

**Proposed Legislation for the
March 19, 2024 City Council Meeting -**

*** * Please Note * ***

For questions, call the City Clerk's Office at 585-428-7421



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

**Neighborhoods, Jobs & Housing
Introductory No.**

Malik D. Evans
Mayor

63

February 27, 2024 NBD 01

TO THE COUNCIL

Ladies and Gentlemen:

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 structure, one vacant lot and one unbuildable vacant lot 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 Attachment A under the heading I. Negotiated Sale – Improved Property, is 152 Dove Street will be sold to Rochester Housing Development Fund Corporation (Theodora Finn, President), 16 East Main Street, Rochester, New York. The purchaser will rehabilitate the property for sale to an income-qualified owner occupant through the HOME Rochester program.

The second property, listed on Attachment A under the heading II. Negotiated Sale – Vacant Land, is 80 Hollister Street will be sold to Carrie McFayden, 78 Hollister Street, Rochester, New York. The purchaser will combine the lot with her primary parcel.

The remaining property is listed on Attachment A under the heading, III. Negotiated Sale - Unbuildable Vacant Land. The lot at 20 Ketchum Street will be sold to the adjoining owners of 26 Ketchum Street, Delvin Lumly and Panditta Lumly, of Rochester, New York. The parcel is being sold for \$1.00 (as per City policy) and will be combined with the primary parcel owned by the identified adjoining owners. Maps and Lot Analyses for the above properties are included as Attachment B.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,602.

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



<u>I. Negotiated Sale - Residential Property</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>	<u>Zoning/ Legal/ Planning/ CV</u>	
152 Dove St	090.73-3-90	35 x 100	1 Family	\$ 18,000	Rochester Housing Development Fund Corporation *	Rochester, NY 14614	\$ 1,010	R-1	
	*Theodora Finn, President								
						Subtotal	\$ 1,010		
<u>II. Negotiated Sale - Vacant Land</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>	<u>Zoning/ Legal/ Planning/ CV</u>	
80 Hollister St	106.34-2-57	40 x 109.77	4,390	\$425	Carrie McFayden	Rochester, NY 14605	\$ 331	R-1	
						Subtotal	\$ 331		
<u>III. Negotiated Sale - Unbuildable Vacant Land</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>		
20 Ketchum St	106.22-3-40	36 x 92.08	3,272	\$1	Delvin Lumly and Panditta Lumly	Rochester, NY 14621	\$ 261		
						Subtotal	\$ 261		
						Total Tax Impact	\$ 1,602		

80 Hollister St



January 24, 2024

This map is intended for general reference only.
The City of Rochester makes no representation on
as to the accuracy or completeness of the data presented.



City of Rochester, NY

City of Rochester, NY
Maik D. Evans, Mayor



City of Rochester Development Proposal Outline For Vacant Land

ADDRESS OF
PROPERTY
TO BE PURCHASED

80 Hollister st

PURCHASER'S NAME

Carrie McFayden

DATE

1/10/24

PURCHASE PRICE (state the amount of your bid) \$

0

1.) Do you currently own property that adjoins the City-owned vacant land? Yes No

If you answered no to the previous question, proceed to Section 3.

If you answered yes, describe your adjoining property:

Address: 78 Hollister st

Type of property / current use and occupancy: Single family Residential
Owner occupied

2.) If you are an adjoining owner, do you intend to construct improvements on the City-owned vacant land? Yes No

If you answered no, skip Sections 3, 4, 5, 6, and 7. Complete Sections 8 and 9.

3.) **PROPOSED USE** - Describe proposed use and nature of improvements to be constructed. Indicate number of units and whether they will be leased or owner-occupied. Indicate the specific uses of stores, offices, and industrial space, i.e. beauty salon, restaurant, etc.

- 1. Apartments _____
- 2. Store _____
- 3. Offices _____
- 4. Industrial _____
- 5. Parking Lot _____
- 6. Other _____

Time required to complete construction of improvements will be _____ months.

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

Address of Lot: 20 Ketchum St

SBL#: 106.22-3-40

Date: 1/5/24 Initials: MG

Based on criteria below:

This is an Un-buildable Lot YES

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked or less than 4,000 sq. ft.?	X	
Does the lot have severe topographical characteristics or irregular layout/shape that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site		X
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

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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 improved property:

Address	SBL#	Lot Size (ft)	Price	Purchaser
152 Dove St	090.73-3-90	35 x 100	\$18,000	Rochester Housing Development Fund Corporation

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

Address	SBL#	Lot Size (ft)	Area (sq ft)	Price	Purchaser
80 Hollister St	106.34-2-57	40 x 109.77	4,390	\$425	Carrie McFayden

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

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
20 Ketchum St	106.22-3-40	36 x 92.08	3,272	Delvin Lumly Panditta Lumly

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

Section 5. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

**Neighborhoods, Jobs & Housing
Introductory No.**

Malik D. Evans
Mayor

64

February 27, 2024 NBD 02

TO THE COUNCIL

Ladies and Gentlemen:

Re: Lease Agreement – 50 Cortland Street Tunnel

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City of Rochester and Midtown Tower LLC. (Ken Glazer, CEO, 259 Alexander St, Rochester, NY). Midtown Tower LLC will lease from the City, four parking spaces in the subterranean Truck Tunnel below 50 Cortland Street, SBL No. 121.24-1-8.013, to provide parking for one of their tenants with oversize service vehicles that don't fit in area parking garages. A map of the tunnel location is included as Attachment A, and a floor plan of the underground parking area is included as Attachment B.

Midtown Tower LLC shall pay \$6,000 annually (\$125 per month per parking space) with a 2% annual increase. Lease costs are supported by an appraisal by Bruckner, Tillet, Rossi, Cahill & Associates, Inc. as of January 2024.

The initial term will be three years commencing April 1, 2024 and ending March 31, 2027. There shall be five optional, one-year renewals and one 11-month renewal. These renewals align with the termination date of a lease Midtown Tower LLC has with a tenant that expires February 28, 2033. The lease will include a clause that either party may terminate the agreement with 90 days' notice.

