adjacent properties, for future redevelopment. Activities for such preparation may include occupant and/or (personal) property relocation, environmental testing, environmental clean-up and demolition.

The City has hired R.K. Hite & Co., Inc. to provide relocation and moving assistance related services for the owner of the property. The associated costs will be funded from 2016-17 Cash Capital.

A purchase price of \$55,000 was established by an independent appraisal prepared by Stropp Appraisal, on October 31, 2017, and an appraisal review was completed by R.K. Hite & Co., Inc. on November 11, 2017.

A Phase I Environmental Site Assessment (ESA) dated November 17, 2017, was completed for the property by Day Environmental, Inc. The City's Division of Environmental Quality reviewed the Phase I ESA report, which identified a heating oil tank in the basement as a potential recognized environmental condition. The report also identified recognized environmental conditions associated with nearby proper-

ties consistent with typical developed urban sites. There were not however, any recognized environmental conditions that would preclude the City’s acquisition of the property.

City taxes and other current-year charges against the property shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the property, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 430

AUTHORIZING THE ACQUISITION OF 768 BROWN STREET

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below. The acquisition costs shall not exceed \$57,000, including closing costs, and shall be funded from 2016-17 Cash Capital.

Address	S.B.L.	Lot Size	Owner
768 Brown Street	120.42-2-32	±0.1 acre	Ronald S. Clifford

Section 2. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Ortiz

December 19, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

- Int. No. 431 Authorizing the sale of real estate
- Int. No. 432 Authorizing a real estate lease agreement with Voyager Boat Sales, Inc.
- Int. No. 433 Amending Ordinance No. 2017-203 regarding the acquisition of 239 Silver Street
- Int. No. 434 Appropriating funds for the Celebrate City Living Program
- Int. No. 435 Authorizing an amendatory agreement for the Rochester Mobility Enhancement Study
- Int. No. 436 Approving appointments to the Rochester Preservation Board
- Int. No. 439 Reallocating and appropriating funds and authorizing amendatory agreements for the Housing Opportunities for Persons with AIDS Program, as amended

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation:

- Int. No. 437 Amending the Zoning Map for various properties
- Int. No. 438 Amending the Zoning Map for 1464 Lyell Avenue

Respectfully submitted,
Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-384
Re: Sale of Real Estate

Council Priority:
Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of four properties. City records have been checked to ensure that 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 was sold via request for proposals. The purchaser will rehabilitate the building into a four apartment rental unit. Rehabilitation is required to be completed within 12 months of City Council approval.

The next property is a vacant lot sold by negotiated sale to the adjacent owners. The purchasers will combine the lot with their existing lot and utilize it as green space.

The last two properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$4,169.

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 properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-208

Ordinance No. 2017-384
(Int. No. 431)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel of land with proposal to rehabilitate a building for a multifamily dwelling:

Address	SBL#	Lot Size	Use	Price	Purchaser
495 Emerson St	105.41-1-18	80 x 110	Mixed	35,000	Napier Enterprises, LLC

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

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
35 Dakota St	105.79-2-19	40 x 120	4805	425	Darryl A. Smith Donna M. Smith

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
25 Silver St	120.35-1-26	35 x 60	2100	Nena L. Alexander
69 Stunz St	107.45-3-38	38 x 78	3148	65 Stunz St Corp.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-385
Re: Lease Agreement – Voyager
Boat Sales, Inc., 1015 Thomas
Avenue and 25 Stutson Street

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a lease agreement with Voyager Boat Sales, Inc. for the continued use of the premises located at 1015 Thomas Avenue and 25 Stutson Street. The term of the agreement will be for one year with two, one-year optional renewals, and the monthly rental amount will be \$2,650, as established through an independent appraisal prepared by Kevin Bruckner, MAI as of October 2017.

Voyager has leased this area from the City for more than thirty years. The current lease (Ord. No. 2014-371) expires on December 31, 2017 and the monthly rental is amount \$2,650, the same as the proposed agreement.

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AQ-209

Ordinance No. 2017-385
(Int. No. 432)

**Authorizing a real estate lease agreement with
Voyager Boat Sales, Inc.**

WHEREAS, the City of Rochester has received a proposal for the lease of 1015 Thomas Avenue and 25 Stutson Street to Voyager Boat Sales, Inc for a term of one year, commencing January 1, 2018, with options to renew for two additional one-year terms; and

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

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

Section 1. The Director of Real Estate is hereby authorized to enter into an agreement with Voyager Boat Sales, Inc. for the lease of 1015 Thomas Avenue (SBL# 047.78-1-10) and 25 Stutson Street (SBL# 047.78-1-6) for a term of one year, with two one-year renewal options. The agreement shall obligate Voyager Boat Sales, Inc. to pay rent of \$2,650 per month.

Section 2. The agreement shall be subject to the conditions specified in Section 21-23 of the Municipal Code and 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. 2017-386
Re: Amendment- Ordinance
No. 2017-203, Acquisition of 239 Silver Street

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-203, which authorized the acquisition by negotiation of 239 Silver Street for a total cost of \$37,000 (purchase price and closing costs) to be funded from 2016-17 Cash Capital. The amendment will authorize a \$5,000 increase in the total cost.

An original purchase price of \$35,000 was established by an appraisal prepared by Stropp Appraisal, on June 27, 2017, and an appraisal review was completed by R.K. Hite & Co., Inc. on June 27, 2017.

Subsequently, in compliance with the Uniform Relocation Act, the property owner exercised his right to request the appraisal reviewer to review additional information that may lead to an increase in the appraised amount. As a result, a new purchase price of \$40,000 was established by an appraisal review completed by R.K. Hite & Co., Inc. on November 8, 2017. The total cost for the property is therefore \$42,000 (purchase price and closing costs).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-386
(Int. No. 433)

Amending Ordinance No. 2017-203 regarding the acquisition of 239 Silver Street

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

Section 1. Section 1 of Ordinance No. 2017-203 is hereby amended to read in its entirety as follows:

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below. The acquisition costs shall not exceed ~~\$37,000~~ \$42,000, including closing costs, and shall be funded from 2016-17 Cash Capital.

Address	S.B.L.#	Lot Size	Owner
239 Silver Street	120.42-2-77	±0.09 acre	Dave Streeter

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen

Ordinance No. 2017-387
Re: Appropriation- 2017-18 City
Development Fund, Celebrate City Living Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation appropriating \$18,000 from the 2017-18 City Development Fund (Housing Promotion allocation) for continued administration of the Celebrate City Living (CCL) program. The Department of Neighborhood and Business Development will use the funds to assist with marketing CCL and maintaining and enhancing the online resource, www.celebratecityliving.com.

Prior to Celebrate City Living, the City funded the City Living Sundays initiative, which began in 1991 as a partnership between City Council, led by Lois Giess, and the Greater Rochester Association of REALTORS®. The primary goal was to promote first-time homeownership in city neighborhoods. Each year in March or April, 1-4 events were held to introduce low-to-moderate income potential homeowners to available homes across the City. Although popular for many years, in recent years as people changed the way they searched for housing, attendance and participation decreased.

In 2015, the Rochester Coalition for Neighborhood Living (The Coalition) rebranded the City Living Sundays program as Celebrate City Living. This expanded the initiative by partnering with a larger group of community stakeholders who have a vested interest in the vitality of Rochester, co-chaired by M&T Bank and New2U Homes. The Coalition promotes housing choice to a diverse universe of residents by providing information year round on purchase and rental opportunities, financial services, grant programs, neighborhoods and nearby amenities and services. The overall purpose is to promote financial stability and growth along with neighborhood stabilization. The Coalition is comprised of members from the City of Rochester, Citizens Bank, Greater Rochester Association of REALTORS®, The Housing Council at PathStone, The Landmark Society of Western New York, M&T Bank, NeighborWorks Rochester®, New 2 U Homes, and Roc City Realty. CCL has a robust online presence including social media, and hosts or participates in at least four neighborhood-level events each year in addition to the annual Celebrate City Living Expo.

Anchored by the CelebrateCityLiving.com web site, the Coalition:

- Promotes City living through the annual Celebrate City Living Expo, an informational and fun housing event designed to give participants a taste of all the things that Rochester living provides. Over 70 organizations and 500 people participated in Expo 2016; 65 organizations and another 500 people participated in Expo 2017. Expo 2018 is scheduled for April 28, 2018.
- Celebrates different neighborhoods with events throughout the year. Attendance related to CCL at each event ranged from 100-300 people.
 - 2016: Neighborhood of the Arts; Charlotte; Center City; 14621
 - 2017: Maplewood; ABC Streets/Park Ave; Marketview Heights; 19th Ward
- Promotes activities and information through an active social media presence, including the Homework Home of the Week column through a partnership with The Landmark Society of Western New York and CITY Newspaper. Highlights of neighborhood events, businesses, cultural activities, and other items engage the community and encourage current and prospective residents to view Rochester as a vibrant and unique place to live, work, and play. Both Facebook and Instagram have over 1,150 followers and growing.
- Continues to improve and expand the website, launched in January 2016. Since launch, the site has logged 37,000 hits, of which 29% are return visits. The average visit was over 3 minutes long with an average of 6 pages viewed.

The CCL budget for 2018 is anticipated to be \$65,000. Below is a chart of funding sources, amounts committed as of the date of this transmittal, and projected expenses. Projections are based on the cost of the 2017 CCL program, plus additional investment needed to expand and increase awareness of the program. Fundraising activities are on-going, and are expected to meet the gap by February 2018. If resources cannot be found, activities will be scaled back accordingly.

Expenses	Actual 2017 expenses	Projected 2018 expenses	Projected 2018 sources	Amount
Website	\$ 8,909	\$11,100	Title Sponsor	\$ 5,000
Marketing/ Advertising	\$43,872	\$48,000	City of Rochester	\$18,000
Event costs	<u>\$ 6,469</u>	<u>\$ 5,900</u>	Sponsorship to date	<u>\$16,000</u>
Grand Total	\$59,250	\$65,000		\$39,000

It is anticipated that the City's funds will be expended by June 30, 2018. However, any remaining funds will be used for on-going CCL activities. A summary of CCL activities, and additional details on funders and sponsors, is attached.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment AQ-210

Ordinance No. 2017-387
 (Int. No. 434)

Appropriating funds for the Celebrate City Living Program

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

Section 1. The Council hereby appropriates \$18,000 from the 2017-18 City Development Fund Housing Promotion Allocation for the Celebrate City Living Program (the Program). This appropriation shall be used to continue administration of the Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2017-388
 Re: Amendatory Agreement – WSP Global Inc. (formerly Parsons Brinkerhoff International, LLC), Rochester Mobility Enhancement Study

Council Priority: Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with WSP Global Inc. (formerly Parsons Brinkerhoff International, LLC) to extend by one year the term for services related to the implementation of the Rochester Mobility Enhancement Study (RMES).

The original agreement, authorized in October 2016 via Ordinance No. 2016-331, established maximum compensation of \$70,000 for a term of one year. This amendment will extend the term to January 31, 2019, at no additional cost.

The purpose of the RMES is to develop land-use, development, and zoning strategies that can strengthen transit-supportive, multi-modal corridors and activity centers within the City, and inform the City's Comprehensive Plan update.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-388
 (Int. No. 435)

Authorizing an amendatory agreement for the Rochester Mobility Enhancement Study

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 WSP Global Inc. (formerly Parsons Brinkerhoff International, LLC) for services related to the implementation of the Rochester Mobility Enhancement Study. The amendment shall extend the term of the existing agreement authorized by Ordinance No. 2016-331 by one year to January 31, 2019.

