

ROCHESTER CITY COUNCIL

REGULAR MEETING

February 20, 2024

Present – President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Martin, Monroe, Patterson, Smith – 8.

Absent – Councilmember Lupien – 1.

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

THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.

Special Recognitions:

- Edgerton Model Railroad Club:
Philip Cozzo
Bill Lowe
Rich Mohrmann
Michael Nolan
Lee Wood
- The Northeast Bulldogs Pop Warner Football Team

Retirement:

DES:

John Monds
Steven Pilotte

Finance:

Virginia Fox
Morticia Gunn-Graham

APPROVAL OF THE MINUTES

By Vice President Harris

RESOLVED, that the minutes of the Regular Meeting on January 23, 2024 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The Council submits Disclosure of Interest Forms from **Councilmember Gruber** on Int. Nos. 41 & 58; and **Vice President Harris** on Int. No. 49.

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

Councilmember Lightfoot submitted a petition regarding concerns with establishing a Business Improvement District in Downtown Rochester, containing the names of over 30 Businesses.
Petition No. 1784

THE COUNCIL PRESIDENT --- RECEIVED AND FILED

PUBLIC HEARING.

Pursuant to law, a public hearing was held on February 15, 2024 on the following matter:

Authorizing the alteration of pavement widths for the 2024 Milling & Resurfacing Project
Int. No. 43

No Speakers

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Lightfoot
February 20, 2024

To the Council:

The **NEIGHBORHOODS, JOBS & HOUSING COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 37 Authorizing the sale of real estate
- Int. No. 38 Authorizing the sale of real estate, grant agreement and appropriation for the third phase of the Beechwood infill project
- Int. No. 39 Authorizing a lead agency agreement between the City Council and the Mayor regarding Environmental Review
- Int. No. 40 Amending Ordinance No. 2023-363 relating to funding for the 2024 NY Statewide Preservation Conference
- Int. No. 58 Amending the 2023-24 Budget and authorizing agreements for the Healthy Food Accessibility Program

Respectfully submitted,
Michael A. Patterson
Mitch Gruber (*abstained on Int. No. 58*)
Kimberly Smith
LaShay D. Harris
Miguel A. Meléndez, Jr.
NEIGHBORHOODS, JOBS & HOUSING COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-29
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

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

The first property, listed on the attached spreadsheet under the heading, I. Negotiated Sale – Vacant Land is 16 High Street will be sold to Pamela T. Rivera, 22 High Street, Rochester, New York. The purchaser will combine the lot with its primary parcel to allow adequate frontage to install a driveway.

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

- 195 Barberry Terrace will be sold to Erin H. Coger, 187 Barberry Terrace, Rochester, New York;
- 506 Colvin Street will be sold to Carlos J. Dominguez, 510 Colvin Street, Rochester, New York;
- The west portion of 73 Dengler Street will be sold to Blondie A. Orange, 174 Planet Street, Rochester, New York;
- 209 Hebard Street will be sold to Gabriel Maisonet, 215 Hebard Street, Rochester, New York
- and 64 Pardee Street will be sold to Tyrone C. Kelly, Jr. 375 Stone Road, Rochester, New York.

These parcels are each being sold for \$1.00 (as per City policy) and will be combined with the primary parcels owned by the identified adjoining owners.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,139.

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

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-29
(Int. No. 37)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel of vacant land:

Address	SBL#	Lot Size (ft)	Area (sq ft)	Price	Purchaser
16 High Street	106.44-2-4	35 x 133	4,655	\$ 425	Pamela T. Rivera

Section 2. The Council hereby approves the negotiated sale of the following vacant unbuildable parcels of land for \$1 each:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
195 Barberry Ter	091.74-3-26	40 x 59.5	2,208	Erin H. Cogger
506 Colvin Street	105.73-2-84	35 x 100	3,500	Carlos J. Dominguez
73 Dengler Street West Portion	120.35-2-90.002 W. Portion	20 x 70	2,120	Blondie A. Orange
209 Hebard Street	106.50-2-21	35 x 93	3,255	Gabriel Maisonet
64 Pardee Street	091.79-2-16	36 x 100	3,602	Tyrone C. Kelly, Jr.

The west portion of 73 Dengler St to be conveyed is described and bounded as follows:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Lot 98 of the Granger, Sibley & Field Tract, as filed in the Monroe County Clerk's Office in Liber 2 of Maps, Page 75 and being more particularly bounded and described as follows: Beginning at a point on the southerly ROW line of Dengler Street (33' ROW) at the northwest corner of lands conveyed to Blondie A Orange by a deed filed in Liber 10787 of Deeds, Page 644, said point being the Point or Place of Beginning; thence

1. Easterly, along said ROW line of Dengler Street, a distance of 20.0 feet to a point; thence
2. Southerly, parallel with the easterly line of said lands of Orange, a distance of 70.0 feet to a point; thence
3. Westerly, parallel with said Dengler Street, a distance of 20.0 feet to the northeast corner of said lands of Orange; thence
4. Northerly, along said easterly line of lands of Orange, a distance of 70.0 feet to the said ROW line of Dengler Street, being the Point or Place of Beginning.

Subject to covenants, easements or restrictions of record, if any. Being one of the parcels conveyed to the City of Rochester by a deed dated March 10, 2005, filed in Liber 10099 of Deeds, Page 214.

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. 2024-30

Re: Sale of Real Estate and Grant Agreement with Flower City Habitat for Humanity

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Flower City Habitat for Humanity’s single-family new-construction project, including the sale of City-owned real estate and authorization of a grant in the amount of \$388,200 for the construction of 12 new, affordable, single-family homes in the City of Rochester.

This legislation will:

- 1) Authorize the sale of 12 vacant parcels to Flower City Habitat for Humanity (Habitat) for the development of single-family homes for first time homebuyers.

Address	Tax ID/SBL	Price	Lot Size (SF)	Zoning
4 Beechwood Street	107.69-1-55	\$450	5,104	R-2
10 Beechwood Street	107.69-1-58	\$450	5,104	R-2
35-37 Quincy Street	107.70-1-58	\$425	4,988	R-1
42 Arch Street	107.70-3-35	\$425	4,640	R-1
51-53 Chamberlain Street	107.69-1-41	\$450	5,105	R-2
200 Cedarwood Terrace	107.62-3-52	\$425	4,800	R-1
207 Melville Street	107.54-3-8.002	\$425	4,073	R-1
70 Parsells Avenue	107.53-3-62	\$475	6,320	R-2
475 Garson Avenue	107.61-3-24	\$450	5,120	R-2
283 Garson Avenue	106.68-3-15	\$450	5,120	R-2
140 Grand Avenue	107.61-1-47	\$500	7,450	R-2
41 Sidney Street	107.70-1-15	\$425	4,756	R-1
TOTAL		\$5,350		

- 2) Authorize an agreement in the amount of \$388,200 for a grant to Flower City Habitat for Humanity (Matthew Flanigan, President & CEO, 755 Culver Road, Rochester).
- 3) Appropriate \$388,200 in HOME funds from the Affordable Housing Fund allocation of the 2023-24 Annual Action plan to fund the agreement.
- 4) The term of the agreement is for two years, with a maximum grant amount of \$32,350 per home. The funds will be used to support the construction of single-family homes on the 12 aforementioned lots.

The grant will be used as a subsidy to support construction of the 12 owner-occupied singlefamily houses in and adjacent to the Beechwood neighborhood – see attached map for location information. These twelve homes comprise the third phase of Habitat’s planned Beechwood infill project. Habitat completed the first phase of the project in the summer, completing seven homes in the Beechwood neighborhood, and will complete construction on the 10 homes in phase two in CY2024. If Council approval is granted, the development team will start construction on phase three in the fall of 2024.