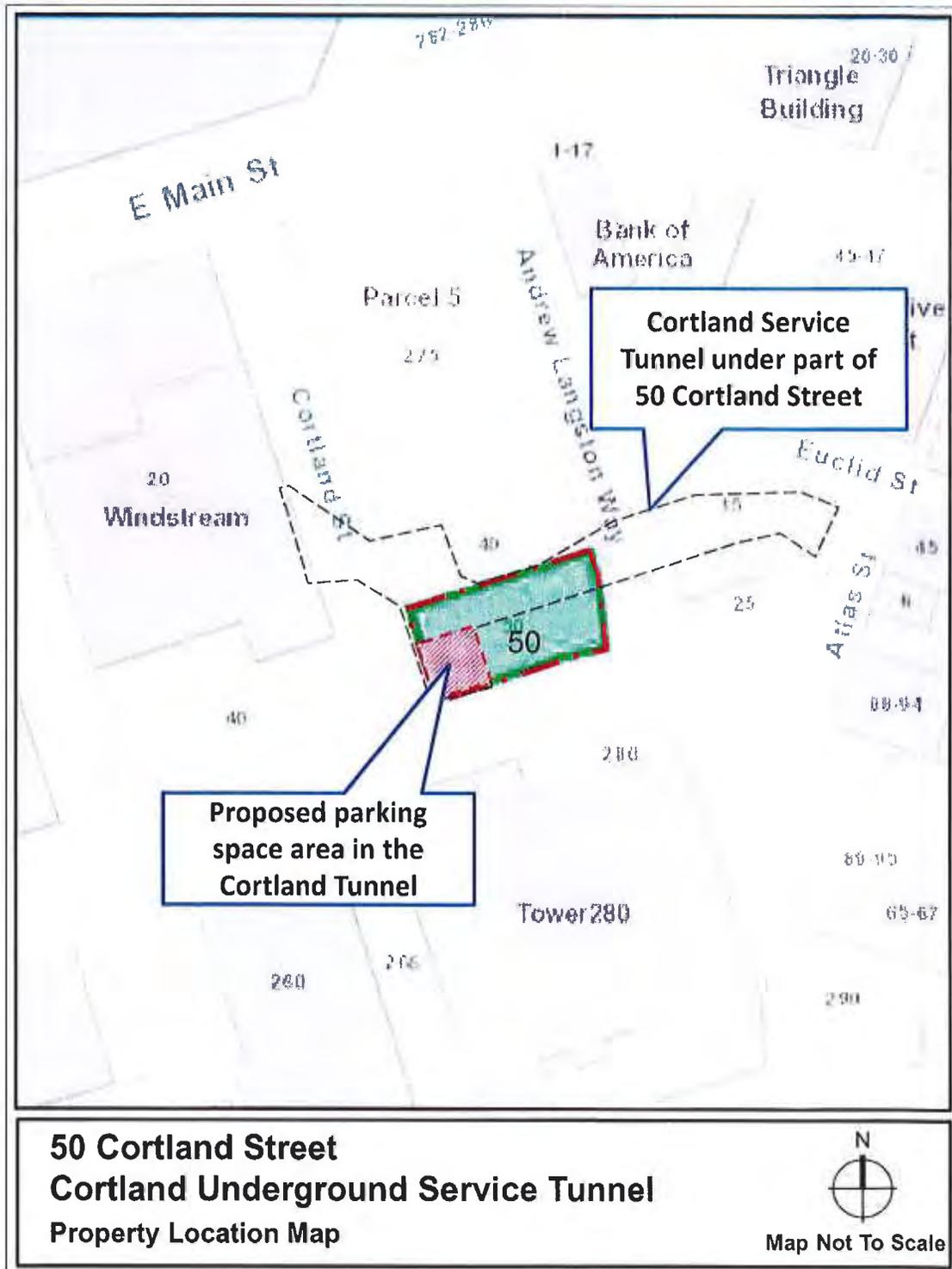
The City has had a short-term test lease in place with Midtown Tower to determine if this parking had any negative impact on regular operations of the Truck Tunnel and to determine if the tenant found the parking suitable for their needs prior to engaging in a long-term lease. DES, City Security, and the tenant have no concerns about a long-term lease pursuant to this test.

Respectfully submitted,

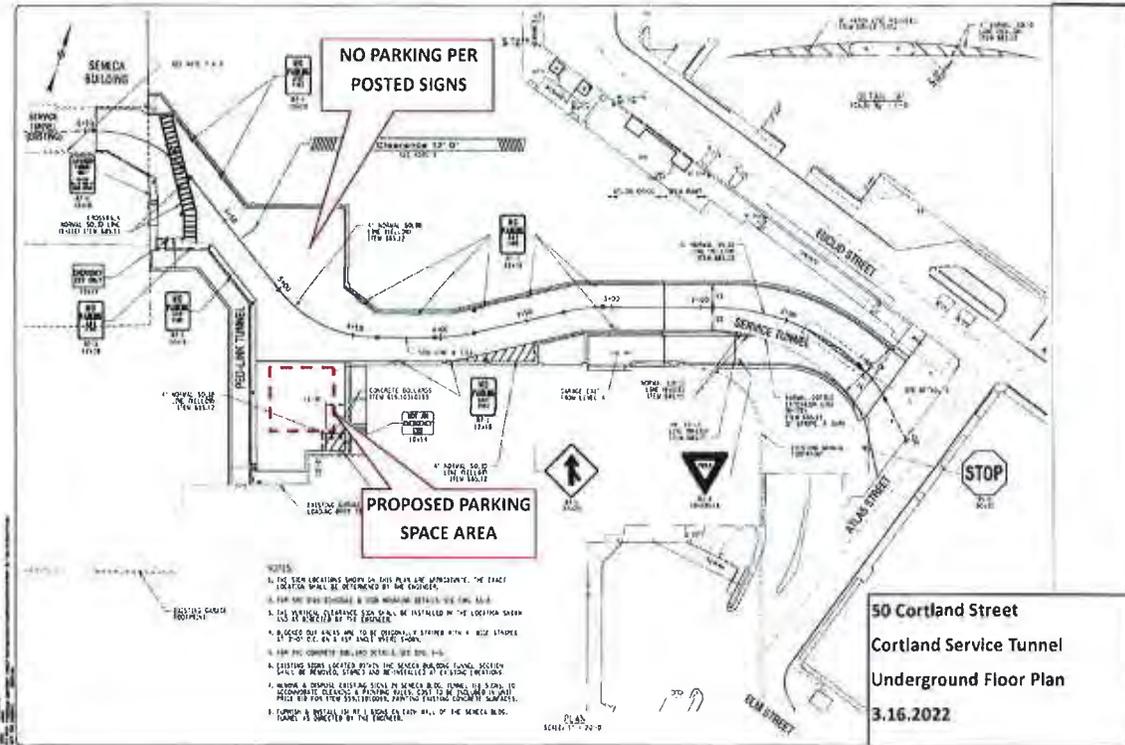
Malik D. Evans
Mayor



50 CORTLAND STREET



Underground Floor Plan



64

Ordinance No.