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:

Resolution No. 2017-20
Re: Appointments – Rochester
Preservation Board

Transmitted herewith for your approval is legislation confirming the appointments of one full-time and one alternate member to the Rochester Preservation Board. The new full-time member, James DeVinney, will replace Bonita Mayer, who retired from the Board at the end of November 2017. Mr. DeVinney is a retired filmmaker and a resident of the Corn Hill Neighborhood. The new alternate member, Karsten Solberg, will replace Bruce McLearn, who also resigned from the Board in November 2017. Ms. Solberg is an architect with CJS Architects and a resident of the Browncroft Neighborhood. Both members' terms will expire on May 31, 2018; their addresses are listed below.

<u>Name</u>	<u>Membership</u>	<u>Address</u>
James DeVinney	Fulltime	80 Glasgow Street, 14608 (Corn Hill)
Karsten Solberg	Alternate	336 Yarmouth Road, 14610 (Browncroft)

Resumes for the nominees are available for review in the Office of the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-20
(Int. No. 436)

Approving appointments to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following person as member, for a term which shall expire on May 31, 2018:

Name	Address
James DeVinney	80 Glasgow Street, 14608

Section 2. The Council hereby approves the appointment to the Rochester Preservation Board of the following person as alternate, for a term which shall expire on May 31, 2018:

Name	Address
Karsten Solberg	336 Yarmouth Road, 14610

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-389
Re: Zoning Map Amendment –
Rezoning Various Properties
for a Residential Development
Project, Pueblo Nuevo

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties at 419-563 Clifford Avenue (odd numbers), 8-70 Sullivan Street (even numbers), 15-65 Sullivan Street (odd numbers), 10-68 Hoeltzer Street (even numbers), 3-65 Hoeltzer Street (odd numbers), Rauber Street (all properties), 103-125 Evergreen Street (odd numbers), 106-134 Scrantom Street (even numbers), 109-133 Scrantom Street (odd numbers), Kappel Place (all properties), 12-30 Siebert Place (even numbers) from R-1 Low Density Residential District to R-2 Medium Density Residential District, and the properties located at 759, 765, 777, 781 and a portion of 769-771 North Clinton Avenue from C-2 Community Center District to R-2 Medium Density Residential District, to facilitate the construction of an in-fill, adaptive reuse residential development.

This rezoning request is being initiated by Ibero-American Development Corporation. The proposed project is an in-fill, residential development that includes using +/- 45 vacant properties for the creation of 92 residential units. The parcels will be developed with a combination of six single family homes, 27 two-family buildings (54 units), and 32 multi-family units located in two buildings. The existing building at 938 Clifford Avenue will be an adaptive reuse for 18 one-bedroom units. All of the properties need to be rezoned to R-2 to allow for the two-family and multi-family units. The majority of the properties are owned by the City of Rochester, and the project has applied for funding from the City and will also apply for funding from New York State. (A project narrative is attached.)

This project also requires site plan review, and most likely variances for rear yard setbacks, minimum lot size, and lot coverage; as well as special permit approval for multi-family development within the R-2 zoning district.

The Planning Commission held an informational meeting, the minutes of which are attached, on the proposed map amendment on Monday, November 13, 2017. Two people spoke in support of the rezoning, and two people spoke in opposition. By a vote of 7-0, the Planning Commission recommended approval. To date, the City has received one written comment in support of this rezoning.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-211

Ordinance No. 2017-389
 (Int. No. 437)

Amending the Zoning Map for various properties

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map's classification of the following land parcels from R-1 Low Density Residential District to R-2 Medium Density Residential District:

Address	SBL #
419 CLIFFORD AV	106.30-2-30
423 CLIFFORD AV	106.30-2-31
429 CLIFFORD AV	106.31-4-1
439 CLIFFORD AV	106.31-4-3
445 CLIFFORD AV	106.31-4-4
455 CLIFFORD AV	106.31-4-6
461 CLIFFORD AV	106.31-4-7

467	CLIFFORD AV	106.31-4-8
473	CLIFFORD AV	106.31-4-9
477	CLIFFORD AV	106.31-4-10
481	CLIFFORD AV	106.31-4-11
487	CLIFFORD AV	106.31-4-12
493	CLIFFORD AV	106.31-4-13
499	CLIFFORD AV	106.31-4-14.001
509	CLIFFORD AV	106.31-4-16
515	CLIFFORD AV	106.31-4-17
521	CLIFFORD AV	106.31-4-18
525	CLIFFORD AV	106.31-4-19
529	CLIFFORD AV	106.31-4-20
535	CLIFFORD AV	106.31-4-21.001
545	CLIFFORD AV	106.31-4-23.001
555	CLIFFORD AV	106.31-4-25.001
563	CLIFFORD AV	106.31-4-26
431-433	CLIFFORD AV	106.31-4-2
447-449	CLIFFORD AV	106.31-4-5
103	EVERGREEN ST	106.38-1-16.001
105	EVERGREEN ST	106.38-1-17
107	EVERGREEN ST	106.38-1-18
109	EVERGREEN ST	106.38-1-19
113	EVERGREEN ST	106.38-1-21.001
119	EVERGREEN ST	106.38-1-25.002
121	EVERGREEN ST	106.38-1-25.003
123	EVERGREEN ST	106.38-1-26
125	EVERGREEN ST	106.38-1-27
115-117	EVERGREEN ST	106.38-1-22.001
3	HOELTZER ST	106.39-2-2.002
9	HOELTZER ST	106.39-2-4
10	HOELTZER ST	106.39-1-73
11	HOELTZER ST	106.39-2-5
12	HOELTZER ST	106.39-1-72.001
13	HOELTZER ST	106.39-2-6
15	HOELTZER ST	106.39-2-7.001
16	HOELTZER ST	106.39-1-70
18	HOELTZER ST	106.39-1-69

19	HOELTZER ST	106.39-2-9
20	HOELTZER ST	106.39-1-68
21	HOELTZER ST	106.39-2-10.001
22	HOELTZER ST	106.39-1-67
24	HOELTZER ST	106.39-1-66.001
25	HOELTZER ST	106.39-2-12
27	HOELTZER ST	106.39-2-13
28	HOELTZER ST	106.39-1-64.001
29	HOELTZER ST	106.39-2-14
31	HOELTZER ST	106.39-2-15.001
32	HOELTZER ST	106.39-1-63.002
35	HOELTZER ST	106.39-2-17.001
36	HOELTZER ST	106.39-1-60.001
37	HOELTZER ST	106.39-2-18.001
40	HOELTZER ST	106.39-1-58.001
41	HOELTZER ST	106.39-2-19.001
42	HOELTZER ST	106.39-1-57
43	HOELTZER ST	106.39-2-20.001
48	HOELTZER ST	106.39-1-54
49	HOELTZER ST	106.39-2-22.001
50	HOELTZER ST	106.39-1-53
51	HOELTZER ST	106.39-2-23.002
52	HOELTZER ST	106.39-1-50.001
53	HOELTZER ST	106.39-2-25
55	HOELTZER ST	106.39-2-26
56	HOELTZER ST	106.39-1-49.001
58	HOELTZER ST	106.39-1-48.001
59	HOELTZER ST	106.39-2-27
61	HOELTZER ST	106.39-2-28
63	HOELTZER ST	106.39-2-29.001
65	HOELTZER ST	106.39-2-30.001
44-46	HOELTZER ST	106.39-1-56.001
60-64	HOELTZER ST	106.39-1-47.003
66-68	HOELTZER ST	106.39-1-40.001
5	KAPPEL PL	106.38-2-39.002
6	KAPPEL PL	106.38-2-17.001
8	KAPPEL PL	106.38-2-18.001

9	KAPPEL PL	106.38-2-36
11	KAPPEL PL	106.38-2-35.001
15	KAPPEL PL	106.38-2-33.002
17	KAPPEL PL	106.38-2-32
18	KAPPEL PL	106.38-2-23
19	KAPPEL PL	106.38-2-31
21	KAPPEL PL	106.38-2-30
23	KAPPEL PL	106.38-2-29
24	KAPPEL PL	106.38-2-25.001
25	KAPPEL PL	106.38-2-28
26	KAPPEL PL	106.38-2-26
28	KAPPEL PL	106.38-2-27.001
--	KAPPEL PL	106.38-2-20.001
--	KAPPEL PL	106.38-2-21.001
50	O BRIEN ST	106.39-1-30.001
20	RAUBER ST	106.39-2-66.003
24	RAUBER ST	106.39-2-64
27	RAUBER ST	106.39-4-4.001
28	RAUBER ST	106.39-2-63
32	RAUBER ST	106.39-2-62
37	RAUBER ST	106.39-4-6.001
40	RAUBER ST	106.39-2-60.001
45	RAUBER ST	106.39-4-8.001
52	RAUBER ST	106.39-2-59.002
56	RAUBER ST	106.39-2-57
59	RAUBER ST	106.39-4-11.001
63	RAUBER ST	106.39-4-12
64	RAUBER ST	106.39-2-55.002
70	RAUBER ST	106.39-2-54.001
73	RAUBER ST	106.39-4-14.001
74	RAUBER ST	106.39-2-53
77	RAUBER ST	106.39-4-15
83	RAUBER ST	106.39-4-16
84	RAUBER ST	106.39-2-51.002
87	RAUBER ST	106.39-4-17.001
92	RAUBER ST	106.39-2-49.001
97	RAUBER ST	106.39-4-19

98	RAUBER ST	106.39-2-48
101	RAUBER ST	106.39-4-20.001
102	RAUBER ST	106.39-2-47
106	RAUBER ST	106.39-2-46
112	RAUBER ST	106.39-2-45.001
113	RAUBER ST	106.39-4-23.002
120	RAUBER ST	106.39-2-43.001
123	RAUBER ST	106.39-4-25
126	RAUBER ST	106.39-2-42.001
127	RAUBER ST	106.39-4-26
131	RAUBER ST	106.39-4-27
134	RAUBER ST	106.39-2-41.001
137	RAUBER ST	106.39-4-28.001
144	RAUBER ST	106.39-2-39
145	RAUBER ST	106.39-4-30.001
149	RAUBER ST	106.39-4-31
152	RAUBER ST	106.39-2-37.001
16-18	RAUBER ST	106.39-2-66.002
17-19	RAUBER ST	106.39-4-2.001
46-48	RAUBER ST	106.39-2-59.003
106	SCRANTOM ST	106.38-1-48
108	SCRANTOM ST	106.38-1-47
109	SCRANTOM ST	106.38-2-2.001
110	SCRANTOM ST	106.38-1-46
112	SCRANTOM ST	106.38-1-45
113	SCRANTOM ST	106.38-2-4
114	SCRANTOM ST	106.38-1-44
115	SCRANTOM ST	106.38-2-5
116	SCRANTOM ST	106.38-1-43
117	SCRANTOM ST	106.38-2-6
118	SCRANTOM ST	106.38-1-42
119	SCRANTOM ST	106.38-2-7
120	SCRANTOM ST	106.38-1-41
121	SCRANTOM ST	106.38-2-8
123	SCRANTOM ST	106.38-2-9
125	SCRANTOM ST	106.38-2-10
126	SCRANTOM ST	106.38-1-38