Habitat’s new construction activity aligns with the residential goals identified in the *Comprehensive Plan for the EMMA and Beechwood Neighborhoods* (2020) (Beechwood Plan), and the City’s *Comprehensive Plan: Rochester 2034*. This project and the parcels were specifically highlighted in the Beechwood Plan, and are part of a larger infill housing initiative being undertaken by Habitat, Home Leasing, Rochester Housing Authority, and other local partners. These units will provide low- and very-low income households much needed homeownership opportunities. Habitat has been building new, single-family housing in the City for Rochester for many years. They employ construction managers to oversee development, and utilize volunteers to help construct the homes.

The new houses will be sold to low-income families who currently reside in sub-standard, overcrowded, and/or cost-prohibitive housing situations. These families are selected by a Habitat committee using the following criteria:

- Annual household income between 35% and 70% of the area median income.
- Minimum two years’ continuous history of employment or other income source.
- Demonstrated need as current housing is substandard, overcrowded, or a cost burden.
- No bankruptcy or discharge within last two years, and no open judgements or tax liens.
- Willingness to partner by contributing at least 300 hours of “sweat equity” (depending on household size), providing monthly proof of income and savings, providing a down payment and a portion of closing costs, attending at least seven required classes on financial literacy and home ownership, and agreeing to live in the house for at least 10 years.

The houses will be sold for appraised value (between \$70,000 and 100,000), but mortgages are sized to ensure affordability. Habitat typically provides a 30-year mortgage with a 0% interest rate. Habitat has completed the seven homes in Phase I of the project this calendar year (Phase I Beechwood), with five homes for households earning at or below 30-50% AMI and two homes for households earning at or below 50-70% AMI.

A SEQRA review has been completed and a negative declaration was issued. A NEPA review is underway and will be completed prior to entering into any agreements for the New Construction project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-22

Ordinance No. 2024-30
(Int. No. 38)

Authorizing the sale of real estate, grant agreement and appropriation for the third phase of the Beechwood infill project

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 twelve vacant parcels to Flower City Habitat for Humanity, Inc. (FCHFH) with proposal to construct affordable

single-family dwellings thereon for first-time homebuyers as a third phase of the Beechwood neighborhood infill initiative (the Project):

Address	Tax ID/SBL	Price	Lot Size (SF)
4 Beechwood Street	107.69-1-55	\$450	5,104
10 Beechwood Street	107.69-1-58	\$450	5,104
35-37 Quincy Street	107.70-1-58	\$425	4,988
42 Arch Street	107.70-3-35	\$425	4,640
51-53 Chamberlain Street	107.69-1-41	\$450	5,105
200 Cedarwood Terrace	107.62-3-52	\$425	4,800
207 Melville Street	107.54-3-8.002	\$425	4,073
70 Parsells Avenue	107.53-3-62	\$475	6,320
475 Garson Avenue	107.61-3-24	\$450	5,120
283 Garson Avenue	106.68-3-15	\$450	5,120
140 Grand Avenue	107.61-1-47	\$500	7,450
41 Sidney Street	107.70-1-15	\$425	4,756
TOTAL PRICE		\$5,350	

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. The Mayor is hereby authorized to enter into a grant agreement with FCHFH to support the construction of twelve single-family dwellings on the vacant parcels conveyed pursuant to Section 1 herein. The maximum amount of the agreement shall be \$388,200, which shall be funded from the Project No. 26, Affordable Housing Development Fund allocation in the 2023-24 Annual Action Plan, which amount is hereby appropriated to the Project. The term of the grant agreement shall be two years.

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. 2024-31
Re: Agreement – Environmental Review Lead Agency

Transmitted herewith for your approval is legislation authorizing an agreement between the City Council and the Mayor for the coordination of environmental review actions in which both parties are involved.

The requirement for environmental review of certain actions is specified by the New York State

Environmental Quality Review Act, and Chapter 48 of the City Code. When more than one governmental body is involved in actions covered under these laws and associated regulations, a lead agency must be designated to conduct the review.

Since 1987 City Council has authorized agreements designating the Administration as the lead agency for such actions, with the provision that gives the Council President 10 days to assume the lead agency designation, if desired.

Under the agreement, the Mayor will continue to notify the Council when an environmental review is required and that the review will be conducted by the Administration as lead agency. Upon receipt of notification, the President will advise the Council in writing of the proposed action and request comments within 10 days. The President may, within the 10-day period, notify the Mayor that the provisions of the lead agency agreement will not apply and that formal consideration of the designation of a lead agency by the Council will instead be required.

The proposed agreement shall remain in effect until a new agreement is signed.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-31
(Int. No. 39)

Authorizing a lead agency agreement between the City Council and the Mayor regarding Environmental Review

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

Section 1. The President of the Council is hereby authorized to enter into an agreement with the Mayor to continue their coordinated environmental lead agency review procedure pursuant to Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Municipal Code, for actions which involve discretionary decisions by the City Council and the Mayor. The agreement shall continue until a new agreement is executed.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-32
Re: Amendment – 2024 Statewide Preservation Conference – FY2023 Certified Local Government (CLG) Grant – Landmark Society Management Agreement Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation amending Ord. 2023-363 which authorized the receipt and use of \$30,000 in FY2023 Certified Local Government (CLG) Grant funds related to the 2024 Statewide Preservation Conference. The actual Grant amount will be \$30,450; therefore, this amendment reflects the receipt and use of the additional \$450, for a total of \$30,450.

The CLG grant support will allow Conference organizers to provide high quality educational sessions in professional settings, led by dynamic, diverse, and respected speakers. Of the \$30,450 awarded, approximately \$10,000 will fund speaker fees for the CLG Workshop; \$3,500 will fund the Keynote Speaker; \$7,500 will fund the aforementioned scholarships; approximately \$4,750 will fund honoraria and travel for speakers; and the approximate remaining amount of \$4,700 will help offset printing and mailing expenses, event photographer, venue rental, and audiovisual expenses.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-32
(Int. No. 40)

Amending Ordinance No. 2023-363 relating to funding for the 2024 NY Statewide Preservation Conference

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

Section 1. Sections 1 and 2 of Ordinance No. 2023-363, authorizing the receipt and use of funds and a management agreement for the 2024 NY Statewide Preservation Conference, are hereby amended to read as follows:

Section 1. The Council hereby authorizes the receipt and use of ~~\$30,000~~ \$30,450 in FY2023 Certified Local Government grant funds (Grant) from the State Historic Preservation Office of the New York State Office of Parks, Recreation and Historic Preservation, which is hereby appropriated for the City to host and sponsor the 2024 NY Statewide Preservation Conference (Conference).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Landmark Society of Western New York, Inc. to manage the Conference. The maximum compensation for the agreement shall be ~~\$30,000~~ \$30,450, which shall be funded from Grant appropriated in Section 1 herein. The term of the agreement shall be one year.

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. 2024-33
Re: Budget Amendment and Professional Service Agreements - Healthy Food Accessibility - Innovative Food Models

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

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

Transmitted herewith for your approval is legislation related to the Healthy Food Accessibility Program. This legislation will:

1. Transfer \$343,500 from the 2023-24 Budget of Neighborhood and Business Development (NBD) to the 2023-24 Budget of the Mayor’s Office for the implementation of the Healthy Food Accessibility Program’s innovative food models initiative. The transfer reflects a portion of the American Rescue Plan Act funding currently budgeted in NBD, and originally appropriated to the Healthy Food Loan and Grant Program via Ordinance 2022-299.
2. Amend the 2023-24 Budget of the Mayor’s Office by \$3,000,000. This reflects a portion of the \$5,000,000 in American Rescue Plan Act (ARPA) dollars that were appropriated to the Healthy Food Loan and Grant Program via Ordinance 2022-299.
3. Authorize professional services agreements and maximum compensation as follows for the development of Innovative Food Models for the City of Rochester:

Cornell Cooperative Extension of Monroe County (Andrea Lista, Rochester, NY)	\$126,577.00
Taproot Collective, Inc. (Nathaniel Mich, Rochester, NY)	\$373,989.69
St Peter’s Kitchen, Inc. (Robert Boyd, Rochester, NY)	\$390,000.00
Foodlink, Inc. (Julia Tedesco, Rochester, NY)	\$573,804.00
Field & Fork Network, Inc. (Lisa French, Rochester, NY)	\$879,243.42
Trillium Health, Inc. (Jason Barnecut-Kearns, Rochester, NY)	\$999,631.00
	\$3,343,245.11

The terms of the agreements will be for up to 30 months. The agreements will be funded by the 2023-24 Budget of the Mayor’s Office, utilizing ARPA funding. The selected organizations will implement, create, alternative models that complement or work synergistically with the efforts to expand healthy food access to low-income city residents.