Authorizing the lease of parking spaces in the subterranean truck tunnel at 50 Cortland Street

WHEREAS, the City of Rochester has received a proposal for the lease of four parking spaces located in the subterranean truck tunnel at 50 Cortland Street for a term of three years, with the option to extend for up to five one-year periods and one 11-month period;

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

WHEREAS, the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Midtown Tower LLC for the lease of four parking spaces located in the subterranean truck tunnel at 50 Cortland Street, SBL No. 121.24-1-8.013. The agreement shall extend for a term of three years, with the option to extend for up to five one-year periods and one 11-month period.

Section 2. The lease agreement shall obligate the lessee to pay monthly rent to the City in the amount of \$500 for the first year and subject to a 2% increase each year thereafter.

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

Section 4. This ordinance shall take effect immediately.



City of Rochester

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Rochester, New York 14614-1290
www.cityofrochester.gov

**Neighborhoods, Jobs & Housing
Introductory No.**

Malik D. Evans
Mayor

65

February 27, 2024 NBD 03

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sub-Lease Agreement – 245 East Main Street

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a sub-lease agreement between the City of Rochester and Gannett Co., Inc. (aka "Democrat and Chronicle"), (Mark Maring, Senior Vice President of Finance and Treasurer, 7950 Jones Branch Drive, McLean, VA). The City will sub-lease from sub-landlord, a furnished 19,000 square foot space in the building at 245 East Main Street, SBL No. 121.24-1-28.006, for use as the offices of the Police Accountability Board (PAB). Democrat and Chronicle, LLC as a subsidiary of Gannett Co., Inc. has a long-term lease with the property owner, Seneca Building of Monroe County, LLC for a 40,000 square foot space in the building that expires September 30, 2031 and has rights to sub-lease under that agreement. The City has a current lease for this space pursuant to Ordinance No. 2022-69 that commenced May 1, 2022 and expires April 30th, 2024 with no further extension options available, requiring a new lease. A map of the building location is included as Attachment A, and a floor plan of the lease space is included as Attachment B.

The initial term will be one year commencing May 1, 2024 and ending April 30, 2025. There shall be one optional, one-year renewal. The City shall pay initial base rent of \$358,242.50 annually plus a pro-rated share of utilities. The lease amount shall be payable at \$29,655.83 for the months of May 2024 through December 2024. The lease shall adjust 2% to \$30,248.70 per month on January 1, 2025. The lease has an annual increase of 2% each January 1st, which is a continuation of the terms of the current lease which expires on April 30th, 2024. This agreement shall be funded through funds allocated for the PAB in the 2023-2024 Budget of the City Council & Clerk, and future budgets contingent upon approval. Up to 90 spaces in the Midtown Parking Garage reserved by sub-landlord shall be made available for employees at their cost. Lease costs are supported by an appraisal by Bruckner, Tillet, Rossi, Cahill & Associates, Inc. as of January 2024.

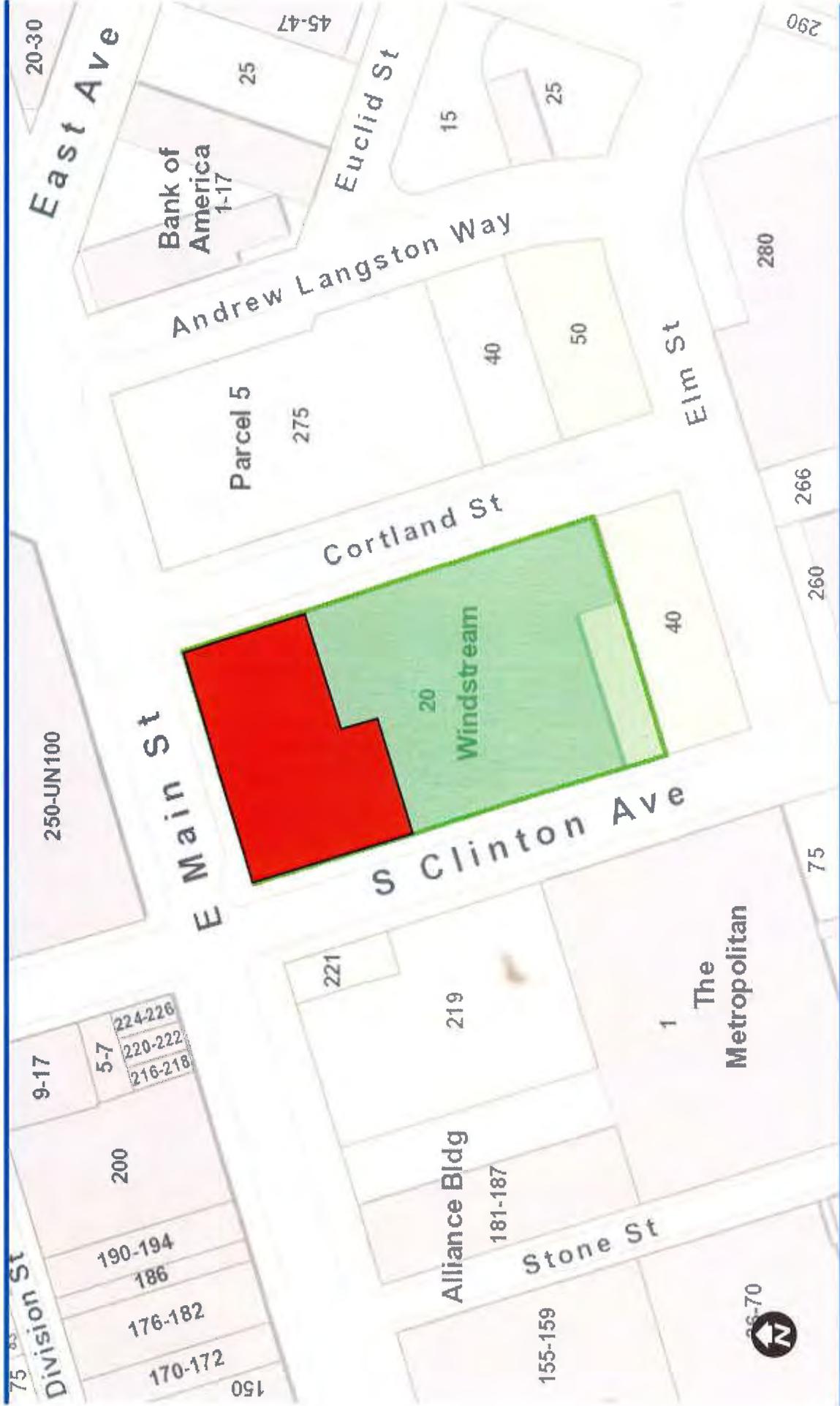
A search for alternate office space was completed with the City's Divisions of Real Estate, Architectural Services and the PAB. None of the alternate locations identified, observed and visited was deemed a suitable long-term alternative. Additional search for an alternate space will exceed the time remaining on the existing lease. This lease should be seen as a short-term option while additional options are explored for future lease/use of the PAB.