127	SCRANTOM ST	106.38-2-11
128	SCRANTOM ST	106.38-1-37
129	SCRANTOM ST	106.38-2-12
130	SCRANTOM ST	106.38-1-36
131	SCRANTOM ST	106.38-2-13
132	SCRANTOM ST	106.38-1-35
133	SCRANTOM ST	106.38-2-14
134	SCRANTOM ST	106.38-1-34
122-124	SCRANTOM ST	106.38-1-39.001
12	SIEBERT PL	106.38-2-47.001
16	SIEBERT PL	106.38-2-49
18	SIEBERT PL	106.38-2-50.001
22	SIEBERT PL	106.38-2-52
24	SIEBERT PL	106.38-2-53
26	SIEBERT PL	106.38-2-54
28	SIEBERT PL	106.38-2-55
30	SIEBERT PL	106.38-2-56
14-14R	SIEBERT PL	106.38-2-48
8	SULLIVAN ST	106.30-2-33
10	SULLIVAN ST	106.30-2-32
12	SULLIVAN ST	106.31-4-63.003
15	SULLIVAN ST	106.39-1-6.001
16	SULLIVAN ST	106.31-4-61.001
17	SULLIVAN ST	106.39-1-7
18	SULLIVAN ST	106.31-4-60.001
19	SULLIVAN ST	106.39-1-8
21	SULLIVAN ST	106.39-1-9
22	SULLIVAN ST	106.31-4-58
23	SULLIVAN ST	106.39-1-10
24	SULLIVAN ST	106.31-4-57
25	SULLIVAN ST	106.39-1-11
26	SULLIVAN ST	106.31-4-56
28	SULLIVAN ST	106.31-4-55
29	SULLIVAN ST	106.39-1-13.002
30	SULLIVAN ST	106.31-4-54
32	SULLIVAN ST	106.31-4-53.001
35	SULLIVAN ST	106.39-1-16

37	SULLIVAN ST	106.39-1-18.002
38	SULLIVAN ST	106.31-4-50.001
42	SULLIVAN ST	106.31-4-48.001
43	SULLIVAN ST	106.39-1-20
44	SULLIVAN ST	106.31-4-47
45	SULLIVAN ST	106.39-1-21
46	SULLIVAN ST	106.31-4-46
47	SULLIVAN ST	106.39-1-22
48	SULLIVAN ST	106.31-4-45
50	SULLIVAN ST	106.31-4-44
51	SULLIVAN ST	106.39-1-24.001
54	SULLIVAN ST	106.31-4-42.002
59	SULLIVAN ST	106.39-1-31.001
62	SULLIVAN ST	106.31-4-38
64	SULLIVAN ST	106.31-4-37
65	SULLIVAN ST	106.39-1-33
66	SULLIVAN ST	106.31-4-36
68	SULLIVAN ST	106.31-4-35
70	SULLIVAN ST	106.31-4-34.001

and the area extending from those parcels to the center line of any adjoining public street, alley, or right-of-way.

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map's classification of the following land parcels from C-2 Community Center to R-2 Medium Density Residential District:

Address	SBL #
759 N CLINTON AV	106.38-2-44
765 N CLINTON AV	106.38-2-43
777 N CLINTON AV	106.38-2-41
781 N CLINTON AV	106.38-2-40
Portion of 769-771 N. CLINTON AV	106.38-2-42

and the area extending from those parcels to the center line of any adjoining public street, alley, or right-of-way. The portion of 769-771 North Clinton Avenue reclassified herein shall consist of:

ALL THAT TRACT OR PARCEL OF LAND containing 0.12 acres more or less, situate in the City of Rochester, County of Monroe, and State of New York, as shown on the drawing entitled "Pueblo Nuevo Housing- Site T, Rezoning Exhibit," prepared by BME Associates, having drawing number Exhibit T, last revised November 21, 2017, being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of J & L Transrealty, Inc. (T.A. No. 106.38-2-41) with the westerly right-of-way line of North Clinton Avenue (66' Right-of-Way); thence

1. Southerly, and along said westerly right-of-way line of North Clinton Avenue, a distance of 40 feet more or less to a point at the northeasterly boundary corner of lands now or formerly of the City of Rochester (T.A. No. 106.38-2-43); thence
2. Westerly, and along said northerly boundary line of the City of Rochester, a distance of 145 feet more or less to a point on the northeasterly boundary corner of lands now or formerly of Maria Visitacion Morales (T.A. No. 106.38-2-47.1); thence
3. Northerly, through lands now or formerly of the City of Rochester (T.A. No.106.38-2-42), a distance of 39 feet more or less to the southwesterly boundary corner of the aforementioned lands of J & L Transrealty, Inc.; thence
4. Easterly, and along the southerly boundary line of J & L Transrealty, Inc., a distance of 13 7 feet more or less to the Point of Beginning.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-390
Re: Zoning Map Amendment –
1464 Lyell Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the rear portion of 1464 Lyell Avenue from C-2 Community Center District to M-1 Industrial District so that it can be combined with 1462 Lyell Avenue. Both properties are owned by Gensteel Industrial Complex, LLC.

The proposal is to redevelop the site by demolishing the front of the building at 1464 Lyell Avenue and keeping it as vacant green space for the time being; retaining and rehabilitating the rear portion of this building for a future tenant, and then combining this rear portion of 1464 Lyell Avenue with 1462 Lyell Avenue to create one, larger parcel. The rezoning is necessary so that the rear portion of 1464 Lyell Avenue, which is C-2, can be combined with 1462 Lyell Avenue, which is M-1. After the resubdivision and the rezoning, what will remain is a slightly smaller parcel at 1464 Lyell Avenue, and a slightly larger parcel at 1462 Lyell Avenue. The existing building at the rear of 1462 Lyell Avenue is proposed for use as a contractor operation with outdoor contractor storage.

The Planning Commission held an informational meeting on the proposed map amendment on Monday, November 13, 2017, the minutes of which are attached. The applicant spoke in

support, and no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-212

Ordinance No. 2017-390
(Int. No. 438)

Amending the Zoning Map for 1464 Lyell Avenue

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map's classification from C-2 Community Center to M-1 Industrial District for a portion of 1464 Lyell Avenue (SBL# 105.61-1-65) consisting of:

ALL THAT TRACT OR PARCEL OF LAND, more or less, being part of Town Lot 83, 20,000 Acre Tract, situate in the City of Rochester, County of Monroe, and State of New York, as shown on the drawing entitled "Map showing the proposed realignment of the property lines between tax parcel 105.510-01-003 and 105.610-01-065" prepared by Bileschi Land Surveying., being more particularly bounded and described as follows:

1. Commencing at a point at the intersection of the northern right-of-way line of Lyell Avenue and the southwestern property line corner of 1464 Lyell Avenue, thence running along a line having a bearing of N00°03'15" W a distance of 273.23 feet to a point; said point being the point of beginning;
2. Thence, continuing along an arc also being the western property line of 1464 Lyell Avenue, having a radius of 2814.93 feet a distance of 69.00 feet to a point;
3. Thence, turning to the right and running along a line having a bearing of S89°43'12"E a distance of 263.80 feet to a point;
4. Thence, turning to the right and running along a line having a bearing of S00°18'22"E a distance of 69.00 feet to a point;
5. Thence, turning to the right and running along a line having a bearing of N89°43'12"W a distance of 265.35 feet to a point; said point being point or place of beginning.

Intending to describe a parcel to be rezoned from a C2 District to an M1 District consisting of 0.419 Acres.

as well as an area extending from said tract or parcel to the center line of any adjoining public street, alley, or right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-391
Re: Amendment- Ordinance No.2017-209,
Housing Opportunities for Persons with
AIDS

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Housing Opportunities for Persons with AIDS (HOPWA) program as described in the 2017-18 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Reprogram \$36,152.48 of unspent 2014-15 HOPWA funds from the 2014-15 Housing Choice Fund, HOPWA account of the Con Plan for program implementation;
2. Reprogram \$8,478.82 of unspent 2015-16 HOPWA funds from the 2015-16 Housing Choice Fund, HOPWA account of the Con Plan for program implementation;
3. Reprogram \$25,252.23 of unspent 2016-17 HOPWA funds from the 2016-17 Housing Choice Fund, HOPWA account of the Con Plan for program implementation;
4. Amend agreements authorized via Ordinance No. 2017-209 by the total amount of reprogrammed funds above (\$69,883.53); increase the agreement with Trillium Health, Inc. by \$41,930.12 (60% of reprogrammed unspent funds) for a total maximum compensation of \$499,278.12, and increase the agreement with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services by \$27,953.41 (40% of reprogrammed unspent funds) for a total maximum compensation of \$332,851.41. Both agreements are for HOPWA program implementation.
5. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth above which may have changed prior to the date of this ordinance.

If funds are different, not available, or prove to be less than originally advised, the agreement amounts and terms will be adjusted. The agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

HOPWA related legislation was last authorized on July 19, 2017 via Ordinance No. 2017-209. This legislation supports Section 4 of the City of Rochester Housing Policy: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-391
(Int. No. 439)

Reallocating and appropriating funds and authorizing amendatory agreements for the Housing Opportunities for Persons with AIDS Program, as amended

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

Section 1. The Council hereby reallocates ~~\$69,883.53~~\$69,297.55 to the Housing Choice Fund-Housing Opportunities for Persons with AIDS (HOPWA) fund of the Consolidated Community Development Plan/2017-18 Annual Action Plan (2017-18 Consolidated Plan) from the HOPWA funds of prior years' Consolidated Plans as follows:

- a. \$36,152.48 from 2014-15;
- b. \$8,478.82 from 2015-16; and
- c. ~~\$25,252.23~~\$24,666.25 from 2016-17.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Trillium Health, Inc. to provide services under the HOPWA program. The amendment shall increase the maximum compensation of the original agreement authorized in Ordinance No. 2017-209 by ~~\$41,930.12~~\$41,578.53 to a new total of ~~\$499,278.12~~\$498,926.53 and shall count said amendatory amount as part of the "original appropriation" for purposes of exercising the option to extend the term of the agreement. The amount of ~~\$41,930.12~~\$41,578.53 is hereby appropriated for the amendatory agreement from the HOPWA fund of the 2017-18 Consolidated Plan, as supplemented under Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services to provide services under the HOPWA program. The amendment shall increase the maximum compensation of the original agreement authorized in Ordinance No. 2017-209 by ~~\$27,953.44~~\$27,719.02 to a new total of ~~\$332,851.44~~\$332,617.02 and shall count said amendatory amount as part of the "original appropriation" for purposes of exercising the option to extend the term of the agreement. The amount of ~~\$27,953.44~~\$27,719.02 is hereby appropriated for the amendatory agreement from the HOPWA fund of the 2017-18 Consolidated Plan, as supplemented under Section 1 herein.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for the HOPWA program only with organizations that are in compliance with federal regulations.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes: President Scott, Councilmembers Clifford, Conklin, McFadden, Miller, Ortiz, Patterson, Spaul - 8

Nays: None - 0

Councilmember Haag abstained due to a familial relationship.

By Councilmember Haag
December 19, 2017

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

- Int. No. 442 Authorizing the acceptance of an easement as part of the Hincer Street Group Improvement Project
- Int. No. 443 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,185,000 Bonds of said City to finance the costs of the 2018 Annual Parking Garage Evaluation and Repair Program
- Int. No. 444 Authorizing a NYS Municipal Waste Reduction and Recycling Program grant application and agreement
- Int. No. 445 Authorizing an agreement with the New York State Department of Environmental Conservation for the disposition of electronic waste material

Int. No. 446 Authorizing an agreement with the New York State Department of State to fund LED lighting upgrades to the Thomas P. Ryan R-Center athletic field

Int. No. 453 Authorizing a dog park at Cobbs Hill Park

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 440 Authorizing a change in traffic flow on Beach Street

Int. No. 441 Amending Ordinance No. 2017-43 amending the Official Map in relation to the Inner Loop East Transformation Project

Respectfully submitted, Matt Haag Michael A. Patterson Elaine M. Spaul Dana K. Miller Loretta C. Scott PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL Ladies and Gentlemen:

Ordinance No. 2017-392 Re: Authorizing a Traffic Flow Change Beach Street

Transmitted herewith for your approval is legislation authorizing a change in the direction of traffic flow on Beach Street, between St. Paul and Jewel Streets, from one-way westbound to one-way eastbound.

The Beach Street one-way eastbound is requested by Beach Street residents, and supported by the Fertile Crescent Block Club, to enhance safety for residents and visitors accessing the street. By reversing the direction of traffic flow, vehicles will no longer be forced to exit Beach Street onto St. Paul Street, which will resolve a sight distance concern and concerns related to the downward slope of Beach Street, especially during winter weather conditions.