This initiative is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: (6.1) Provision of Government Services.

The goal of the Healthy Food Accessibility Program is to invest in activities that increase healthy food access for city residents in areas of the city with limited healthy food resources.

The organizations were selected through a Request for Proposals process and a vendor selection form is attached along with a summary of the organization’s innovative food model project summaries.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-33
(Int. No. 58)

Amending the 2023-24 Budget and authorizing agreements for the Healthy Food Accessibility Program

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

Section 1. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by:

- A. transferring \$343,300 from the Budget of Neighborhood and Business Development to the Budget of the Office of the Mayor to design and implement the Healthy Foods Accessibility Program (Program); and
- B. increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$3,000,000 to be allocated from a portion of American Rescue Plan Act of 2021 funds appropriated for the Healthy Food Loan and Grant program in Ordinance No. 2022-299, which funds are hereby appropriated for the Program.

Section 2. The Mayor is hereby authorized to enter into professional service agreement with each of the following organizations to implement the Program. The agreements shall obligate the City to pay an aggregate amount not to exceed \$3,343,245.11 with the maximum compensation for each agreement being as follows:

Cornell Cooperative Extension of Monroe County	\$126,577.00
Taproot Collective, Inc.	\$373,989.69
St Peter's Kitchen, Inc.	\$390,000.00
Foodlink, Inc.	\$573,804.00
Field & Fork Network, Inc.	\$879,243.42
Trillium Health, Inc.	\$999,631.00
Total	\$3,343,245.11

The term of each agreement shall continue up to thirty months. The compensation for the agreements shall be funded from the appropriations authorized in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Harris, Lightfoot, Martin, Monroe, Patterson, Smith - 7.

Nays - None - 0.

Councilmember Gruber abstained due to a professional relationship.

By Vice President Harris
February 20, 2024

To the Council:

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

- Int. No. 41 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$224,000 Bonds of said City to finance the Bausch and Lomb Library Roof Replacement
- Int. No. 42 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$288,000 Bonds of said City to finance the Lake Riley Lodge Structural Remediation
- Int. No. 44 Appropriating funds for the 2024 Preventive Maintenance Project
- Int. No. 45 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$982,000 Bonds of said City to finance the 2024 Preventive Maintenance Project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), and Ford Street (South Plymouth Avenue to Ford Street Bridge)
- Int. No. 46 Authorizing an agreement for the 2024 Preventive Maintenance Project
- Int. No. 47 Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the State/Exchange/Ford Preventive Maintenance transportation federal-aid project, and appropriating funds therefor
- Int. No. 48 Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District for street improvement projects
- Int. No. 49 Authorizing funding and agreements for the Home Electrification and Revitalization Opportunity Program
- Int. No. 50 Authorizing an agreement for dredging services in the Genesee River
- Int. No. 51 Authorizing an agreement relating to the 2024 Highland Reservoir LT2 Compliance Project
- Int. No. 52 Resolution granting the State of New York authority to perform the adjustment for the Owner and agreeing to maintain facilities adjusted via State-let contract for the Route 15A (NYS Thruway to I-390) project
- Int. No. 53 Authorizing an agreement for a tour of Historically Black Colleges and Universities for City youth

The **PEOPLE, PARKS & PUBLIC WORKS COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

- Int. No. 43 Authorizing the alteration of pavement widths for the 2024 Milling & Resurfacing Project

Respectfully submitted,

LaShay D. Harris
 Willie Lightfoot (*absent*)
 Mary Lupien
 Michael A. Patterson
 Miguel A. Meléndez, Jr.
PEOPLE, PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2024-34
 Re: Bond Authorization - Bausch and Lomb Library Roof Replacement

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$224,000 and the appropriation of the proceeds thereof to partially finance the cost of construction of the Bausch and Lomb Library Roof Replacement Project.

The Bausch & Lomb roof is original to the building (1997). The existing roof is over 25 years old and out of warranty. There have been numerous leaks from the membrane roofing and skylight in the past several years. The Project will include installation of a new single-ply insulated roof system. Existing smoke vents and vent pipes will be replaced, and roof drainage systems will be repaired and insulated against condensation.

The Project was designed by CPL Architects, Engineers and, Landscape Architect, D.P.C. dba CPL as authorized by Ordinance No. 2022-341.

Bids for construction were received on December 19, 2023. The apparent low bid of \$876,000 base bid was submitted by Titan Roofing, Inc. (Fred Pazmino, C.E.O., 200 Tapley Street, Springfield, Massachusetts).

The Project will be funded as follows:

	Design	Construction	Construction Contingency	Total
Library Debt authorized in Ordinance No. 2022-340	\$105,000	165,000		\$270,000
Library Grant authorized in Ordinance No. 2022-296		\$522,408		\$522,408
Bonds authorized herein		\$188,592	\$35,408	\$224,000
Total	\$105,000	\$876,000	\$35,408	\$1,016,408.00

This proposed legislation was developed by the Department of Environmental Services (DES) in collaboration with the Rochester Public Library (RPL).

Construction is anticipated to begin in spring 2024 and be substantially complete in late 2024. The bonds authorized herein will result in the creation and/or retention of the equivalent of 2.4 full-time jobs

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX- 24

Ordinance No. 2024-34
(Int. No. 41)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$224,000 Bonds of said City to finance the Bausch and Lomb Library Roof Replacement

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 roof of the Bausch and Lomb Library building located at 114 South 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 \$1,016,408. The plan of financing includes the issuance of \$224,000 bonds which are hereby appropriated therefor, \$522,408 of a grant from the New York State Education Department, Division of Library Development authorized to be used for the Project in Ordinance No. 2022-296, \$270,000 from the proceeds of bonds authorized in Ordinance No. 2022-340 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 \$224,000 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 \$224,000. 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. 2024-35

Re: Bond Authorization - Lake Riley Lodge Structural Remediation

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$288,000 and the appropriation of the proceeds thereof to partially finance the cost of construction of the Lake Riley Lodge Structural Remediation Project.

Lake Riley Lodge was built in 1910, and is used by Department of Recreation and Human Services (DRHS) as a recreation center and rental venue for public use. The building was constructed on unstable soils from the former Erie Canal and has experienced substantial settlement. The Project will include structural remediation of the floor support system including, but not limited to, installation of helical piles to support existing floor foundations, repair/replacement of floor framing and associated relevering and refinishing of the wood flooring.

The Project was designed by Stantec Consulting Services Inc. under an existing professional services term agreement.

Bids for construction were received on December 20, 2023. The apparent low bid of \$625,777 was submitted by UDN, Inc. (Nicholas D Charvella, C.E.O., 252 Alexander Street, Rochester, New York).