Respectfully submitted,

Malik D. Evans
Mayor



20 S Clinton Ave (aka 245 E Main St)



245 E Main St

January 2, 2024

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY

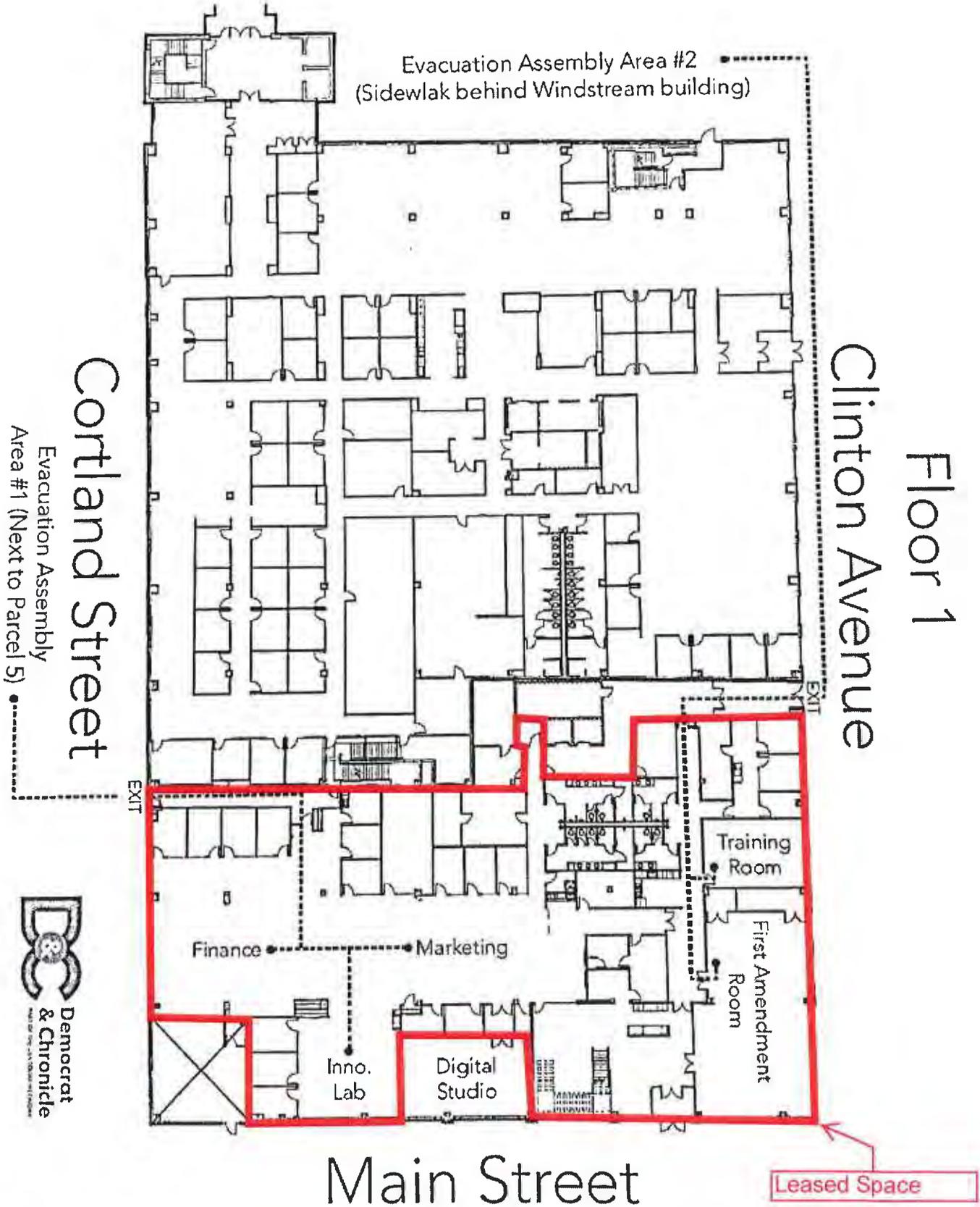


City of Rochester, NY
Malik D. Evans, Mayor

FLOOR PLAN

BELLCORNERSTONE

245 E MAIN STREET | SUB-LEASE
Rochester, NY 14604



100 E. SENECA ST.
MANLIUS, NY 13104
800.720.5052
BELLCORNERSTONE.COM

GREG CLEGHORN
315.380.5439
GCLEGHORN@BELLCORNERSTONE.COM

INTRODUCTORY NO.

65

Ordinance No.

Authorizing sublease for a portion of 245 East Main Street

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

Section 1. The City is hereby authorized to enter into a sublease agreement with Gannett Co., Inc. for up to 19,000 square feet of space located on the first floor of the building located at 245 East Main Street, being the northerly of two buildings that now share one tax parcel designated as 20 South Clinton (SBL No. 121.24-1-28.006), for use as offices for the Police Accountability Board. The sublease shall be for an initial term of one year commencing May 1, 2024 and ending April 30, 2025, with the option to extend for one additional year. The City shall pay a pro-rated share of the building's utility costs plus monthly base rent payments as follows: (a) \$29,655.83 for the months of May 2024 through December 2024; and (b) \$30,248.70 for the months of January 2025 through April 2025; and, if the one-year term extension option is exercised, (c) \$30,248.70 for the months of May 2025 through December 2025; and (d) \$30,853.67 for the months of January 2026 through April 2026.

Section 2. The sublease expenses shall be funded from the 2023-24 Budget of City Council & Clerk for the first year and from the 2024-25 Budget of the City Council & Clerk for the optional second year, contingent upon approval of the Budget for the later year.