A petition with support from more than 60% of the street's residents was reviewed

and verified by the Department of Environmental Services staff, as required. The change to one-way eastbound was reviewed and endorsed by the City's Traffic Control Board at its October 3, 2017 meeting.

A public hearing is required.

Respectfully submitted, Lovely A. Warren Mayor

Attachment No. AQ-213

Ordinance No. 2017-392 (Int. No. 440)

Authorizing a change in traffic flow on Beach Street

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Beach Street between St. Paul Street and Jewel Street from one-way westbound to one-way eastbound.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL Ladies and Gentlemen:

Ordinance No. 2017-393 Re: Amendment- Ordinance No. 2017-43, Amending the Official Map

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-43 which authorized amending the Official Map in relation to the Inner Loop East Transformation Project. This amendment will correct the abandonment of lands formally known as a portion of Pitkin Street by including the overlooked area.

The portion of parcel that was omitted from the original ordinance is from what was formerly Savannah Street and later renamed to Pitkin Street as part of the original construction of the Inner Loop. Aban-

donment of this portion of parcel will create additional City-owned land that will be available for redevelopment opportunities in the southeast Center City and East End.

This amendment was presented to the Planning Commission at its meeting on February 6, 2017, the minutes of which are attached. The Planning Commission recommended approval by a vote of 5-0.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-214

Ordinance No. 2017-393
(Int. No. 441)

Amending Ordinance No. 2017-43 amending the Official Map in relation to the Inner Loop East Transformation Project

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

Section 1. Ordinance No. 2017-43, amending the Official Map in relation to the Inner Loop East Transformation Project is hereby amended in Section 1 as follows:

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following 910 described land parcels heretofore dedicated to street purposes, as more particularly described below and as depicted in maps on file with the City Clerk.

**Pitkin Street
Abandonment Map 2**

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Street Boundary of East Avenue and the westerly Street Boundary of Pitkin Street, said point being 170.15 feet left of and at right angles to station U46+21.60 of the hereinafter described 2012 Survey Baseline; thence northerly along said westerly Street Boundary of Pitkin Street a distance of 1.29 feet to a point, said point being 170.30 feet left of and at right angles to station U46+22.88 of the said Survey Baseline; thence easterly and perpendicular to the westerly Street Boundary of Pitkin Street through the lands

now or formerly owned by The City of Rochester a distance of 39.00 feet to the true Point of Beginning, said point being 131.55 feet left of and at right angles to station U46+27.32 of the said Survey Baseline; thence S71°32'15"E along new northerly Street Boundary of East Avenue a distance of 11.00 to a point, said point being 120.62 feet left of and at right angles to station U46+28.56 of the said Survey Baseline; thence N18°22'08"E along Jurisdiction line a distance of 272.41 feet to a point, said point being 151.73 feet left of and at right angles to station U48+99.19 of the said Survey Baseline; thence N21°30'11"E along said jurisdiction line a distance of 104.44 feet to a point, said point being 157.97 feet left of and at right angles to station U50+03.44 of the said Survey Baseline; thence N26°29'00"W along said Jurisdiction line a distance of 23.98 feet to a point on the new easterly Street Boundary of Pitkin Street, said point being 176.71 feet left of and at right angles to station U50+18.39 of the said Survey Baseline; thence southerly along said new easterly Pitkin Street Boundary on a tangent arc to the right, said arc having a radius of 292.00 feet, and a distance of 14.52 feet to the point of tangency, said point being 174.70 feet left of and at right angles to station U50+04.01 of the said Survey Baseline; thence S18°23'33"W continuing along said new easterly Pitkin Street Boundary a distance of 379.15 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 4551± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U45+78.91; thence N 24°55'38" E to Station U52+40.97.

**Pitkin Street
Abandonment Map 3**

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Street Boundary of East Broad Street and the westerly Street Boundary of Pitkin Street, said point being 182.56 feet left of and at right angles to station U42+32.14 of the hereinafter described 2012 Survey Baseline; thence northerly along said westerly Street Boundary of Pitkin Street a distance of 124.57 to the true Point of Beginning, said point being 177.03 feet left of and at right angles to station U43+56.59 of the said Survey Baseline; thence N77°43'22"E through the lands now or formerly owned by the City of Rochester

along the former southerly Street Boundary of a portion of road formerly known as Court Street a distance of 6.31 feet to a point, said point being 171.60 feet left of and at right angles to station U43+59.79 of the said Survey Baseline; thence N50°09'26"E continuing through the lands now or formerly owned by the City of Rochester through the portion of road formerly known as Court Street a distance of 108.05 feet to a point on the former northerly Street Boundary of a portion of road formerly known as Court Street, said point being 114.53 feet left of and at right angles to station U44+51.54 of the said Survey Baseline; thence S77°43'22"W continuing through the lands now or formerly owned by the City of Rochester along the former northerly Street Boundary of a portion of road formerly known as Court Street a distance of 69.50 feet to a point on the westerly Street Boundary of Pitkin Street, said point being 174.38 feet left of and at right angles to station U44+16.21 of the said Survey Baseline; thence S20°49'11"W along said westerly Street Boundary of Pitkin Street a distance of 59.68 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 1,895± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U39+44.15; thence N 18°16'19" E to Station U45+78.91.

Pitkin Street
Abandonment Map 4

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Street Boundary of Savannah Street and the westerly Highway Boundary of the Rochester City Inner Loop Arterial, thence South 21°19'35" West a distance of 30.94 feet to the true Point of Beginning, said point being 170.34 feet left of and at right angles to station U 36+99.70 of the hereinafter described 2012 Survey Baseline; thence South 68°30'40" East through the property now or formerly owned by the City of Rochester, a distance of 7.96 feet to a point, said point being 162.40 feet left of and at right angles to Station U 37+00.29 of said Baseline; thence North 21°19'45" East continuing through the property now or formerly owned by the City of Rochester, a distance of 416.28 feet to a point, said point being 170.46 feet left of and at right angles to Station U 41+39.11 of said Baseline; thence North 68°01'45" West continuing through the

property now or formerly owned by the City of Rochester, a distance of 7.98 feet to a point, said point being 178.43 feet left of and at right angles to Station U 41+39.62 of said Baseline; thence South 21°19'35" West continuing through the property now or formerly owned by the City of Rochester, a distance of 38.49 feet to a point on the westerly Street Boundary of Pitkin Street, said point being 180.48 feet left of and at right angles to Station U 41+01.19 of said Baseline; thence South 21°19'35" West along said westerly Street Boundary of Pitkin Street, a distance of 346.91 feet to the point of intersection of the said westerly Street Boundary of Pitkin Street and the northerly Street Boundary of Savannah Street, said point being 172.71 feet left of and at right angles to Station U 37+30.56 of said Baseline; thence South 21°19'35" West continuing through the property now or formerly owned by the City of Rochester, a distance of 30.94 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 3319± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U30+73.24; thence N 25°43'35" E to Station U39+44.15 thence N 18°16'19" E to Station U45+78.91.

Pitkin Street
Abandonment Map 5
Abandonment 1

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the southerly Street Boundary of Savannah Street and the westerly Highway Boundary of the Rochester City Inner Loop Arterial, thence South 21°19'35" West a distance of 26± feet to the true Point of Beginning, said point being 166.12 feet left of and at right angles to station U 36+44.86 of the hereinafter described 2012 Survey Baseline; thence South 68°30'40" East through the property now or formerly owned by the City of Rochester, a distance of 7.96 feet to a point, said point being 158.18 feet left of and at right angles to Station U 36+45.45 of said Baseline; thence South 21°19'45" West continuing through said City of Rochester property, a distance of 198.88 feet to a point, said point being 142.93 feet left of and at right angles to Station U 34+47.16 of said Baseline; thence South 68°30'42" East continuing through said City of Rochester prop-

erty, a distance of 88.10 feet to a point, said point being 55.07 feet left of and at right angles to Station U 34+53.67 of said Baseline; thence South 21°58'15" West continuing through said City of Rochester property, a distance of 50.03 feet to a point, said point being 51.79 feet left of and at right angles to Station U 34+03.75 of said Baseline; thence North 68°35'01" West continuing through said City of Rochester property, a distance of 87.52 feet to a point, said point being 139.07 feet left of and at right angles to Station U 33+97.17 of said Baseline; thence South 21°19'42" West continuing through said City of Rochester property, a distance of 455.01 feet to a point on the new northerly Street Boundary of Howell Street, said point being 124.32 feet left of and at right angles to Station U 29+62.65 of said Baseline; thence southwesterly along said northerly Street Boundary along a non-tangent curve to the left, said curve having a radius of 301.50 feet, a distance of 17.32 feet to a point, said point being 140.80 feet left of and at right angles to Station U 29+57.50 of said Baseline; thence North 21°19'39" East through said City of Rochester property, a distance of 268.33 feet to a point on the former westerly Street Boundary of Pitkin Street, said point being 140.15 feet left of and at right angles to Station U 32+03.22 of said Baseline; thence North 26°00'17" East continuing along said former westerly Street Boundary, a distance of 98.01 feet to a point, said point being 139.67 feet left of and at right angles to Station U 33+01.23 of said Baseline; thence North 21°19'35" East continuing along said westerly Street Boundary, a distance of 344.65 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 12,537 +/- square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U 23+70.62; thence N 16°08'40" E to Station U 30+73.24; thence N 25°43'35" E to Station U 39+44.15.

Pitkin Street
Abandonment Map 5
Abandonment 2

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Pitkin Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the southerly Street Boundary of Howell Street and the easterly Street Boundary of Savannah Street, thence North 21°19'35" East a distance of 232.42 feet to a

point on the former westerly Street Boundary of Pitkin Street and the true Point of Beginning, said point being 247.32 feet left of and at right angles to station U 29+78.64 of the hereinafter described 2012 Survey Baseline; thence South 21°19'35" West through the property now or formerly owned by the City of Rochester, a distance of 66.38 feet to a point on the new northerly Street Boundary of Howell Street, said point being 253.32 feet left of and at right angles to Station U 29+12.54 of said Baseline; thence South 84°10'03" West along said new northerly Street Boundary, a distance of 56.20 feet to a point, said point being 305.43 feet left of and at right angles to Station U 28+91.51 of said Baseline; thence North 21°19'35" East through the property now or formerly owned by the City of Rochester, a distance of 32.34 feet to a point on the former westerly Street Boundary of Pitkin Street, said point being 302.51 feet left of and at right angles to Station U 29+23.71 of said Baseline; thence northeasterly along said former westerly Highway Boundary along a non-tangent curve to the left, said curve having a radius of 600.00 feet, and a distance of 77.92 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 2,402± square feet and being commonly known as a portion of the right of way limits of Pitkin Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows:

Beginning at Station U 23+70.62; thence N 16°08'40" E to Station U 30+73.24.

All bearings refer to True North at the 78°-35'-00" MERIDIAN OF WEST LONGITUDE (N.Y.S.P.C.S. NAD 1983 Datum).