The Project will be funded as follows:

	Design	Construction	Construction Contingency	Total
2019-20 Cash Capital	\$38,740			\$38,740
2023-24 Cash Capital	\$19,700	\$337,777	\$62,600	\$420,077
Bonds authorized herein		\$288,000		\$288,000
Total	\$58,440	\$625,777	\$62,600	746,817

Construction is anticipated to begin in spring 2024 and be substantially complete in fall 2024. The construction of the Project will result in the creation and/or retention of the equivalent of 7.5 full-time jobs.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AX- 25

Ordinance No. 2024-35
 (Int. No. 42)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$288,000 Bonds of said City to finance the Lake Riley Lodge Structural Remediation

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 Lake Riley Lodge Structural Remediation, comprised of the structural remediation of the floor support system, including the installation of helical piles, repair and replacement of floor framing and the releveling and refinishing of the wood flooring of the Lake Riley Lodge located in Cobbs Hill Park (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 \$746,817. The plan of financing includes the issuance of \$288,000 bonds which are hereby appropriated therefor, \$38,740 from 2019-20 Cash Capital, \$420,077 from 2023-24 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$288,000 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 \$288,000. 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)(3) 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. 2024-36

Re: 2024 Milling & Resurfacing Project Park Avenue (Alexander Street to East Avenue), St. Paul Street (Lowell Street to Riverbank Place), St. Paul Street (Norton Street to Tyler Street)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the 2024 Milling & Resurfacing Project. This legislation will authorize changes in pavement width on Park Avenue, East Boulevard, St. Paul Street and Monroe Avenue as follows:

Park Avenue

- A. A decrease in pavement width of 7 feet, from 30 feet to 23 feet, beginning at Arnold Park and continuing approximately 46 feet eastward.
- B. A decrease in pavement width of 6 feet, from 38 feet to 32 feet, beginning approximately 53 feet west of Barrington Street and continuing eastward to Barrington Street.
- C. A decrease in pavement width of 12 feet, from 38 feet to 26 feet, beginning at Barrington Street and continuing approximately 51 feet eastward.
- D. A decrease in pavement width of 13 feet, from 38 feet to 25 feet, beginning approximately 58 feet west of Vassar Street and continuing to Vassar Street.
- E. A decrease in pavement width of 12.5 feet, from 37.5 feet to 25 feet, beginning at Vassar Street and continuing approximately 59 feet eastward.
- F. A decrease in pavement width of 14.5 feet, from 37.5 feet to 23 feet, beginning approximately 52 feet west of Berkeley Street and continuing eastward to Berkeley Street.
- G. A decrease in pavement width of 14 feet, from 38 feet to 24 feet, beginning at Berkeley Street and continuing approximately 57 feet eastward.
- H. A decrease in pavement width of 4 feet, from 38 feet to 34 feet, beginning approximately 53 feet west of Buckingham Street and continuing to Buckingham Street.
- I. A decrease in pavement width of 14 feet, from 38 feet to 24 feet, beginning approximately 50 feet west of Brunswick Street and continuing approximately 132 feet eastward.

East Boulevard

- A. A decrease in pavement width of 20 feet, from 45 feet to 25 feet, beginning at Park Avenue and continuing approximately 53 feet northward.

St. Paul Street

- A. A decrease in pavement width of 8 feet, from 42 feet to 34 feet, beginning approximately 361 feet south of the Hartel Alley and continuing approximately 65 feet northward.

Monroe Avenue

- A. A decrease in pavement width of 6 feet, from 50 feet to 44 feet, beginning approximately 42 feet west of Sumner Park and continuing eastward to Sumner Park.

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

Public meetings were held on August 30, 2023, September 12, 2023 and November 15, 2023. A copy of the meeting minutes are attached. The pavement width changes were endorsed by the Traffic Control Board via email poll on January 8, 2024.

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

A public hearing on the pavement width changes is required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX- 26

Ordinance No. 2024-36
(Int. No. 43)

Authorizing the alteration of pavement widths for the 2024 Milling & Resurfacing Project

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

Section 1. The Council hereby approves the following pavement width changes to be implemented as part of the 2024 Milling & Resurfacing Project for Park Avenue (Alexander Street to East Avenue), St. Paul Street (Lowell Street to Riverbank Place), St. Paul Street (Norton Street to Tyler Street) (Project):

A. On Park Avenue:

1. A decrease in pavement width of 7 feet, from 30 feet to 23 feet, beginning at Arnold Park and continuing approximately 46 feet eastward.
2. A decrease in pavement width of 6 feet, from 38 feet to 32 feet, beginning approximately 53 feet west of Barrington Street and continuing eastward to Barrington Street.
3. A decrease in pavement width of 12 feet, from 38 feet to 26 feet, beginning at Barrington Street and continuing approximately 51 feet eastward.
4. A decrease in pavement width of 13 feet, from 38 feet to 25 feet, beginning approximately 58 feet west of Vassar Street and continuing eastward to Vassar Street.
5. A decrease in pavement width of 12.5 feet, from 37.5 feet to 25 feet, beginning at Vassar Street and continuing approximately 59 feet eastward.
6. A decrease in pavement width of 14.5 feet, from 37.5 feet to 23 feet, beginning approximately 52 feet west of Berkeley Street and continuing eastward to Berkeley Street.
7. A decrease in pavement width of 14 feet, from 38 feet to 24 feet, beginning at Berkeley Street and continuing approximately 57 feet eastward.

8. A decrease in pavement width of 4 feet, from 38 feet to 34 feet, beginning approximately 53 feet west of Buckingham Street and continuing eastward to Buckingham Street.
9. A decrease in pavement width of 14 feet, from 38 feet to 24 feet, beginning approximately 50 feet west of Brunswick Street and continuing approximately 132 feet eastward.

B. On East Boulevard:

A decrease in pavement width of 20 feet, from 45 feet to 25 feet, beginning at Park Avenue and continuing approximately 53 feet northward.

C. On St. Paul Street:

A decrease in pavement width of 8 feet, from 42 feet to 34 feet, beginning approximately 361 feet south of the Hartel Alley and continuing approximately 65 feet northward.

D. On Monroe Avenue:

A decrease in pavement width of 6 feet, from 50 feet to 44 feet, beginning approximately 42 feet west of Sumner Park and continuing eastward to Sumner Park.

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

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-37

Ordinance No. 2024-38

Ordinance No. 2024-39

Resolution No. 2024-9

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

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the 2024 Preventive Maintenance Project. This legislation will:

1. Appropriate \$4,043,920 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and resident project representation (RPR) services for the Project; and,
2. Appropriate \$758,235 in anticipated reimbursements from the New York State Marchiselli

- Aid Program to finance a portion of the construction and RPR services for the Project; and,
3. Appropriate \$800,000 in anticipated reimbursements from the New York State Department of Transportation (NYSDOT) to finance a portion of the construction for the Project; and,
 4. Authorize the issuance of street bonds totaling \$982,000 and the appropriation of the proceeds thereof to partially finance the street portion of the construction and RPR services for the Project; and,
 5. Establish \$725,000 as maximum compensation for a professional services agreement with Stantec Consulting Services Inc. (James R. Hofmann, Jr., Senior Principal, 61 Commercial Street, Suite 100, Rochester, New York) for RPR services for the Project. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
 6. Approve a resolution, in a form that is required by the NYSDOT committing the City to pay for the State-funded portion of the project in the first instance before seeking reimbursement from the State and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a Federal Aid Project that is administered by the City under an agreement with NYSDOT.

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

The Project was designed by C&S Engineers, Inc. as authorized by Ordinance No. 2022-209 and amended by Ordinance No. 2022-304 and Ordinance No. 2023-367.

Stantec Consulting Services Inc. was selected for RPR services through a request for proposal process, which is described in the attached summary.

Bids for construction were received on December 27, 2023. The apparent low bid of \$6,080,000.47 was submitted by Sealand Contractors Corp. (Daniel Bree, C.E.O., 85 High Tech Drive, Rush, New York).