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

Section 4. This ordinance shall take effect immediately.



Rochester Urban Renewal Agency

City Hall Room 223B
30 Church Street
Rochester, New York
14614-1290

Dana K. Miller
Secretary

**Neighborhoods, Jobs & Housing
Introductory No.**

URA -2

February 27, 2024 NBD 04

TO THE RURA:

Ladies and Gentlemen:

Re: RURA Budget, Performance Measures and Report

Transmitted herewith for your approval is legislation approving the Rochester Urban Renewal Agency (RURA) 2024-25 annual budget, performance measures for 2024, and performance measures report for 2023. These actions are required of the RURA by New York State. As such, the following documents are attached for your review and approval:

- 2024-25 Annual Budget (Attachment A)
- Performance Measures for 2024 (Attachment B)
- Performance Measures Report for 2023 (Attachment C)

A copy of these reporting documents are on file in the Office of the City Clerk and will be posted on the RURA webpage: www.cityofrochester.gov/RURA

Respectfully submitted,

Dana K. Miller
Secretary



Rochester Urban Renewal Agency

	Prior Year Actual (22/23)	Current Year Estimate (23/24)	Budget (24/25)	Budget (25/26)	Budget (26/27)	Budget (27/28)	Budget (28/29)
<u>Operating Revenues</u>							
Charges for services							
Rental & financing income							
Other operating revenues							
<u>Nonoperating Revenues</u>							
Investment earnings	\$0	0	0	0	0	0	0
State subsidies/grants							
Federal subsidies/grants							
Municipal subsidies/grants							
Public authority subsidies	\$35,700	0	0	0	0	0	0
Other nonoperating revenues							
Total Revenue Sources	\$35,700	\$0	\$0	\$0	\$0	\$0	\$0
<u>Operating Expenses</u>							
Salaries and wages							
Other employee benefits							
Professional services contracts							
Supplies and materials							
Depreciation & amortization							
Other operating expenses							
<u>Nonoperating Expenses</u>							
Interest and other financing charges							
Subsidies to other public authorities							
Grants and donations	\$0	327,550	50,000	50,000	50,000	50,000	50,000
Other nonoperating expenses	\$0	\$327,550	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Total Expenses	\$0	-\$327,550	-\$50,000	-\$50,000	-\$50,000	-\$50,000	-\$50,000
Income (Loss) Before Contributions	\$35,700						
Capital Contributions							
Excess (deficiency) of revenues and capital contributions over expenditures	\$35,700	-\$327,550	-\$50,000	-\$50,000	-\$50,000	-\$50,000	-\$50,000

Note: Projected expense amounts are budget placeholders. As specific uses for funds are identified, they will be submitted to the RURA for approval.

ROCHESTER URBAN RENEWAL AGENCY

PERFORMANCE MEASURES FOR 2024

1. Marketview Heights Urban Renewal District:

Planned – The City will continue with acquisition/relocation specialist RK Hite for acquisition and relocation services as needed, for properties to be acquired. The City will maintain compliance with the Uniform Relocation Act for all acquisition and relocation activities. Once properties are acquired there will be demolition of structures. The City will continue to engage with the neighborhood stakeholders while working towards developing neighborhood homeownership opportunities and the implementation of the MVH URD Plan.

2. Midtown Urban Renewal District:

Planned – Continue to maintain new landscape features on Parcel 5 and continue to program the site for community events.

3. Dewey Driving Park Urban Renewal District:

Planned - Business Development will install a more focused marketing plan by utilizing the City's Street Manager Program. Under the Street Manager program, consultants are hired by the City to assist Neighborhood & Business Development business marketing efforts by attending business association meetings, community/neighborhood meetings, going door-to-door to meet with business owners and other outreach efforts. Business Development will request that a portion of the scope of services for 2024 include a work plan under which the NW Street Manager would identify and contact each property owner and business owner in the District in order to make them aware of the Façade program as well as other forms of NBD assistance.

Additionally, the City is the owner of the vacant 0.32 acre commercial parcel located at 354 Driving Park Avenue. This parcel will also be marketed by the NW Street Manager. Any interested parties will be advised to submit notice of interest in narrative format to the City Real Estate Division for a potential RFP sale.

4. Bull's Head Urban Renewal Area:

Planned – Continue to advance the developer's proposed preliminary development plan which was presented to the public on January 22, 2024. Complete the Bull's Head Urban Renewal District zoning and preliminary design of public improvements with input from the developer. Begin site work for development of a new ESL Federal Credit Union branch at Bull's Head. Begin final street design in summer 2024. Continue environmental due diligence and clean-up of contaminated sites.

ROCHESTER URBAN RENEWAL AGENCY

PERFORMANCE MEASURES REPORT FOR 2023

1. Marketview Heights Urban Renewal District:

Planned – The City executed an agreement with acquisition/relocation specialist RK Hite to begin the acquisition and relocation process. The City will maintain compliance with the Uniform Relocation Act for all acquisition and relocation activities. Once properties are acquired there will be demolition of structures. A request for proposal for the purchase and redevelopment of the properties to be acquired by the City is planned to be drafted in order to provide several housing choices. The City will continue to engage with the neighborhood stakeholders while working towards developing neighborhood homeownership opportunities and the implementation of the MVH Plan.

Actual - The City is working on action items outlined in the Marketview Heights Urban Renewal District (URD) Plan, which was amended in Spring 2023 to prioritize development of home ownership opportunities. The City hosted an informational meeting in coordination with acquisition/relocation service provider RK Hite in July, for owners of properties identified for potential acquisition.

Additionally the City received a property in donation, part of 251 N. Union Street, which is strategically located and will assist with redevelopment of adjacent City-owned parcels. The City continues to work with the CAP to refine and implement the URD plan action items, and plans to increase efforts towards developing housing options and removing blight.

2. Midtown Urban Renewal District:

Planned – Continue to maintain new landscape features on Parcel 5 and continue to program the site for community events.

Actual – Parcel 5 continues to be programmed for various community events.

3. Dewey Driving Park Urban Renewal District:

Planned - Continue outreach efforts for marketing Dewey-Driving Park Targeted Commercial Exterior Façade Program. In addition, the current exterior façade program will be assessed for potential revisions to make the funding more impactful within the urban renewal district.