Howell Street
Abandonment Map 6
Abandonment 1

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Howell Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly Highway Boundary of Monroe Avenue (N.Y.S. Route 31) and the easterly Street Boundary of Howell Street, thence North 52°47'05" West a distance of 96.33 feet to a point on the new portion of the northerly Highway Boundary of Monroe Avenue (N.Y.S. Route 31) and the true Point of Beginning, said point being 124.36 feet right of and at

right angles to station P 11+13.72 of the hereinafter described 2012 Survey Baseline; thence North $52^{\circ}47'05''$ West along said new northerly Highway Boundary a distance of 4.99 feet to a point of curvature, said point being 120.87 feet right of and at right angles to Station P 11+10.15 of said Baseline; thence northeasterly along new southerly Street Boundary of Howell Street along a tangent curve to the right, said curve having a radius of 14.00 feet, and a distance of 31.21 feet to a point of compound curvature, said point being 96.99 feet right of and at right angles to Station P 11+18.00 of said Baseline; thence northeasterly along said southerly Street Boundary along a tangent curve to the right, said curve having a radius of 965.50 feet, and a distance of 11.46 feet to a point on the former northerly Street Boundary of former Manhattan Street, said point being 95.48 feet right of and at right angles to Station P 11+29.36 of said Baseline; thence South $21^{\circ}17'58''$ West along said former Street Boundary a distance of 32.84 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 350± square feet and being commonly known as a portion of the right of way limits of Howell Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station P 10+00.00; thence N $82^{\circ}51'44''$ E to Station P 13+90.92.

Howell Street
Abandonment Map 6
Abandonment 2

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Howell Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the former southerly Street Boundary of Howell Street and the westerly Street Boundary of Savannah Street, thence North $21^{\circ}19'35''$ East a distance of 8.30 to a point on the New Street Boundary of Savannah Street and the true Point of Beginning, said point being 187.01 feet right of and at right angles to station P 13+43.71 of the hereinafter described 2012 Survey Baseline; thence North $52^{\circ}47'05''$ West through the property now or formerly owned by the City of Rochester, a distance of 31.93 feet to a point, said point being 164.69 feet right of and at right angles to Station P 13+20.88 of said Baseline; thence South $37^{\circ}12'55''$ West continuing through said property of the City of Rochester, a distance of 7.99 feet to a point on the former southerly Street

Boundary of Howell Street, said point being 170.40 feet right of and at right angles to Station P 13+15.30 of said Baseline; thence North $52^{\circ}51'19''$ West through the property now or formerly owned by the City of Rochester, a distance of 118.07 feet to a point on the new southerly Street Boundary of Howell Street, said point being 87.96 feet right of and at right angles to Station P 12+30.77 of said Baseline; thence northeasterly along said new southerly Street Boundary along a tangent curve to the right, said curve having a radius of 965.50 feet, and a distance of 22.69 feet to a point, said point being 87.75 feet right of and at right angles to Station P 12+53.45 of said Baseline; thence South $52^{\circ}49'50''$ East through the property now or formerly owned by the City of Rochester, a distance of 2.76 feet to a point, said point being 89.68 feet right of and at right angles to Station P 12+55.43 of said Baseline; thence North $21^{\circ}19'35''$ East continuing through said property of the City of Rochester, a distance of 2.18 feet to a point on the new southerly Street Boundary of Howell Street, said point being 87.76 feet right of and at right angles to Station P 12+56.47 of said Baseline; thence northeasterly along said new southerly Street Boundary along a tangent curve to the right, said curve having a radius of 965.50 feet, and a distance of 16.84 feet to a point of tangency, said point being 88.00 feet right of and at right angles to Station P 12+73.31 of said Baseline; thence North $84^{\circ}10'03''$ East continuing along said new southerly Street Boundary, a distance of 1.22 feet to a point, said point being 88.02 feet right of and at right angles to Station P 12+74.53 of said Baseline; thence South $21^{\circ}19'35''$ West through the property now or formerly owned by the City of Rochester, a distance of 15.10 feet to a point, said point being 101.29 feet right of and at right angles to Station P 12+67.33 of said Baseline; thence South $52^{\circ}49'50''$ East continuing through said property of the City of Rochester, a distance of 112.26 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 2,143± square feet and being commonly known as a portion of the right of way limits of Howell Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows:

Beginning at Station U 23+70.62; thence N $16^{\circ}08'40''$ E to Station U 30+73.24.

Howell Street
Abandonment Map 7

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as a portion of Howell Street, and being more particularly bounded and described as follows:

Beginning at the point of intersection of the southerly Street Boundary of Howell Street and the westerly Street Boundary of Savannah Street, said point being 194.31 feet right of and at right angles to station P13+39.75 of the hereinafter described 2012 Survey Baseline; thence North $21^{\circ}19'35''$ East along the new westerly Street Boundary of Savannah Street a distance of 8.30 feet to a point, said point being 187.01 feet right of and at right angles to Station P 13+43.71 of said Baseline; thence North $52^{\circ}47'05''$ West through the lands now or formerly owned by the City of Rochester, a distance of 31.93 feet to a point, said point being 164.69 feet right of and at right angles to Station P 13+20.88 of said Baseline; thence South $37^{\circ}12'55''$ West continuing through said lands of the City of Rochester, a distance of 7.99 feet to a point on the existing southerly Street boundary of Howell Street, said point being 170.40 feet right of and at right angles to Station P 13+15.30 of said Baseline; thence South $52^{\circ}47'05''$ East along said southerly Street Boundary, a distance of 34.20 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 264± square feet and being commonly known as a portion of the right of way limits of Howell Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station P 10+00.00; thence N $82^{\circ}51'44''$ E to Station P 13+90.92.

Savannah Street
Abandonment Map 8

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being known as Savannah Street, and being more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly Street Boundary of Savannah Street and the newly created westerly division line of lands now or formerly owned by the City of Rochester per City of Rochester Subdivision Map 4 Parcel 1, said point being 1.15 feet left of and at right angles to station P 23+37.81 of the hereinafter described 2012 Survey Baseline; thence South $21^{\circ}19'35''$ West along the newly created Street Boundary of Savannah Street per City of Rochester Subdivision Map 4 Parcel 1, a distance of 30.95 feet to an angle

point in said Street Boundary, said point being 1.11 feet left of and at right angles to Station P 23+06.86 of said Baseline; thence North $68^{\circ}30'40''$ West through the existing right of way of Savannah Street, a distance of 115.49 feet to a point, said point being 116.59 feet left of and at right angles to Station P 23+07.02 of said Baseline; thence North $21^{\circ}19'35''$ East continuing through the existing right of way of Savannah Street, a distance of 30.95 feet to a point on the existing northerly Street Boundary of Savannah Street, said point being 116.64 feet left of and at right angles to Station P 23+37.97 of said Baseline; thence South $68^{\circ}30'40''$ East along said existing northerly street boundary of Savannah Street a distance of 115.49 feet to the POINT OF BEGINNING.

Hereby intending to describe a parcel of land containing 3,574± square feet and being commonly known as a portion of the right of way limits of Savannah Street. Subject to any covenants, easements or restrictions of record, if any.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station P 18+70.29; thence N $21^{\circ}24'28''$ E to Station P 26+07.16.

Broad Street

Abandonment Map 9

All that tract or parcel of land situated in the City of Rochester, County of Monroe, State of New York, being a portion of Broad Street, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the newly created southerly and westerly Street Boundaries of Broad Street per the City of Rochester Subdivision Map 4 Parcel 1, thence South $21^{\circ}19'35''$ West along the said westerly Street Boundary of Broad Street a distance of 4.07 feet to the true Point of Beginning, said point being 178.64 feet left of and at right angles to station U 41+35.56 of the hereinafter described 2012 Survey Baseline; thence South $21^{\circ}19'35''$ West continuing along said newly created westerly Street Boundary of Broad street a distance of 34.42 feet to a point of curvature on the existing southerly Street Boundary of Broad Street, said point being 180.48 feet left of and at right angles to station U 41+01.19 of said Baseline; thence northwesterly along said existing southerly Street Boundary of Broad Street along a non-tangent curve to the left, said curve having a radius of 35.00 feet, and a distance of 54.39 feet to a point of tangency, said point being 212.98 feet left of and at right angles to Station U 41+37.97 of said Baseline; thence South $67^{\circ}42'42''$ East through the existing right of

way of Broad Street, a distance of 34.42 feet to the POINT OF BEGINNING.

N 18°16'19" E to Station U45+78.91.

Hereby intending to describe a parcel of land containing 253± square feet and being commonly known as a portion of the right of way limits of Broad Street. Subject to any covenants, easements or restrictions of record, if any.

All bearings refer to True North at the 78°-35'-00" MERIDIAN OF WEST LONGITUDE (N.Y.S.P.C.S. NAD 1983 Datum).

Section 2. This ordinance shall take effect immediately.

The above mentioned survey baseline is a portion of the 2012 Survey Baselines for the abandonment of City of Rochester property and is described as follows: Beginning at Station U39+44.15; thence

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-394
Re: Acquisition of Easement
4669- 4671 Lake Avenue, Hinchler Street Group Improvement Project

Transmitted herewith for your approval is legislation authorizing the acquisition of an easement at 4669-4671 Lake Avenue to provide for maintenance of street bollards as part of the Hinchler Street Group Improvement Project. Lee Selover, the property owner, agreed to grant the 141 +/- square foot easement at a cost of \$700, which was established by an independent appraisal prepared by Tillett, Rossi, Cahill & Associates on October 19, 2017. The purchase price will be funded from 2014-15 Cash Capital.

All roads in the project limits [Corrigan Street, Hinchler Street, Fleming Street, Ruggles Street (Lakeland Avenue - Fleming Street), and Lakeland Avenue (Ruggles Street – east end)] include the following improvements: full reconstruction of the pavement structure; granite stone curbs; driveway aprons; water mains and services (Hinchler and Fleming Streets); sanitary sewer main and laterals (Ruggles Street); catch basins; replacement of sidewalks; replacement of curb ramps to Americans with Disabilities Act standards; street lighting improvements; street trees and lawn restoration.

Details of the Hinchler Street Group Improvement Project were previously presented to Council as follows:

Ordinance No. 2014-99	Approve change in pavement width, change in traffic flow.
Ordinance No. 2014-347	Amend Ordinance No. 2014-99, acquire permanent easements and increase acquisition costs.
Ordinance No. 2015 - 240, 241, 242	Residential Project Representation (RPR) Services and Amend Ordinance No. 2014-347 increase acquisition cost. Authorize project bonds.
Ordinance No. 2015-335	Amend Ordinance Nos. 2014-99 and 2014-347, increase acquisition cost.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-215

Ordinance No. 2017-394
(Int. No. 442)

Authorizing the acceptance of an easement as part of the Hincer Street Group Improvement Project

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

Section 1. The Council hereby approves the acceptance of an easement to provide for maintenance of street bollards as part of the Hincer Street Group Improvement Project to a portion of the following parcel:

Address	S.B.L#	Owner
4669-4671 Lake Ave.	047.540-01-024	Lee Selover

and comprised of:

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 17, Third Division, Township 2, Short Range, and being part of Lot 2 of the Ruggiero & Lorenzo Subdivision, as filed in the Monroe County Clerk's Office in Liber 66 of Maps, Page 8 and being more particularly bounded and described as follows: Beginning at a point on the southerly ROW line of Fleming Street (12' ROW), 100.03 feet west of the westerly ROW line of Lake Avenue (99' ROW), said point being at an angle point where Fleming Street widens to (16' ROW) and also being the Point or Place of Beginning; thence

- 1) S 63° 13' 30" E, along said ROW line of Fleming Street, a distance of 35.37 feet to a point; thence
- 2) S 26° 52' 30" W, through lands conveyed to Lee Selover by Liber 10672 of Deeds, Page 432, a distance of 4.00 feet to a point; thence
- 3) N 63° 13' 30" W, continuing through said lands conveyed to Lee Selover, a distance of 35.37 feet to Fleming Street (16' ROW); thence
- 4) N 26° 52' 30" E, along said Fleming Street ROW, a distance of 4.00 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 141± square feet, as shown on a map entitled, "Proposed Permanent Easement for Street Purposes", dated September 11, 2017, prepared by Jeffrey A Tiede, L.S., Manager of Maps & Surveys.

Section 2. The compensation for the easement shall be \$700 and said amount plus any legal or closing costs shall be funded from 2014-15 Cash Capital

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-395
Re: 2018 Annual Parking Garage
Evaluation and Repair Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,185,000, and the appropriation of the proceeds thereof, to finance a portion of the cost of the 2018 Annual Parking Garage Evaluation and Repair Program.