The Project will be funded as follows:

Source of funds	Design	Construction	Traffic Cameras & Street Lighting	RPR	Contingency	Total
Federal Aid appropriated Ordinance No. 2022-105	447,920	0	0	0	0	\$447,920
Federal Aid appropriated herein	0	3,514,649.40	109,998.21	419,272.39	0	\$4,043,920
Marchiaelli Aid appropriated Ordinance No. 2022-304	83,985	0	0	0	0	\$83,985
Marchiaelli Aid appropriated herein	0	658,996.77	20,624.66	78,613.57	0	\$758,235
New York State appropriated herein	0	800,000	0	0	0	\$800,000
Bonds authorized herein	0	733,789.14	0	201,630.17	46,580.69	\$982,000
Pure Waters reimbursement authorized Ordinance No. 2021-85	0	57,510.34	0	0	0	\$57,510.34
Pure Waters reimbursement authorized Ordinance No. 2022-21	0	99,958.18	0	0	0	\$99,958.18
Pure water reimbursement Ordinance No. 2023-44	0	1,472.09	0	0	0	\$1,472.09
2016-17 Cash Capital	0	0	16,810.02	0	0	\$16,810.02
2017-18 Cash Capital	0	0	4,996.26	0	0	\$4,996.26
2019-20 Cash Capital	0	0	816.77	0	0	\$816.77
2020-21 Cash Capital	15,000	0	5,706.19	0	0	\$20,706.19
2021-22 Cash Capital	47,995	0	20,684.51	0	0	\$68,679.51
2022-23 Cash Capital	65,000	112,363.13	0	0	0	\$177,363.13
2023-24 Cash Capital	0	101,261.42	30,353.38	25,483.87	0	\$157,098.67
Total	\$659,900	\$6,080,000.47	\$209,990	\$725,000	\$46,580.69	\$7,721,471.16

Construction is anticipated to begin in spring 2024 and be substantially complete in fall 2024. The construction of the Project will result in the creation and/or retention of the equivalent of 76.8 full-time jobs.

The term of the agreement shall be six months after final completion of the Project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX- 27

Ordinance No. 2024-37
(Int. No. 44)

Appropriating funds for the 2024 Preventive Maintenance Project

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

Section 1. The Council hereby appropriates the sum of \$4,043,920 in anticipated reimbursements from the Federal Highway Administration to fund a portion of the construction and Resident Project Representation (RPR) costs for the 2024 Preventive Maintenance Project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), and Ford Street (South Plymouth Avenue to Ford Street Bridge) (Project).

Section 2. The Council hereby appropriates the sum of \$758,235 in anticipated reimbursements from the New York State Marchiselli Aid Program to fund a portion of the construction and RPR costs for the Project.

Section 3. The Council hereby appropriates the sum of \$800,000 in anticipated reimbursements from the New York State Department of Transportation to fund a portion of the construction costs for the Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2024-38
(Int. No. 45)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$982,000 Bonds of said City to finance the 2024 Preventive Maintenance Project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), and Ford Street (South Plymouth Avenue to Ford Street Bridge)

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 for the 2024 Preventive Maintenance Project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), and Ford Street (South Plymouth Avenue to Ford Street Bridge), including pavement milling and resurfacing, spot curb and hazardous sidewalk replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings and addition of bicycle facilities in and along the above listed street segments (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 \$7,721,471.16. The plan of financing includes the issuance of \$982,000 bonds of the City, the proceeds of which are hereby appropriated to the Project, \$4,043,920 in anticipated reimbursements from the Federal Highway Administration (FHWA) appropriated in a concurrent ordinance, \$447,920 in anticipated reimbursements from FHWA appropriated in Ordinance No. 2022-105, \$758,235 in anticipated NYS Marchiselli Aid Program reimbursements appropriated in a concurrent ordinance, \$83,985 in anticipated NYS Marchiselli Aid Program reimbursements appropriated in Ordinance No. 2022-304, \$800,000 in anticipated reimbursements from the New York State Department of Transportation appropriated in a concurrent ordinance, \$57,510.34 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) authorized in Ordinance No. 2021-85, \$99,958.18 in anticipated reimbursements from RPWD authorized in Ordinance No. 2022-21, \$1,472.09 in anticipated reimbursements from RPWD authorized in Ordinance No. 2023-44, \$16,810.02 from 2016-17 Cash Capital, \$4,996.26 from 2017-18 Cash Capital, \$816.77 from 2019-20 Cash Capital,

\$20,706.19 from 2020-21 Cash Capital, \$68,679.51 from 2021-22 Cash Capital, \$177,363.13 from 2022-23 Cash Capital, \$157,098.67 from 2023-24 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$982,000 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 \$982,000. 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.

Ordinance No. 2024-39
(Int. No. 46)

Authorizing an agreement for the 2024 Preventive Maintenance Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. to provide Resident Project Representation services for the 2024 Preventive Maintenance Project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), and Ford Street (South Plymouth Avenue to Ford Street Bridge) (Project). The term of the agreement shall continue to six months after final completion of the Project. The maximum compensation for the agreement shall be \$725,000, which shall be funded in the amounts of \$419,272.39 in anticipated reimbursements from the Federal Highway Administration appropriated in a concurrent ordinance, \$78,613.57 in anticipated NYS Marchiselli Aid reimbursements appropriated in a concurrent ordinance, \$201,630.17 from the proceeds of bonds appropriated in a concurrent ordinance, and \$25,483.87 in 2023-24 Cash Capital.

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.

Resolution No. 2024-9
(Int. No. 47)

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

WHEREAS, a project for the State/Exchange/Ford Preventive Maintenance, City of Rochester, P.I.N. 4CR0.16 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction, resident project representation and construction administration services.

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

THAT the Council hereby approves the above-subject Project;

THAT the Council hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the costs of design, construction, resident project representation and construction administration services work for the Project or portions thereof;

THAT the sum of \$7,721,471.16 is hereby appropriated pursuant to Ordinance No. 2022-209 as amended by Ordinance No. 2022-304 and Ordinance No. 2023-367 (\$659,900), and Ordinance No. 2024-38 (\$7,061,571.16) and made available to cover the cost of participation in the above-described phase of the Project;

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

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-40

Re: Appropriation – Rochester Pure Waters District – Street Improvement Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$750,000 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) to fund eligible portions of sewer costs on street improvement projects in accordance with the agreement between the City and RPWD authorized by Ordinance No. 2010-438.

Street improvements can require ancillary repairs to the sewer system including adjustments, repairs, replacements, and improvements to the sewer system manholes and catch basins. In the agreement referenced above, RPWD assumed responsibility for these maintenance costs and agreed to reimburse the City annually for the work.

The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 fulltime jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-40
(Int. No. 48)

Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District for street improvement projects

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

Section 1. The Mayor is hereby authorized to accept and use reimbursement funds of up to \$750,000 from the Rochester Pure Waters District for sewer improvements associated with the City's street improvement projects in accordance with the agreement authorized by Ordinance No. 2010-438.

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. 2024-41
Re: Agreements - Home Electrification and Revitalization Opportunity Program - USEPA
Environmental Justice Government-to-Government Grant

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Areas: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Home Electrification and Revitalization Opportunity (HERO) program. This legislation will:

- 1) Authorize the Mayor to enter into a grant agreement with the United States Environmental Protection Agency (USEPA); and,
- 2) Authorize the receipt and use of \$1,000,000 in anticipated grant funds from USEPA to finance the project; and,
- 3) Authorize the Mayor to enter into Partnership/Sub-Award agreements with the following organizations to implement the HERO program, the cost of which agreements will be financed from the USEPA funds appropriated herein:
 - a. \$507,000 as maximum compensation for an agreement with the Rochester Housing Development Fund Corporation (RHDFC; Theodora Finn, President, 16 East Main Street, Suite 601, Rochester, New York); and,

- b. \$254,000 as maximum compensation for an agreement with Flower City Habitat for Humanity (Matthew J. Flanigan, President and CEO, 755 Culver Rd., Rochester, NY); and,
- c. \$169,000 as maximum compensation for an agreement with the Rochester Land Bank Corporation (Paul J. Scuderi, Executive Director, 30 Church St., Room 125B, Rochester, NY).

The HERO program addresses persistent environmental and public health challenges by funding the creation of sustainable, all-electric homes which incorporate air-source heat pumps, high levels of insulation and air sealing, heat pump water heaters, electric appliances, rooftop solar where feasible, and electric vehicle (EV) charging into houses rehabilitated through the City's existing whole-house rehabilitation programs managed by the sub-awardees. The existing programs are designed to benefit low-moderate income households, particularly Black and Brown participants, and adding HERO will increase the impact to these residents.