Actual - Business Development had extensive discussions with AGAPE Haven of Abundance regarding the potential purchase/redevelopment of the parcel at 343 Driving Park Avenue. AGAPE is a neighborhood non-profit human services agency which was looking to expand its operations. Ultimately, the project fell through due to the high level of re-development costs.

4. Bull's Head Urban Renewal Area:

Planned – Have selected developer team prepare and present a preliminary proposed development plan for public review and comments, in summer 2023. Complete the Bull's Head Urban Renewal District zoning and preliminary design of public improvements with input from a selected developer. Begin preliminary street design in spring 2023. Continue environmental due diligence and clean-up of contaminated sites.

Actual – Preliminary street design began in spring 2023. A lease with ESL Federal Credit Union for the development of a branch location at Bull's Head was authorized by City Council on December 19, 2023. The developer presented its preliminary proposed development plan to the public for review and comment on January 22, 2024. Environmental due diligence/cleanup remains a key component to creating developable ready sites.

INTRODUCTORY NO.

URA - 2

NBD 4
RURA

Resolution No. URA-

Resolution approving the Rochester Urban Renewal Agency's Annual Budget, Performance Measures, and Performance Measures Report

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Agency hereby approves the 2024-25 Annual Budget, the Performance Measures for 2024, and the Performance Measures Report for 2023 of the Rochester Urban Renewal Agency as submitted by the Secretary, and authorizes their submittal to the State of New York.

Section 2. This resolution shall take effect immediately.



66, 67

February 27, 2024

DES 05

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Authorization – New York State Office of
Parks, Recreation and Historic Preservation – Martin
Luther King Jr. Memorial Park Phase 4

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to:

1. Authorize the receipt and use of \$187,500 in awarded funding through the Environmental Protection Fund program of the New York State (NYS) Office of Parks, Recreation and Historic Preservation (OPRHP) to partially finance the design of the Martin Luther King Jr. Memorial Park Phase 4 Project; and,
2. Approve a resolution, in a form that is required by NYS OPRHP, which will approve the City's acceptance of grant funds and delegate signing authority to execute the NYS Master Contract for Grants ("Master Contract") and any amendments thereto, any deed of easement, and any other certifications that may be required.

The Project will include the design of improvements for the Court Street and Chestnut Street frontages and the southwest berm garden of Martin Luther King Jr. Memorial Park (formerly Manhattan Square Park). The street frontages and berm garden are the most visible sections of the park, however they do not convey the design aesthetic or character of the remainder of the park. These areas detract from the appearance of the park and Center City as a whole. The resolution is required by OPRHP to enter into an agreement for the grant. Upon execution of the grant agreement, a design consultant team will be selected through a request for proposal process.

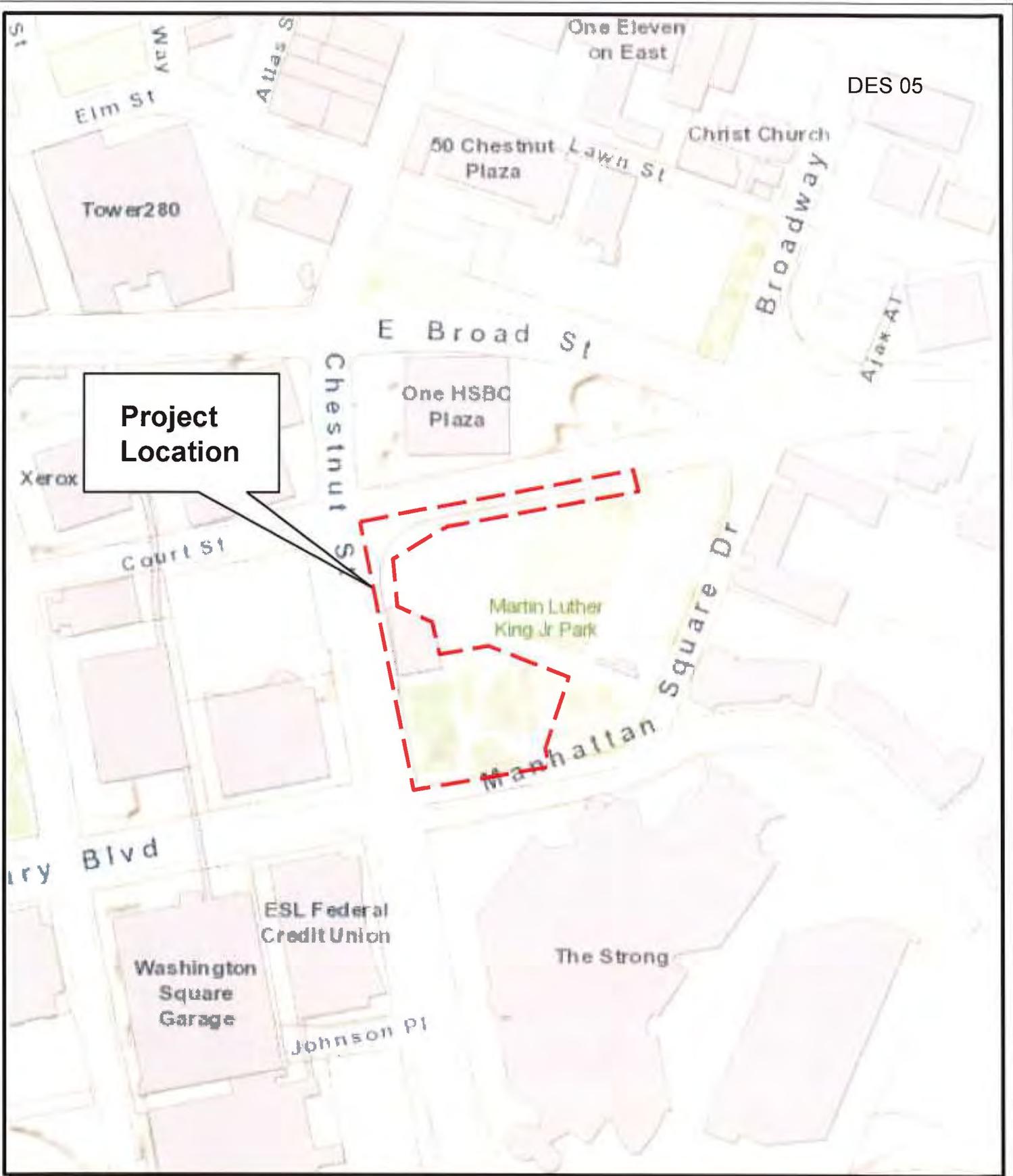
Funding for the Project was requested through the NYS Consolidated Funding Application as authorized by Ordinance No. 2023-244. The City's required matching contribution of \$62,500 is requested in the 2024-25 Capital Improvement Program.