Construction work for the program includes concrete and structural steel repairs; deck waterproofing and sealing; expansion joint repairs; masonry repairs and waterproofing; mechanical, electrical and plumbing system repairs; and elevator replacements. The parking garages impacted by the program consist of the following City-owned facilities: Court Street, East End, Genesee Crossroads, High Falls, Mortimer Street, South Avenue, Sister Cities and Washington Square.

The construction contract for the program is scheduled to be bid and awarded in winter 2017-18, with construction beginning in spring 2018 and completion anticipated in spring 2019. The estimated total cost of the 2018 program, including contingency, is \$2,985,000 and will be funded as follows:

	2017-18 Bonds (Garage Parking)	2017-18 Cash Capital (Garage Parking)	2017-18 Cash Capital (Garage Elevator)	
Design/ resident project repre- sentation:	\$0	\$500,000	\$0	\$500,000
Construction:	\$1,185,000	\$0	\$1,300,00	\$2,485,000
Total:	\$1,185,000	\$500,000	\$1,300,00	\$2,985,000

It is estimated that the program will create and/or retain 32.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-395
(Int. No. 443)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,185,000 Bonds of said City to finance the costs of the 2018 Annual Parking Garage Evaluation and Repair Program

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 the 2018 Annual Parking Garage Evaluation and Repair Program, including costs of design, waterproofing, structural rehabilitation, electrical and plumbing repairs and elevator replacements for the East End, Genesee Crossroads, High Falls, Mortimer Street, South Avenue, Sister Cities and Washington Square Garages (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 \$2,985,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,185,000 bonds of the City, appropriation of \$500,000 from 2017-2018 Garage Program Parking Cash Capital and \$1,300,000 from 2017-2018 Garage Elevator Program Parking Cash Capital 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 \$1,185,000 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 \$1,185,000. 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. 13. of the Law, is ten (10) 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. 2017-396
Re: Grant Application –New York
State Municipal Waste Reduction and
Recycling Program

Transmitted herewith for your approval is legislation authorizing a grant application to the New York State Department of Environmental Conservation (NYSDEC) for participation in the Municipal Waste Reduction and Recycling Program. This grant would reimburse the City for up to 50% of direct costs paid to implement the single-stream recycling program. The total potential reimbursement from NYSDEC is \$2,250,000, based on the total cost of \$4,500,000 incurred by the City. This

grant has a three year eligibility period for cost reimbursement, which is August 25, 2014 through August 25, 2017.

Items allowed for reimbursement include solely-dedicated recycling trucks, automated truck attachments, radio frequency identification (RFID) readers, wheeled recycling containers, the salary and benefits of a dedicated Recycling Coordinator position, refrigerator magnets and advertising. The capital components of the program (trucks, attachments, RFID readers and containers) will be included on one project application, and the coordination, education, and outreach components (the Recycling Coordinator salary and benefits, refrigerator magnets and advertising) will be included on a second project application.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-396
(Int. No. 444)

Authorizing a NYS Municipal Waste Reduction and Recycling Program grant application and agreement

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, and enter into an agreement with, the New York State Department of Environmental Conservation under the NYS Municipal Waste Reduction and Recycling Program for the receipt of a grant to reimburse the City for up to 50% of its costs incurred to implement a single-stream recycling program within the City of Rochester. The agreement shall cover a reimbursement period from August 25, 2014 through August 25, 2017. The total reimbursement to the City shall not exceed \$2,250,000.

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. 2017-397
Re: Agreement – New York State Electronic Waste Assistance Grant, Second and Final Phase

Transmitted herewith for your approval is legislation authorizing a grant agreement with the New York State Department of Environmental Conservation (NYSDEC) for the reimbursement of up to 50% of direct costs paid by the City to an electronic waste (e-waste) recycler for the proper disposal of e-waste material, as outlined in the NYS Electronic Equipment Recycling and Reuse Act. This is the second and final phase of e-waste grant assistance offered by NYSDEC, and the eligible period for cost reimbursement is April 1, 2017 through December 31, 2017.

The City will have projected eligible e-waste recycling disposal costs of no more than \$25,000, of which up to \$12,500 will be reimbursed through the grant, pending approval by NYSDEC. The proceeds of the grant reimbursement will help offset the cost of sponsoring a City of Rochester E-Waste Day, a special, one-day collection event to

be held at the Capelli Sport Stadium. Since the City no longer picks up curbside e-waste recyclables, this event provides city residents a venue to easily and safely dispose of e-waste without contaminating the environment.

The City applied for and was approved by NYSDEC to receive an earlier grant from the same assistance program, which covered the period of eligibility from January 1, 2016 through March 31, 2017. That agreement was authorized by Council via Ordinance No. 2017-190. The amount of reimbursement from the first phase of the assistance program was \$25,140.24, which has been received.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-397
(Int. No. 445)

Authorizing an agreement with the New York State Department of Environmental Conservation for the disposition of electronic waste material

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 Environmental Conservation to reimburse the City for direct costs paid to an electronic waste recycler for the disposition of electronic waste material as outlined in the New York State Electronic Equipment Recycling and Reuse Act. The agreement shall cover a reimbursement period from April 1, 2017 through December 31, 2017. The total reimbursement to the City shall not exceed \$12,500.

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. 2017-398
Re: Agreement – New York State Department of State, Thomas P. Ryan Recreation Center Athletic Field Lighting Upgrade

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of State (NYSDOS) for the City's award and appropriation of \$25,000 in grant funding for LED lighting upgrades to the Thomas P. Ryan Recreation Center's athletic field, and amending the 2017-18 Budget of the Department of Environmental Services to reflect said grant. The agreement expires July 31, 2018.

The grant funds will reimburse the City for a portion of the cost of materials for the lighting upgrade. These funds were secured with the help of New York State Assemblyman David F. Gantt. No City funding match is required.

The project will result in the creation and/or retention of the equivalent of .27 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-398
(Int. No. 446)

Authorizing an agreement with the New York State Department of State to fund LED lighting upgrades to the Thomas P. Ryan R-Center athletic field

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 State for the receipt and use of a grant in the amount of \$25,000 to assist the City to perform LED lighting upgrades on an athletic field at the Thomas P. Ryan R-Center (the "Project").

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the 2017-18 Budget of the Department of Environmental Services by the sum of \$25,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein to acquire the fixtures and other materials to be used for the Project. The deadline for the City to complete the Project work and reporting requirements shall be July 31, 2018.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-399
Re: Dog Park at Cobbs Hill Park

Council Priority: Creating and Sustaining a Culture Of Vibrancy

Transmitted herewith for your approval is legislation authorizing the permanent establishment of the City's first dog park at Cobbs Hill Park.

The Municipal Code was amended in March 2016 via Ordinance No. 2016-83 to allow unleashed dogs within authorized and enclosed areas at City parks, as designated and approved by City Council for that purpose, and in accordance with rules and regulations to be promulgated for the orderly functioning of dog parks.

The dog park has successfully completed its pilot period (Ord. No. 2017-46). An evaluation of the dog park's use, operation and impacts concludes that it should be made permanent and remain available to City residents.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-216

Ordinance No. 2017-399
(Int. No. 453)

Authorizing a dog park at Cobbs Hill Park

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

Section 1. Pursuant to Section 79-8 of the Municipal Code, the Council hereby designates an approximately three-quarter acre area located in the northeast portion of Cobbs Hill Park, which was previously developed and operated as a dog park for a pilot period of six months pursuant to Ordinance No. 2017-46, as a permanent dog park. The dog park shall be operated in accordance with rules and regulations promulgated by the Commissioner of the Department of Recreation and Youth Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
December 19, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 447 Authorizing agreements for the U.S. Department of Justice COPS Community Policing Development Micro-Grant

Int. No. 448 Authorizing a license agreement with the Corn Hill Neighbors Association for use of space in Lunsford Circle Park

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-400
Re: Agreement – U.S. Department of Justice, Office of Community Oriented Policing Services, Community Policing Development Micro-grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to a U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Community Policing Development Micro-grant. This legislation will:

1. Authorize an agreement with the U.S. Department of Justice, COPS for the receipt and use of \$75,000 for a COPS Community Policing Development Micro-grant; and
2. Establish \$33,000 as maximum compensation for an agreement with the Rochester Institute of Technology (RIT), School of Mathematical Sciences for the design of text mining algorithms to produce new datasets from previ-

ously unstructured report narratives. The term of the agreement will be from September 1, 2017 through August 31, 2018.

The principal investigator for RIT, Dr. Ernest Fokoué is an Associate Professor of Mathematical Sciences with an extensive background in Statistical Machine Learning, Computational Statistics, and Statistical Data Mining. Dr. Fokoué is widely considered an authority in the field of statistical machine learning and data science.

The grant includes funds for a data application processing license and related business intelligence software, an agreement with RIT to develop natural language processing algorithms, information technology consultants to provide optical character recognition techniques for data conversion, and travel funds for project staff to present results of the project at relevant conferences.

These funds are being awarded to the Rochester Police Department to:

- Improve the understanding of the scope and nature of text mining through natural language processing techniques, especially as it relates to criminal justice data.
- Design text mining algorithms that create new datasets from previously unstructured narratives.
- Create a product suite that operationalizes the data collected from algorithms to drive decision making.
- Create, test, evaluate, and document a process for utilizing natural language processing techniques in a law enforcement agency which can be extensible to other departments.

The term of this grant is September 1, 2017 through August 31, 2018. No match is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-400
(Int. No. 447)

Authorizing agreements for the U.S. Department of Justice COPS Community Policing Development Micro-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 U.S. Department of Justice’s Office of Community Oriented Policing Services (COPS) for the receipt and use of a grant in the amount of \$75,000. The grant is hereby appropriated to the Rochester Police Department to assist in the development of information technology techniques for mining and organizing data from its report narratives and then creating a product suite that uses the data collected to rationalize and assist decision making for the Police Department and other agencies (collectively, the “Project”). The term of the agreement shall be from September 1, 2017 through August 31, 2018.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester Institute of Technology’s School of Mathematical Sciences to design text mining algorithms in support of the Project. The term of the agreement shall be from September 1, 2017 through August 31, 2018. The maximum compensation of the agreement shall be \$33,000, which shall be funded from the grant funds appropriated in Section 1 hereof.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-401
Re: License Agreement, Corn Hill
Neighbors Association, Lunsford
Circle Park

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation to authorize a License Agreement with the Corn Hill Neighbors Association (CHNA) for the construction and maintenance of two decorative swings in Lunsford Circle Park.

The swings are being fabricated and installed by Thinking Outside the Square, Inc. This firm has done extensive work in metal fabrication in Rochester and Buffalo including projects at The Strong National Museum of Play and the Buffalo Museum of Science. The estimated cost of Lunsford Circle Park

installations is \$10,906. All funds will be provided by CHNA and the project should be installed by the end of December 2017. The license will have a term of five years with the option to extend for one additional five year term, contingent upon a joint evaluation of the condition of the installations at the end of each term.

CHNA has a long history of collaborating with the City on park and neighborhood improvement projects including the installation and maintenance of the Gazebo in Lunsford Circle Park, public art and decorative signage throughout the neighborhood, landscape enhancements and maintenance, numerous tree plantings, and the installation of new play apparatus at the Adams Street R-Center, amongst many more.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-217

Ordinance No. 2017 -401
(Int. No. 448)

Authorizing a license agreement with the Corn Hill Neighbors Association for use of space in Lunsford Circle Park

WHEREAS, the City of Rochester has received a proposal from the Corn Hill Neighbors Association for the continued use of space in Lunsford Circle Park for a term of five years with the option to extend for one additional five year term; and

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is following additional procedures due to the length of the proposed use; and

WHEREAS, the term of the use is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the use; and

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with Corn Hill Neighbors Association for the construction and maintenance of two decorative swings in Lunsford Circle Park. The license agreement shall have a term of five years with one additional five year option of renewal contingent upon a joint evaluation of the condition of the installations at the end of the term.