Through HERO, beneficial electrification and clean energy improvements will be completed in an estimated 22 homes for disadvantaged city residents disproportionately burdened by the impacts of climate change and least able to adapt to these impacts. This pilot program will create a replicable model to achieve meaningful and measurable environmental and public health results, including reduction of greenhouse gas emissions, reduced rates of childhood asthma, improved economic security specifically for lower- income disadvantaged households, and increased awareness of the benefits of and available incentives for home electrification.

HERO will also provide outreach to educate the community on the benefits of home electrification as well as program monitoring and assessment services procured through a separate competitive RFP process.

This proposed legislation was developed by the Department of Environmental Services (DES) in collaboration with Neighborhood and Business Development (NBD). In March 2023, the City's Division of Environmental Quality in DES and Bureau of Housing in NBD collaborated on a grant application under the USEPA's Environmental Justice Government-to-Government (EJG2G) grant program, proposing the implementation of the HERO program. In October 2023, the City was notified by the USEPA of its intent to award EJG2G funds.

Justification statements for not issuing requests for proposals (RFP) are attached. The additional grant funding authorized under this agreement totaling \$70,000 will be utilized for a consultant selected under a separate RFP process to perform program evaluation and reporting services.

The HERO program is anticipated to begin in spring 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX- 28

Ordinance No. 2024-41
(Int. No. 49)

Authorizing funding and agreements for the Home Electrification and Revitalization 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 United States Environmental Protection Agency (USEPA) for the receipt and use of a \$1,000,000 grant to fund a Home Electrification and Revitalization Opportunity Program in the city (HERO Program).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester Housing Development Fund Corporation to participate in the implementation of the HERO Program. The maximum compensation for the agreement shall be \$507,000, which shall be funded from the USEPA HERO grant appropriated in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Flower City Habitat for Humanity, Inc. to participate in the implementation of the HERO Program. The maximum compensation for the agreement shall be \$254,000, which shall be funded from the USEPA HERO grant appropriated in Section 1 herein.

Section 4. The Mayor is hereby authorized to enter into an agreement with the Rochester Land Bank Corporation to participate in the implementation of the HERO Program. The maximum compensation for the agreement shall be \$169,000, which shall be funded from the USEPA HERO grant appropriated by Section 1 herein.

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. 2024-42
Re: Agreement – United States Army Corps of Engineers – Port of Rochester Dredging

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum compensation for an agreement with the United States Army Corps of Engineers (USACE) for maintenance dredging of the Genesee River related to the Port of Rochester. The agreement will be funded from 2015-16 Cash Capital.

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 include the port terminal dock wall, marina entrance and public boat launch, which are all 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 USACE to have its contractors dredge the Genesee River at the Port of Rochester riverfront facilities in order to take advantage of the competitive volume-related pricing in the USACE dredge contracts. It has been five years since the last dredging and a new maintenance dredging is required. The previous dredging agreement between the City and the USACE was authorized by Ordinance No. 2019-101.

Under the proposed agreement, the USACE would dredge permitted areas outside the federal navigation channel at the Port of Rochester riverfront facilities. The cost of the dredging is based on the estimated sediment volume to be removed to achieve permitted depths, the USACE'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 USACE is obligated to return to the City any funds not expended for the dredging.

The USACE has scheduled dredging of the Genesee River federal navigation channel for the spring of 2024 and is anticipated to be complete in summer 2024.

The term of the agreement will be for one year.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX- 29

Ordinance No. 2024-42
(Int. No. 50)

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 maintenance dredging of the Genesee River related to the Port of Rochester for a maximum compensation of \$90,000, which shall be funded from 2015-16 Cash Capital. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-43
Re: Agreement – Colliers Engineering & Design, Architecture, Landscape Architecture,
Surveying, CT P.C. - 2024 Highland Reservoir LT2 Compliance

Council Priorities: Public Safety

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation establishing \$650,000 as maximum compensation for a professional services agreement with Colliers Engineering & Design, Architecture,

Landscape Architecture, Surveying, CT P.C. (Joseph Dopico, C.E.O., 280 East Broad Street, Rochester, New York) for engineering services for the 2024 Highland Reservoir LT2 Compliance Project. The cost of the agreement will be funded from 2023-24 Cash Capital.

The City is obligated, through a bilateral compliance agreement with the state and local health departments, to meet the requirements of the Environmental Protection Agency's Long Term 2 Enhanced Surface Water Treatment Rule at the Highland Reservoir by November 30, 2029. The first milestone of this agreement is retaining a design consultant by April 30, 2024.

Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C. (Colliers) was selected for preliminary design services through a request for proposal process, which is described in the attached summary. Colliers will review water quality conditions, identify compliance alternatives, evaluate costs and water quality impacts for each alternative, prepare conceptual renderings and presentation materials, develop a public outreach and engagement program, investigate opportunities for funding assistance, and conduct the environmental impact review. Final design shall not commence until such time as the environmental impact review of the Project, under the State Environmental Quality Review Act, is completed.

Preliminary design is anticipated to begin in spring 2024. The professional services agreement will result in the creation and/or retention of the equivalent of 7.1 full-time jobs.

The term of the agreement shall extend until one year after the City's acceptance of the final report.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX- 30

Ordinance No. 2024-43
(Int. No. 51)

Authorizing an agreement relating to the 2024 Highland Reservoir LT2 Compliance 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 Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C. (Colliers) to provide engineering and preliminary design services for the Highland Reservoir to remain on track to comply with the United States Environmental Protection Agency (EPA) Long Term 2 Enhanced Surface Water Treatment Rule by the deadline of November 30, 2029 (LT2 Compliance Project). The services authorized herein shall not proceed beyond preliminary surveys and studies, conceptual planning and design, environmental impact review and cost estimates until such time as an environmental impact review of the LT2 Compliance Project is completed in accordance with the State Environmental Quality Review Act (SEQRA) and City Code Chapter 48. The term of the agreement shall extend to one year following the City's acceptance of Colliers' final report. The maximum compensation for the agreement shall be \$650,000, which shall be funded from 2023-24 Cash Capital.

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:

Resolution No. 2024-10

Re: Authorization - New York State Department of Transportation Utility Work Agreement
Resolution

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the New York State Department of Transportation (NYSDOT) to include lowering three water transmission mains, adjusting approximately ten water valve elevations and adjusting one water manhole elevation, as part of the NYSDOT project for Route 15A from the NYS Thruway to I-390, Town of Henrietta, Monroe County. This legislation will:

1. Authorize the Mayor to sign all documentation that may be necessary as a result of this project as it relates to the water system improvements.
2. Approve a resolution, in a form that is required by NYSDOT that will grant NYSDOT the Authority to do work that includes lowering three water transmission mains, adjusting approximately ten water valve elevations and adjusting one water manhole elevation that are located within the NYSDOT project area. In addition, the City agrees to maintain the water facilities that are adjusted or replaced as part of this NYSDOT project.

There is no cost to the City for this work.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2024-10
(Int. No. 52)

Resolution granting the State of New York authority to perform the adjustment for the Owner and agreeing to maintain facilities adjusted via State-let contract for the Route 15A (NYS Thruway to I-390) project

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Route 15A from NYS Thruway to I-390, Town of Henrietta, Monroe County, P.I.N. 4015.45;

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the lowering of approximately three (3) water transmission mains and adjust approximately ten (10) water valve box elevations and one (1) water manhole elevation, per attached Utilities Special Note Ref 11A, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans and Utility Special Note relating to the project and meeting the requirements of the owner;

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended;
and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans and Utility Special Notes, relating to the above mentioned project.

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

That the City of Rochester approves of the above mentioned work performed on the project and shown on the contract plans relating to the project and that the City of Rochester will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans;

That the Mayor has the authority to sign, with the concurrence of the Rochester City Council, any and all documentation that may become necessary as a result of this project as it relates to the City of Rochester; and

That the City of Rochester is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-44

Re: Agreement - Tour of Historically Black Colleges and Universities

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with Gocampusing, Inc. (Judith A. Marrazzo, President and Owner, P.O. Box 264, East Norwich, NY) to conduct a tour of Historically Black Colleges and Universities for city youth. The cost of this agreement, which includes all transportation, hotel, food and fees, will be funded from the 2023-24 Budget of the Department of Recreation and Human Services (DRHS). The term of the agreement will not exceed one year.