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

Respectfully submitted,

Malik D. Evans
Mayor





**Project
Location**

DES 05

Martin Luther King Jr. Memorial Park Phase 4

Project Location Map



Map Not To Scale

Authorizing and appropriating funds for the Martin Luther King Jr. Memorial Park Phase 4 Project

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

Section 1. The Council hereby authorizes the receipt and use of \$187,500 in anticipated reimbursements from the New York State Office of Parks, Recreation and Historic Preservation through its Environmental Protection Fund Grant Program, which amount is hereby appropriated to the Martin Luther King Jr. Memorial Park Phase 4 Project (Project).

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

Section 3. This ordinance shall take effect immediately.

67

Resolution No.

Resolution appropriating Environmental Protection Fund Grant Program funds from the New York State Office of Parks, Recreation and Historic Preservation for the Martin Luther King Jr. Memorial Park Phase 4 Project

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

THAT the City of Rochester applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund Grant Program for Parks, Preservation and Heritage (EPF) for the purpose of funding the Martin Luther King Jr. Memorial Park Phase 4 Project;

THAT that the City of Rochester is authorized and directed to accept these grant funds in an amount not to exceed \$187,500 for the project described in the grant application;

THAT the City of Rochester is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for the Project;

THAT the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, and any other certifications to the individual who holds the following elected position title: Mayor.

THAT a certified copy of this resolution be filed with the OPRHP accompanied by the following certification signed, dated, and sealed by the City Clerk:

CERTIFIED TRUE COPY

I, Hazel Washington, Clerk of the City of Rochester, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on March 19, 2024, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

and

THAT this Resolution shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

**People, Parks & Public Works
Introductory No.**

68, 69, 70

Malik D. Evans
Mayor

February 27, 2024

DES 06

TO THE COUNCIL

Ladies and Gentlemen:

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

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Pueblo Nuevo Group Street Rehabilitation Project. This legislation will:

1. Authorize the issuance of street bonds totaling \$3,775,000 and the appropriation of the proceeds thereof to finance the street portion of the construction and resident project representation (RPR) services for the Project; and,
2. Authorize the issuance of water bonds totaling \$284,000 and the appropriation of the proceeds thereof to finance the water portion of the construction and RPR services for the Project; and,
3. Establish \$650,000 as maximum compensation for a professional services agreement with C&S Engineers, Inc. (Aileen Maguire Meyer, President, 100 South Clinton Avenue, Suite 2700, 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.

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

The Project was designed by the City of Rochester Department of Environmental Services (DES) Bureau of Architecture and Engineering, Street Design Division with design support from Fisher Associates, P.E., L.S., L.A., D.P.C. through a Civil Engineering Professional Term Services Agreement authorized by Ordinance 2020-225.

C&S Engineers, 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 January 16, 2024. The apparent low bid of \$3,719,000.65 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, ROW & Material Testing	Street Lighting	Construction	RPR	Contingency	Total
Bonds authorized herein	0	0	3,012,852.65	611,500	150,647.35	\$3,775,00
Water bonds authorized herein	0	0	236,533	38,500	8,967	\$284,000
Pure Waters reimbursement authorized Ordinance No. 2024-40	0	0	465,365	0	25,000	\$490,365
Prior Years Cash Capital	369.46	0	0	0	0	\$369.46
2012-13 Cash Capital	1,720	0	0	0	0	\$1,720
2016-17 Cash Capital	21,551.32	0	0	0	0	\$21,551.32
2018-19 Cash Capital	298	0	0	0	0	\$298
2020-21 Cash Capital	36,900	0	0	0	0	\$36,900
2021-22 Cash Capital	2,937.60	0	0	0	0	\$2,937.60
2023-24 Cash Capital	0	13,300	4,250	0	0	\$17,550
Total	\$63,776.38	\$13,300	\$3,719,000.65	\$650,000	\$184,614.35	\$4,630,691.38

Construction is anticipated to begin in spring 2024 and be substantially complete in fall 2024. The funds authorized herein will result in the creation and/or retention of the equivalent of 49.6 full-time jobs.

The term of the agreement shall be three months after the completion of the two-year guarantee inspection of the Project.

Respectfully submitted,

Malik D. Evans
Mayor

Vendor / Consultant Selection Process Summary

DES 06

Department: ENVIRONMENTAL SERVICES
Project / Service Title: PUEBLO NUEVO GROUP REHABILITATION / RPR SERVICES
Consultant Selected: C&S COMPANIES
Method of selection: X Request for Proposal [*Complete 1-7*]
_____ Request for Qualifications [*Complete 1-7*]
_____ From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-7*]

1. Date RFP / RFQ issued: DECEMBER 13, 2023

2. The RFP / RFQ was sent directly to:

Arcadis	Rochester, NY 14604
Barton & Loguidice, DPC	Rochester, NY 14614
Bergmann Associates	Rochester, NY 14604
C&S Companies	Rochester, NY 14614
CHA Consulting, Inc.	Rochester, NY 14614
Clark Patterson Lee (CPL)	Rochester, NY 14604
DiDonato Associates	Buffalo, NY 14203
Erdman Anthony	Rochester, NY 14620
Fisher Associates	Rochester, NY 14607
Greenman-Pedersen, Inc. (GPI)	Rochester, NY 14604
Hunt Engineers, DPC	Rochester, NY 14614
Kubit Engineering, PLLC	Tonawanda, NY 14120
LaBella Associates, DPC	Rochester, NY 14614
LaLand Baptiste, LLC	Rochester, NY 14614
Liro Engineers	Rochester, NY 14614
Joseph C. Lu Engineers, PC	Rochester, NY 14604
Passero Associates	Rochester, NY 14614
Popli Design Group	Penfield, NY 14526
Prudent Engineering, LLP	Rochester, NY 14614
Ravi Engineering & LS, PC	Rochester, NY 14618
Stantec Consulting Services	Rochester, NY 14614
T.Y. Lin International	Rochester, NY 14604
Vanguard Engineering, PC	Rochester, NY 14608

3. Proposals were received from:

C&S Companies	Rochester, NY 14614
Clark Patterson Lee (CPL)	Rochester, NY 14604
Hunt Engineers, DPC	Rochester, NY 14614
LaBella Associates, DPC	Rochester, NY 14614
Joseph C. Lu Engineers, PC	Rochester, NY 14604