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

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Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Clifford, Hagg, McFadden, Miller, Ortiz, Patterson, Spaul – 8

Nays: None – 0

Councilmember Conklin abstained due to a professional relationship.

The meeting was adjourned at 8:16 p.m.

HAZEL L. WASHINGTON
City Clerk

Public Hearings:

February

PUBLIC HEARING

Pursuant to law, public hearings were held on February 9, 2017 on the following matters:

Amending the Official Map in relation to the Inner Loop East Transformation Project

Ordinance No. 2017-43 (Int. No. 45)

Pursuant to law, public hearings were held on February 9, 2017 on the following matters

AMENDING THE ZONING CODE MAP

Introductory. No. 32

April

Pursuant to law, public hearings were held on April 20, 2017 on the following matters

Local Improvement Ordinance – snow removal at the Public Market for 2017-18

Local Improvement Ordinance No. 1732 (Int. No. 129)

Pursuant to law, public hearings were held on April 20, 2017 on the following matters

Amending the Official Map by dedicating Church Street Extension

Ordinance No. 2017-106 (Int. No. 128)

Pursuant to law, public hearings were held on April 20, 2017 on the following matters

Local Improvement Ordinance No. 1731 - care and embellishment of street malls for 2017-2018 Int. No. 126

Local Improvement Ordinance No. 1731
(Int. No. 126)

May

Pursuant to law, public hearings were held on May 23, 2018 on the following matters

Local Improvement Ordinance – Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

Local Improvement Ordinance No. 1734 (Int. No. 147)

June

Pursuant to law, public hearings were held on May 23, 2018 on the following matters

APPROVING GEOMETRIC CHANGES RE-

LATED TO THE ATLANTIC AVENUE AT MERRIMAN STREET SAFETY IMPROVEMENTS

Introductory No. 194

Pursuant to law, public hearings were held on May 23, 2018 on the following matters

Amending the Zoning Code text for the Planned Development District No. 7 – Rochester Science Park

Ordinance No. 2017-167 (Int. No. 185)

July

Pursuant to law, public hearings were held on July 18, 2018 on the following matters

Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan

*Ordinance No. 2017-206
(Int. No. 243)*

August

Pursuant to law, public hearings were held on August 15, 2018 on the following matters

Authorizing pavement width changes for the School Number 16 Bus Pull-off Lane project

Ordinance No. 2017-271 (Int. No. 298)

Pursuant to law, public hearings were held on August 15, 2018 on the following matters

Amending the Zoning Map for 956 and 960 West Ridge Road

Ordinance No. 2017-268 (Int. No. 321)

Pursuant to law, public hearings were held on August 15, 2018 on the following matters

Amending the Zoning Code by adding the Education Success Campus Planned Development District #19

Pursuant to law, public hearings were held on August 15, 2018 on the following matters

Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan

Ordinance No. 2017-264 (Int. No. 314)

Pursuant to law, public hearings were held on August 15, 2018 on the following matters

Amending the Zoning Code by adding the 1201 Elmwood Avenue Planned Development District #18

Ordinance No. 2017-254 (Int. No. 316)

November

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Amending City Charter Section 6-71.8 with respect to the Cold War veterans exemption from taxes

Local Law No. 5 (Int. No. 388)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Authorizing Official Map Amendments related to the Elmwood Avenue/Collegetown Cycle Track Project

Ordinance No. 2017-359 (Int. No. 401)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Amending the Zoning Map for 25 May Street

Ordinance No. 2017-351 (Int. No. 393)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Amending the Zoning Map for 50, 59, 70 Goodwill Street, 17 Woodside Street and a portion of 1991 Lake Avenue

Ordinance No. 2017-350 (Int. No. 392)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Authorizing an application and agreement for a grant under Round 5 of the Restore NY Communities Initiative

Ordinance No. 2017-349 (Int. No. 391)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Amending City Charter Section 6-71.2 with respect to veterans exemption from taxes

Local Law No. 7 (Int. No. 414)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Amending City Charter Section 6-71.9 with respect to exemption from taxes for persons with disabilities and limited incomes

Local Law No. 6 (Int. No. 389)

Pursuant to law, public hearings were held on November 14, 2018 on the following matters

Amending City Charter Section 6-71.8 with respect to the Cold War veterans exemption from taxes

Local Law No. 5 (Int. No. 388)

**INDEX 2017
ABBREVIATIONS**

Acq. - Acquire, Acquisition	L.L. - Local Law
Adj. - Adjourned	Lftd. - Lifted
Admin. - Administration, Administrative	Litig. - Litigation
Adpt. - Adopt, Adopted	Maint. - Maintenance
Amend. - Amendatory, Amending, Amendment	Max. - Maximum
Appl. - Application(s)	Mgr. - Manager
Approp. - Appropriate, Appropriating	Mkt. - Market
Approv. - Approving	Mun. - Municipal
Appt(s). - Appoint, Appointment(s)	Ofc. - Office
Assist. - Assistance	Off. - Official
Auth. - Authority, Authorize	Ord. - Ordinance
Bldg. - Building	Pav. - Pavement
CHDO - Community Housing Development Organization	Pk. - Park
Class. - Classification	Proj. - Project
Comm. - Commercial, Commission, Committee, Community	Pssd. - Passed
Comp. - Compensation	Pub. - Public
Constr. - Construction	Purch. - Purchase
Ctr. - Center	R.E. - Real Estate
Demon. - Demonstration	R.O.W. - Right-of-Way
Dev. - Development	Rec. - Recreation
Dist. - District	Rehab. - Rehabilitate, Rehabilitation
Est(s). - Estimate(s)	Rej. - Reject
Ext. - Extension	Renew. - Renewal
Facil. - Facilities	Resi. - Residential
FY - Fiscal Year	Reso. - Resolution
Gar. - Garage	Rev. - Revenue
Gov. - Government, Governmental	Roch. - Rochester
Hear. - Hearing	Svs. - Services
Incr. - Increase	Tbld. - Tabled
Indus. - Industrial	Tech. - Technology
Int. - Introductory	Tr. - Transmittal
L.I.O. - Local Improvement Ordinance	Var. - Various
	Wid. - Width
	Zon. - Zoning

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311 CALL CENTER

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328 EAST MAIN LLC

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Approp. funds and auth. agreement with C & S Engineers, Inc., for 2018 Preventive Maint. Group No. 2 Proj., Tr. letter, 16, Pssd., 17

Approp. funds and auth. agreement with Erdman, Anthony and Assoc., Inc., for 2020 Preventive Maint. Group No. 9 Proj., Tr. letter, 17, Pssd., 18

Approp. funds and auth. agreement with T.Y. Lin Intl. Engineering, Architecture & Land Surveying, P.C., for 2020 Preventive Maint. Group No. 11 Proj., Tr. letter, 18, Pssd., 19

Auth. agreement with NYS Dept. of Transportation for snow removal, Tr. letter, 23, Pssd., 23

Auth. NYS Dept. of Transportation to work on water main valve boxes on Meigs St. and Alexander St. bridges over Route I-490, Tr. letter, 23, Pssd., 24

Auth. geometric changes related to Main St. Streetscape Wayfinding Enhancement proj., Tr. letter, 24, Pssd., 25

Reducing amounts auth. in previous bond ordinances, Tr. letter, 33, Pssd., 34

Auth. agreement and appropriations for 2017 Preventive Maint. Group 5 proj., Tr. letter, 42, Pssd., 43

Bond Ord. auth. issuance of \$331,000 Bonds to finance rehab. of certain portions of Arnett Blvd., Genesee Park Blvd. and Webster Ave. related to 2017 Preventive Maint. Program Group 5, Tr. letter, 42, Pssd., 44

Auth. agreement with Popli, Architecture + Engineering & L.S., D.P.C. for design svcs. related to 2018 Preventive Maint. Northeast Group 1 Proj., Tr. letter, 44, Pssd., 45

Auth. agreement with LaBella Assoc., D.P.C. for design svcs. related to 2019 Preventive Maint. Northwest Group 5 Proj., Tr. letter, 45, Pssd., 46

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Amend. Official Map in relation to Inner Loop East Transformation Proj., Tr. letter, 53, Pssd., 61

Auth. amendatory agreement for Main St. Streetscape and Pedestrian Wayfinding Enhancement Proj., Tr. letter, 69, Pssd., 70

Bond Ord. amending Ord. No. 2016-410 and auth. issuance of \$1,299,999 Additional Bonds to finance cost increases in construction inspection svcs. for City's Main St. Streetscape and Pedestrian Wayfinding Enhancement Proj., Tr. letter, 69, Pssd., 71

Bond Ord. auth. issuance of \$355,000 Bonds to finance cost of relocation of water hydrants and water service cub stops for City's Main St. Streetscape and Pedestrian Wayfinding Enhancement Proj., Tr. letter, 69, Pssd., 72

Auth. agreement with CHA Consulting, Inc. for resident proj. representation svcs. related to 2017 Preventive Maint. Group 5 Proj., Tr. letter, 90, Pssd., 91

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Auth. amend. agreement with Bergmann Assoc., Architects, Engineers, Landscape Architects & Surveyors, D.P.D for Dewey Ave./Driving Park Ave. Intersection Realignment Proj., Tr. letter, 95, Pssd., 96

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lighting enhancements for Lyell Ave. II Dist., Tr. letter, 141, Pssd., 143

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Bond Ord. auth. issuance of \$58,000 Bonds to finance certain additional costs of Center City Two-Way Conversion Proj., Phase II, Tr. letter, 175, Pssd., 177

Amend. Chapter 104 of Mun. Code, Tr. letter, 183, Pssd., 193

Auth. agreement to allow placement of cellular wireless communications equipment on City-owned street light poles, Tr. letter, 195, Pssd., 196

Approp. funds and auth. agreements for 2017 Preventive Maint. Contract #4 Proj., Tr. letter, 230, Pssd., 231

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Bond Or. auth. issuance of \$100,000 Bonds to finance reconstruction of certain portions of Cleveland St., Draper St., Central Park, Merchants Rd. and Browncroft Blvd. related to 2017 Preventive Maint. Contract #4 Proj., Tr. letter, 232, Pssd., 235

Approp. funds for 2016 Preventive Maint. Contract 2 Street Proj., Tr. letter, 233, Held, 234

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Auth. amend. agreement for Charlotte St. and Haags Alley Improvement Proj., Tr. letter, 236, Pssd., 236

Approp. funds and auth. agreement for Dewey Ave./Driving Park Ave. Intersection Realignment Proj., Tr. letter, 237, Pssd., 239

Bond Ord. auth. issuance of \$428,000 Bonds to finance portion of costs of street reconstruction of Dewey Ave./Driving Park Ave. Intersection Realignment Proj., Tr. letter, 237, Pssd., 240

Bond Ord. auth. issuance of \$463,000 Bonds to finance portion of costs of water main replacement for Dewey Ave./Driving Park Ave. Intersection Realignment Proj., Tr. letter, 237, Pssd., 241

Auth. agreement for Flower City Park & Parkdale Terr. Curb Replacement Proj., Tr. letter, 243, Pssd., 244

Bond Ord. auth. issuance of \$555,300 Bonds to finance street improvements related to Flower City Park and Parkdale Terr. Curb Replacement Proj., Tr. letter, 243, Pssd., 245

Bond Ord. auth. issuance of \$102,000 Bonds to finance water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terr. related to 2017 Flower City Park and Parkdale Terrace Curb Replacement Proj., Tr. letter, 243, Pssd., 246

Auth. agreements for Mt. Hope Ave. Phase 2 Improvement Proj., Tr. letter, 246, Pssd., 247

Bond Ord. auth. issuance of \$1,880,000 Bonds to finance milling and resurfacing of certain portions of

Marketview Heights streets related to 2017 Marketview Heights Resi. Milling and Resurfacing Program proj., Tr. letter, 247, Pssd., 249

Auth. amend. agreement with Stantec Consulting Svs. Inc. for Ridgeway Ave. Transportation Improvement Proj., Tr. letter, 247, Pssd., 248

Approv. geometric changes related to Atlantic Ave. at Merriman St. safety improvements, Tr. letter, 250, Held, 251

Auth. agreement for resi. proj. representation svcs. for Berlin St. Group proj., Tr. letter, 296, Pssd., 297

Bond Ord. auth. issuance of \$105,000 Bonds to finance resi. proj. representation svcs. for Berlin St. Group Proj., Tr. letter, 297, Pssd., 298

Auth. pavement width changes, acquisition of parcels and official map amend. Related to the Alpha Street Group Project. Tr letter, 373, Pssd., 374

Auth. pavement width changes, acquisition of parcels and official map amend. Related to the East Henrietta Road Improvement Project. Tr letter, 374, Pssd., 380

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Auth. agreement for Fire Department counseling and stress management services, Tr. letter 386, Pssd 386

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Auth. lease agreement for portion of former subway bed, Tr. letter, 169, Pssd., 170

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Auth. pavement width changes for the school number 16 Bus pull – off lane project, Tr. Letter, 331, Pssd., 332

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T.Y. LIN INTERNATIONAL ENGINEERING, ARCHITECTURE & LAND SURVEYING, P.C.