The tour will expose Rochester youth to the college experience and reinforce the importance of school attendance, good grades and planning for the future. It will also reinforce the connection between education and careers. Approximately 30 youth ages 14-18 who participate in DRHS programs and 5-6 chaperones will go on the tour, planned for April 1 – April 4, 2024. The tour will visit Morgan State University; Delaware State University; Lincoln University and Bowie State University.

Investing in this initiative not only empowers individual lives but contributes to breaking the cycle of limited opportunities for urban youth. The April 1 - April 4, 2024 timeframe ensures alignment with academic calendars, optimizing the impact of this transformative experience. The consultant was identified through a Request for Proposals process described in the attached Vendor Selection form.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2024-44
(Int. No. 53)

Authorizing an agreement for a tour of Historically Black Colleges and Universities for City youth

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 Gocampusing Inc. to conduct a tour of Historically Black Colleges and Universities for City youth who participate in Department of Recreation and Youth Services (DRHS) programs. The maximum compensation for the agreement shall be \$40,000, which shall be funded from the 2023-24 Budget of DRHS.

Section 2. The term of the agreement shall not exceed 1 year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
February 20, 2024

To the Council:

The **BUDGET, FINANCE, & GOVERNANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 54 Authorizing a professional services agreement for the Employee Assistance Program
- Int. No. 55 Resolution approving appointment to the Rochester Civil Service Commission
- Int. No. 56 Appropriating Firefighters' Insurance Funds
- Int. No. 57 Authorizing an agreement for the Child Savings Account program
- Int. No. 60 Authorizing agreements for Neighborhood Ambassador Programs
- Int. No. 62 Resolution relating to appointments to the Board of Assessment Review

The **BUDGET, FINANCE, & GOVERNANCE COMMITTEE** recommends the following entitled legislation to be **HELD** in committee:

- Int. No. 59 Authorizing an amendatory agreement for labor and employment law services

Respectfully submitted,
Mitch Gruber
Stanley Martin
Bridget Monroe
LaShay D. Harris
Miguel A. Meléndez, Jr.
BUDGET, FINANCE, & GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-45
Re: Agreement – Employee Network, Inc., Employee Assistance Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$120,060 as maximum total compensation for an agreement with the Employee Network, Inc. (Gene Raymondi, Chief Executive Officer), of Vestal, New York, to provide services for the City's Employee Assistance Program (EAP). The agreement will have a term of three years, with the option for two one-year renewals, and will be funded from the 2023-24, 2024-25, 2025-26, and 2026-27 Budgets for Undistributed Expenses in the annual amounts of \$10,005, \$40,020, \$40,020, and \$30,015, respectively, contingent upon approval of future budgets. The optional renewals will be funded from the 2026-27, 2027-28, and 2028-29 Budgets for Undistributed Expenses in the annual amounts of \$10,005, \$40,020, and \$30,015, respectively, contingent upon approval of future budgets.

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 (1,487 people) and their families are eligible for participation. Uniformed Police and Fire employees are covered through their own programs.

Employee Network, Inc. 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.

Employee Network, Inc. has provided EAP services for City employees since 2015 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.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-32

Ordinance No. 2024-45
(Int. No. 54)

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 with Employee Network, Inc., to provide services for the City's Employee Assistance Program. The term of the agreement shall be three years with the option to extend for two one-year periods. The maximum compensation for the initial term of the agreement shall be \$120,060, which shall be funded from the Budgets for Undistributed Expenses as follows: \$10,005 from 2023-24, \$40,020 from 2024-25, \$40,020 from 2025-26, and \$30,015 from 2026-27, contingent upon the approval of future years' budgets. The maximum compensation for the two-year extension, if so opted for, shall be \$80,040, which shall be funded from the Budgets for Undistributed Expenses as follows: \$10,005 from 2026-27, \$40,020 from 2027-28, and \$30,015 from 2028-29, contingent upon the approval of those future years' budget.

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:

Resolution No. 2024-11
Re: Appointment Civil Service Commission for the City of Rochester

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation confirming the appointment of Zahira Jimenez, Rochester, New York 14621, to the Civil Service Commission for the City of Rochester.

Ms. Jimenez will replace Andrew Dimock who resigned from the Commission on December 15, 2023. Ms. Jimenez is a Democrat and will serve the remainder of Mr. Dimock's term, which will extend to May 31, 2028.

A resume for Ms. Jimenez is available for review in the City Clerk's Office.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-33

Ordinance No. 2024-11
(Int. No. 55)

Resolution approving appointment to the Rochester Civil Service Commission

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

Section 1. The Council hereby approves the appointment of Zahira Jimenez to the Rochester Civil Service Commission to fill out the remainder of a term which shall expire on May 31, 2028, which is the remainder of the term of the former Commission member Andrew Dimock, who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-46
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. The legislation will:

1. Appropriate a total of \$502,500 from the Firefighters Insurance Fund at the request of the Rochester Firefighters Two Percent Committee ("TPC") to benefit City firefighters.
2. Appropriate a total of \$215,889.49 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) Fire house items set forth in Section 1G of the original agreement (\$120,000).
- 2) Legal and Accounting expenses (\$47,000).
- 3) Fire house cable and internet expenses (\$55,000).
- 4) RFBA Firefighters Ball (\$20,000).
- 5) Building Expenses (\$120,000).
- 6) Demand Account expenses (\$77,000)
- 7) Critical Illness Plan (60,000)
- 8) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$3,500).

New this year, the Critical Illness Plan will provide additional recurrence health insurance benefits through Metlife for all union members in the event of a diagnosis of cancer or 18 other various illnesses.

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 (\$84,079.49).
- 5) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$1,500).

The City of Rochester has engaged EFPR Group to conduct an audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee ("TPC"). The cost of the audit is estimated at \$5,000, of which the City will pay 30% and the Two Percent Committee ("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.

Respectfully submitted,
Malik D. Evans
Mayor

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. A total of \$502,500 at the request of the Rochester Firefighters Two Percent Committee ("TPC") as follows:
 - 1) Firehouse items set forth in Section 1G of the Agreement (\$120,000);
 - 2) Legal and accounting expenses (\$47,000);
 - 3) Firehouse cable and internet expenses (\$55,000), provided that if this appropriation exceeds expenses for this year, the excess shall be credited to reimburse cable and internet expenses to be incurred in a subsequent year;
 - 4) Rochester Firefighters' Benevolent Association Firefighters Ball (\$20,000);
 - 5) Building Expenses (\$150,000);
 - 6) Demand Account expenses (\$77,000);
 - 7) Critical Illness Plan (\$60,000); and
 - 8) Audit of the Two Percent Fund held by the City of Rochester and the TPC (\$3,500).

- B. City Nominated Items. A total of \$215,889.49 for uses nominated by the City of Rochester as follows:
 - 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 (\$84,079.49); and
 - 4) Audit of the Two Percent Fund held by the City of Rochester and the TPC (\$1,500).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-47
Re: Agreement – Excelsior Performance Group

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the community engagement for the Office of Financial Empowerment's Children Savings Account program. This will include the design and deployment of a survey as well as design, implementation and evaluation of 10 focus groups. This legislation will establish \$50,000 maximum compensation for an agreement with Takiyah Butler, dba Excelsior Performance Group (Takiyah Butler, 620 Park Avenue Unit 169, Rochester, NY). The agreement will have a term of six months and will be funded from the 2023-24 Budget of the Office of the Mayor utilizing a portion of the \$244,000 Children Savings Account Planning grant from ESL Foundation, authorized under Ord. 2023-271.

Ms. Butler will assist the community engagement portion of the Children Savings Account Planning Phase. The Office of Financial Empowerment will convene community leaders, residents, financial institutions, and community based organizations to design a city-wide Children Savings Account initiative with automatic enrollment as children enter Kindergarten.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-34

Ordinance No. 2024-47
(Int. No. 57)

Authorizing an agreement for the Child Savings Account program

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

Section 1. The Mayor is authorized to enter into a professional services agreement Takiyah Butler dba Excelsior Performance Group to provide surveying services, engage community focus groups and other services to support the planning and design for the Child Savings Account program (Program). The term of the agreement shall be six months. The maximum compensation for the agreement shall be \$50,000, which shall be funded from the 2023-24 Budget of the Office of the Mayor.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2024-48
Re: Neighborhood Ambassador Programs

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

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

Transmitted herewith for your approval is legislation authorizing professional service agreements for pilot Neighborhood Ambassador Programs in the Northeast and Southwest quadrants to be funded by the appropriation of Restricted Opioid settlement funds authorized by Council in Ordinance 2023-362. The agreements to be authorized are with the following Community Based Organizations:

- a. The Father Laurence (“Larry”) Tracy Advocacy Center Inc. (Beatriz LeBron, Executive Director, Rochester, NY 14605) to implement the North Clinton Avenue Ambassador Program for a term of one year and for a maximum compensation of \$125,000.
- b. The Barakah Muslim Charity Inc. (Zaviour Johnson, Executive Director, Rochester, NY 14611) to support the Jefferson Avenue Ambassador Program for a term of one year and for a maximum compensation of \$125,000.

Ambassadors will be hired and trained by the partner agencies and must be city residents, preferably from each specific neighborhood. Responsibilities will include: engaging with residents, workers and visitors; providing referrals to local resources; supporting beautification and anti-litter efforts; connecting to critical mental health and addiction prevention services; and offering wayfinding and information.

This legislation clarifies the use of funds by the organizations as appropriated in Ordinance No. 2023-362.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-35

Ordinance No. 2024-48
(Int. No. 60)

Authorizing agreements for Neighborhood Ambassador 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 professional services agreement with The Father Laurence (“Larry”) Tracy Advocacy Center Inc. to implement a Neighborhood Ambassador Program in the North Clinton Avenue area. The agreement shall have a term of one year. The maximum compensation for the agreement shall be \$125,000, to be funded by the Restricted Opioid settlement funds appropriated in Ordinance 2023-362.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Barakah Muslim Charity Inc. to implement a Neighborhood Ambassador Program in the Jefferson Avenue area. The agreement shall have a term of one year. The maximum compensation for the agreement shall be \$125,000, to be funded by the Restricted Opioid settlement funds appropriated in Ordinance 2023-362.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2024-12

Re: Appointment — Board of Assessment

Transmitted herewith for your approval is a resolution to:

1. Approve the Appointments of the following individuals to the Board of Assessment Review as Temporary Panel Members:

Board of Assessment Review Temporary Panel Members

- Damaris Rivera; 87 Langford Road; Rochester, New York 14615
- Maya Daniels; 137 Lehigh Avenue; Rochester, NY 14619
- Jeffrey Leusch; 49 Lancaster Street; Rochester, NY 14615
- Genyssa Torres; 115 Norran Drive; Rochester, NY 14609
- William Sullivan; 203 Chili Avenue; Rochester, New York 14611

2. Remove the following individuals, who can no longer serve, from the Board of Assessment Review:

- Dominic Bozzelli
- Renee Pritchard
- Vito Eaffaldano
- Chris Thomas
- Tysharda Johnson-Thomas

Resumes for all Appointees are on file with the City Clerk.

Respectfully submitted,
Miguel A. Meléndez Jr.
President

Resolution No. 2024-12
(Int. No. 62)

Resolution relating to 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 appointments of

Damaris Rivera	87 Langford Road; Rochester, NY 14615
Maya Daniels	137 Lehigh Avenue; Rochester, NY 14619
Jeffrey Leusch	49 Lancaster Street; Rochester, NY 14615
Genyssa Torres	115 Norran Drive; Rochester, NY 14609
William Sullivan	203 Chili Avenue; Rochester, NY 14611

to the Board of Assessment Review as Temporary Panel Members for terms expiring on September 30, 2024.

Section 2. The Council hereby withdraws the appointments of the following individuals, who can no longer serve, on the Board of Assessment Review:

Dominic Bozzelli
Renee Pritchard
Vito Eaffaldano
Chris Thomas
Tysharda Johnson-Thomas

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

Councilmember Gruber introduced a motion to discharge Int. No. 59 from Committee;
2nd by Councilmember Lightfoot
Motion to discharged passed by the following vote:

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

Nays - Councilmember Martin - 1.

Councilmember Gruber introduced a motion to discharge Int. No. 59 from Committee;
2nd by Councilmember Lightfoot
Motion to discharged passed by the following vote:

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

Nays - Councilmember Martin - 1.

Councilmember Patterson introduced a motion to adopt Int. No. 59;
2nd by Councilmember Gruber.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2024-49

Re: Amendatory Agreement – Labor and Employment Legal Services

Transmitted herewith for your approval is legislation for an amendatory professional services agreement with the law firm of Hancock Estabrook, LLP (John F. Corcoran, Esq., Lead Partner, Syracuse, New York) to provide additional labor and employment law services with regard to the Police Accountability Board (PAB). The law firm has been providing the City with advice and representation for responding to a petition filed with the New York State Public Employment Relations Board (PERB) by the Workers United union to represent certain employees of the PAB. The

original agreement, authorized by Ordinance No. 2023-1, authorized a professional services agreement with Hancock Estabrook in the maximum amount of \$50,000, with a term to extend to the conclusion of the PERB proceeding. This legislation will authorize the City to amend that agreement to increase the maximum compensation by \$30,000 up to a new maximum total of \$80,000. All other terms will remain the same. The additional compensation will be funded from the 2023-24 Budget of Undistributed Expenses.

Hancock Estabrook's lead partner on this engagement and his labor and employment practice group have extensive experience representing public employers before the PERB, as well as in collective bargaining, grievance and arbitration procedures. A justification for not issuing a Request for Proposals for this amendatory agreement is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AX-36

Ordinance No. 2024-49
(Int. No. 59)

Authorizing an amendatory agreement for labor and employment law 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 Hancock Estabrook, LLP to provide additional legal services with regard to the Workers United union's petition to the New York State Public Employment Relations Board (PERB) seeking to represent certain employees of the Police Accountability Board. The amendatory agreement shall amend the agreement authorized in Ordinance No. 2023-1 by increasing the maximum compensation by \$30,000 to a new total of \$80,000. The amendatory shall be funded from the 2023-24 Budget of Undistributed Expenses.

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 by the following vote:

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

Nays - Councilmember Martin - 1.

By Councilmember Lightfoot
February 20, 2024

To the Council:

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

Int. No. 61 Resolution reappointing members of the Police Accountability Board

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Mary Lupien
Stanley Martin
Bridget Monroe
Michael A. Patterson
Kimberly Smith
LaShay D. Harris
Miguel A. Meléndez, Jr.
PUBLIC SAFETY COMMITTEE

Received, filed & published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2024-13
Re: Police Accountability Board Reappointment

Transmitted herewith for your approval is a resolution reappointing Arlene Brown (PABA Seat 2); Drorah Setel (Northwest District); and Larry Knox (Northeast District) to the Police Accountability Board in their respective Seats. These individuals are all sitting members of the PAB who are serving in expired terms.

Upon reappointment Arlene Brown's term will expire on June 30, 2025; Drorah Setel's term will expire on June 30, 2025; and Larry Knox's term will expire on June 30, 2026.

City residency was previously verified and resumes remain on file with the City Clerk.

Respectfully submitted,
Miguel A. Meléndez, Jr.
President

Resolution No. 2024-13
(Int. No. 61)

Resolution reappointing members of the Police Accountability Board

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

Section 1. The Council hereby approves the reappointment of the following current members to the Police Accountability Board for terms expiring on the dates specified:

Arlene Brown	June 30, 2025
Drorah Setel	June 30, 2025
Larry Knox	June 30, 2026

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 7:02 pm.

HAZEL L. WASHINGTON
City Clerk