Approp. funds and auth. agreement with T.Y. Lin Intl. Engineering, Architecture & Land Surveying, P.C., for 2020 Preventive Maint. Group No. 11 Proj., Tr. letter, 17, Pssd., 19

Auth. amendatory agreement for Public Mkt. Winter Shed Renovation and Expansion Proj., Tr. letter, 19, Pssd., 19

Auth. agreements for structural engineering svcs. at var. facilities, Tr. letter, 175, Pssd., 176

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Auth. approp. and agreement for Targeted Housing Repair Program, Tr. letter, 89, Pssd., 90

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Auth. payment in-lieu-of taxes and loan agreements for Community on East Main proj., Tr. letter, 9, Pssd., 11

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L.L. amend. City Charter section 6 – 71. 8 with respect to the cold war veterans exemption from taxes,

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Bond Ord. auth. issuance of \$245,000 Bonds to finance replacement of roof and timbers for 2017 Tay House Lodge Roof and Timber Repairs Proj., Tr. letter, 174, Pssd., 175

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Auth. agreements for Teenage Pregnancy Prevention Program, Tr. letter, 252, Pssd., 253

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TERRACON CONSULTANTS - NY, INC.

Auth. agreements for materials testing svcs., Tr. letter, 97, Pssd., 98

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Auth. initiation of application to amend Official Map to dedicate as parkland and name Thomas R. Frey Trail at El Camino, Tr. letter, 24, Pssd., 25

THE HARTFORD FINANCIAL SERVICES GROUP INC.

Accept. and approp. grant for fire prevention and safety education, Tr. letter, 426 Pssd., 427

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Auth. initiation of application to amend Official Map to dedicate as parkland and name Thomas R. Frey Trail at El Camino, Tr. letter, 24, Pssd., 25

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Approp. funds and auth. agreements for Housing Opportunities for Persons with AIDS Program, Tr. letter, 273, Pssd., 275

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Auth. agreement for dredging svcs. in Genesee River, Tr. letter, 63, Pssd., 63

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES

Auth. agreements for Teenage Pregnancy Prevention Program, Tr. letter, 254, Pssd., 255

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Auth. receipt and use of grant funds and auth. agreements for Brownfields Cleanup Revolving Loan Fund Program, Tr. letter, 180, Pssd., 181 Auth. submission of Consolidated Community Dev. Plan/2017-18 Annual Action Plan and execution of grant agreements with U.S. Dept. of Housing and Urban Dev., Tr. letter, 272, Pssd., 273

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Auth. submission of the Consolidated Community Dev. Plan/2017-18 Annual Action Plan and execution of gant agreements with the U.S. Dept. of Housing and Urban Dev., Tr. letter, 326, Pssd., 327

Auth. funding and agreement for the 2017 Lead Hazard Control Grant Program Tr. letter, 355, Pssd., 356

Auth. agreements and approp. funds for the emergency solutions grant program, Tr. letter, 443 Pssd, 444

UNITED STATES DEPARTMENT OF JUSTICE

Auth. agreement with the County of Monroe for the grant for improving the criminal justice response to sexual assault, domestic violence, dating violence and, stalking, Tr. letter, 456 Pssd., 456

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Auth. agreement for receipt and use of 2016-17 Poverty Action Lab Grant, Tr. letter, 165, Pssd., 166

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Auth. agreement for Urban Fellow Program Summer Session 2017, Tr. letter, 283, Pssd., 284

Auth. agreement for neighborhood projects for Wilson Day 2017, Tr. letter, 284, Pssd., 284

Auth. agreement for fitness duty clinical services for the Rochester Police Department, Tr. letter, 391 Pssd., 392

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Auth. agreement with United Negro College Fund, Inc. Tr. letter,394 Pssd.,395

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URBAN LEAGUE OF ROCHESTER, NY, INC.

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Amend. name and area previously designated as Bull's Head Urban Renewal District, Tr. letter, 7, Pssd., 10

Auth. sale of Midtown Parcel 2 and Pedestrian Corridor to further Midtown Urban Renewal Plan, Tr. letter, 118, Pssd., 120

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Auth. amend. agreement for planning, design and engineering svcs. for Vacuum Oil Brownfield Opportunity Area proj., Tr. letter, 294, Pssd., 295

Bond Ord. amend. Ord. Nos. 2014-253 and 2016-269 by auth. issuance of additional \$57,000 Bonds to finance professional svcs. agreement with Bergmann Assoc. for additional planning, design and engineering svcs. for Vacuum Oil Brownfield Opportunity Area proj., Tr. letter, 294, Pssd., 296

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VERINT AMERICAS INC.

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Auth. NYS Dept. of Transportation to work on water main valve boxes on Meigs St. and Alexander St. bridges over Route I-490, Tr. letter, 23, Pssd., 24

Reducing amounts auth. in previous bond ordinances, Tr. letter, 33, Pssd., 34

Bond Ord. auth. issuance of \$1,000,000 Bonds to finance portion of City's 2017 Water Main Cleaning and Lining Proj. of Distribution System Water Main Renewal Program, Tr. letter, 63, Pssd., 64

Bond Ord. auth. issuance of \$850,000 Bonds to finance portion of City's 2017 Cured in Place Pipe Proj. of Distribution System Water Main Renewal Program, Tr. letter, 65, Pssd., 67

Bond Ord. auth. issuance of \$200,000 Bonds to finance water main ext. for City's 2017 Water Main Extensions and Improvements Proj. of Distribution System Water Main Renewal Program, Tr. letter, 67, Pssd., 69

Bond Ord. auth. issuance of \$355,000 Bonds to finance cost of relocation of water hydrants and water service cub stops for City's Main St. Streetscape and Pedestrian Wayfinding Enhancement Proj., Tr. letter, 69, Pssd., 72

Auth. amend. agreement with Bergmann Assoc., Architects, Engineers, Landscape Architects & Surveyors, D.P.D for Dewey Ave./Driving Park Ave. Intersection Realignment Proj., Tr. letter, 95, Pssd., 96

Bond Ord. auth. issuance of \$250,000 Bonds to finance costs of 2017 Holly Pump Station Diesel Engine Replacement Proj., Tr. letter, 133, Pssd., 134

Amend. Mun. Code with respect to water rates, Tr. letter, 208, Pssd., 213

Bond Ord. auth. issuance of \$463,000 Bonds to finance portion of costs of water main replacement for Dewey Ave./Driving Park Ave. Intersection Realignment Proj., Tr. letter, 239, Pssd., 243

Bond Ord. auth. issuance of \$102,000 Bonds to finance water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terr. related to 2017 Flower City Park and Parkdale Terrace Curb Replacement Proj., Tr. letter, 243, Pssd., 246

Auth. application to NYS for funding of water quality infrastructure projects, Tr. letter, 250, Pssd., 251

Auth. agreement for the city's animal water main extensions and improvements program, Tr. Letter, 332, Pssd., 332

Auth. agreement with the Town of Lima water district 1 for the purchase of water and amend. municipal code with respect to wholesale water rates, Tr. letter, 384 Pssd., 384

Accept. City's Draft local waterfront revitalization program amend. as complete and ready 60 day regulatory review and auth. submission of the accepted local waterfront revitalization program to the New York State Dept. of State. Tr. letter, 409 Pssd., 411

Amend. Chapter 112 of Mun. Code to be consistent with the updated Local waterfront revitalization program, Tr. letter, 409 Pssd., 414

Auth. amend. agreement with the village of Lima and Town of Lima water district 2 and amend. The mun. code with respect to wholesale water rates, Tr. letter, 453 Pssd., 453

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Auth. agreement and funding for 2017 Step Jam, Tr. letter, 432 Pssd., 433

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Bond Ord. auth. issuance of \$331,000 Bonds to finance rehab. of certain portions of Arnett Blvd., Genesee Park Blvd. and Webster Ave. related to 2017 Preventive Maint. Program Group 5, Tr. letter, 43, Pssd., 44

Auth. agreement with CHA Consulting, Inc. for resident proj. representation svcs. related to 2017 Preventive Maint. Group 5 Proj., Tr. letter, 90, Pssd., 91

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WILSON SHEEHAN LAB FOR ECONOMIC OPPORTUNITY

Auth. agreement for receipt and use of 2016-17 Poverty Action Lab Grant, Tr. letter, 165, Pssd., 166

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WORKPLACE CULTURE IMPROVEMENT SERVICES

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Auth. agreements for Teenage Pregnancy Prevention Program, Tr. letter, 254, Pssd., 255

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Amend. Zoning Code Map, Tr. letter, 40, Held, 41

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Amend. Zoning Map for 618 Upper Falls Blvd. and 379 and 378 Hudson Ave., Tr. letter, 120 89, Held, 90, Pssd., 120

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Amend. Zoning code by adding the 1201 Elmwood Avenue Planned Development District #18, Tr. letter, 313 Pssd., 316

Amend. Zoning map by changing the zoning classification of 1201 Elmwood Avenue from institutional planned development district no. 18-1201 Elmwood Avenue Tr. letter, 313 Pssd., 317

Amend. the zoning code by adding the Education Success Campus planned Dev. district #19., Tr. letter, 327 Pssd., 329

Amend. the zoning map by changing the zoning

classification of 977-1017 lake avenue , 2 lake view park, 4-22 lake view park and 3 fairview heights to planned Dev. district No.19 – education success campus., Tr.letter, 327, Pssd., 329.

Amend. the zoning map for 956 and 960 West ridge road., Tr. letter, 329, Pssd., 329

Amend. Zoning Code, Chapter 120 of Mun. Code, with regard to notification requirements for information meetings and public hearings, Tr. letter, 319, Held, 320

Amend. Chapter 120 of the Municipal code zoning for minor changes, clarifications and corrections Tr. letter, 358, Tr. letter 372

Amend. zoning map for 1715, 1727, 1735,1735,1741 and 1749 Lyell Avenue, Tr. letter,407 Pssd.,407

Amend. zoning map for 50, 59, 70, Goodwill street, 17 woodside street and a portion of 1991 Lake Avenue, Tr. letter, 436 Pssd., 437

Amend. zoning map for 25 May street, Tr. letter,437 pssd., 438