DES 06

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting Points possible</u>	<u>Points received by FIRM</u>
Firm Qualifications	10.00	7.25
Team Qualifications	50.00	37.75
Technical Proposal	40.00	24.75
SUBTOTAL (TT)	100	69.75

Bonus Points

City business: (+10% of total)	7.00
Prime is an MWBE: (+10% of total)	0.00
Prime uses 10% - 20% MWBE subs (+5% of total)	0.00
Prime uses 20%+ MWBE subs (+10% of total)	7.00
<u>Workforce goals for M & W met (+10% of total)</u>	0.00
BONUS POINTS SUBTOTAL (BP)	14.00

TOTAL POINTS RECEIVED by the Firm: TT + BP =	83.75 ~ 84
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5. Review team included staff from: DES / Construction (3), DES / Street Design (1)

6. Additional considerations / explanations: None

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals.

MWBE Officer Initials: *S.M.D.*

Date: *1/17/24*

Form date 1/4/19

PUEBLO NUEVO IMPROVEMENT PROJECT

Hoeltzer Street - N Clinton Ave to Joseph Ave
Sullivan Street - N Clinton Ave to Joseph Ave
O'Brien Street - West end to Joseph Ave
Kappel Place - West End to N Clinton Ave

DES 06



City of Rochester, NY

Legend

-  Bicycle Blvd
-  Project Location



Avenue A Bike Blvd

SULLIVAN
STREET

O'BRIEN
STREET

HOELTZER
STREET

KAPPEL
PLACE

Oakman St Bike Blvd



City of Rochester, NY
Malik D. Evans, Mayor
Rochester City Council

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,775,000 Bonds of said City to finance the Pueblo Nuevo Group Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of the Pueblo Nuevo Group Street Rehabilitation Project that includes pavement reconstruction, pavement milling and resurfacing, new curbs, sidewalks, curb ramps, new driveway aprons, signage, catch basins, adjustment and/or repair of manholes, and other improvements for the street group comprised of Sullivan Street (North Clinton Avenue to Joseph Avenue), O'Brien Street (west end to Joseph Avenue), Hoeltzer Street (North Clinton Avenue to Joseph Avenue) and Kappel Place (west end to North Clinton 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 \$4,343,691.38. The plan of financing includes the issuance of \$3,775,000 bonds of the City, which amount is hereby appropriated for the Project, \$490,365 in anticipated reimbursements from Monroe County appropriated in Ordinance No. 2024-40, \$369.46 in Prior Years' Cash Capital, \$1,720 in 2012-13 Cash Capital, \$21,551.32 in 2016-17 Cash Capital, \$298 in 2018-19 Cash Capital, \$33,900 in 2020-21 Cash Capital, \$2,937.60 in 2021-22 Cash Capital, \$17,550 in 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 \$3,775,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$3,775,000. 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.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$284,000 Bonds of said City to finance water service improvements associated with the Pueblo Nuevo Group Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of water service improvements, including hydrant relocations, and adjustments, repairs or replacement of water mains, water services and water valve casings and other improvements associated with Pueblo Nuevo Group Street Rehabilitation Project comprised of Sullivan Street (North Clinton Avenue to Joseph Avenue), O'Brien Street (west end to Joseph Avenue), Hoeltzer Street (North Clinton Avenue to Joseph Avenue) and Kappel Place (west end to North Clinton 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 \$287,000. The plan of financing includes the issuance of \$284,000 bonds of the City, which amount is hereby appropriated for the Project, \$3,000 in 2020-21 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 \$284,000 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 \$284,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby

irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

70

Ordinance No.

Authorizing an agreement for the Pueblo Nuevo Group Street Rehabilitation Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with C & S Engineers, Inc. to provide Resident Project Representation services for the Pueblo Nuevo Group Street Rehabilitation Project (Project). The maximum compensation for the agreement shall be \$650,000, which shall be funded in the amounts of \$611,500 from the proceeds of street bonds appropriated for the Project in a concurrent ordinance and \$38,500 from the proceeds of water bonds appropriated for the Project in a concurrent ordinance. The term of the agreement shall continue to three months after the completion of the two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.



71, 72

February 27, 2024

DES 07

TO THE COUNCIL

Ladies and Gentlemen:

Re: Hazardous Sidewalk Replacement Program
Northeast Quadrant Contract 2024 – Phase 1

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 Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 – Phase 1. The legislation will:

1. Authorize the issuance of bonds totaling \$3,000,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction for the Project; and,
2. Authorize an amendatory professional services agreement with Vanguard Engineering, P.C. (Joseph C. Ardieta, C.E.O., 133 South Fitzhugh Street, Rochester, New York) to provide resident project representation (RPR) services for the Project. The original agreement for \$300,000 as authorized by Ordinance No. 2022-58 and amended by Ordinance 2023-43 to \$500,000 was to provide RPR services for sidewalk projects located in the city's Northwest quadrant. This amendment will extend the RPR services to this Project and increase the compensation by \$325,000 to a maximum total of \$825,000. The cost of extending the RPR services to the Project will be funded from the sources outlined in the funding chart.

The Project will replace sidewalk sections (i.e., flags) that are in hazardous condition at various locations within a portion of the Northeast Quadrant of the City. The Project also includes full sidewalk replacement on Arnold Park.

The Project was designed by the City of Rochester Department of Environmental Services (DES), Bureau of Architecture and Engineering, Street Design Division.

Bids for construction were received on January 4, 2024. The apparent low bid of \$3,498,202.90 was submitted by Espana Enterprises, LLC (Robert Lawless, C.E.O., 174 Colvin Street, Rochester, New York).

The Project will be funded as follows:

Source of Funds	Construction	RPR	Contingency	Total
Bonds authorized herein	3,000,000	0	0	\$3,000,000
2021-22 Cash Capital	367,160.20	234,535	0	\$601,695.20
2023-24 Cash Capital	131,042.70	90,465	63,492.30	\$285,000
Total	\$3,498,202.90	\$325,000	\$63,492.30	\$3,886,695.20



Construction is anticipated to begin in spring 2024 and be substantially complete in fall 2024. The construction and professional services amendatory will result in the creation and/or retention of the equivalent of 42.2 full-time jobs.

The term of the agreement shall be one year with the option to extend for one additional one-year term.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Malik D. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1

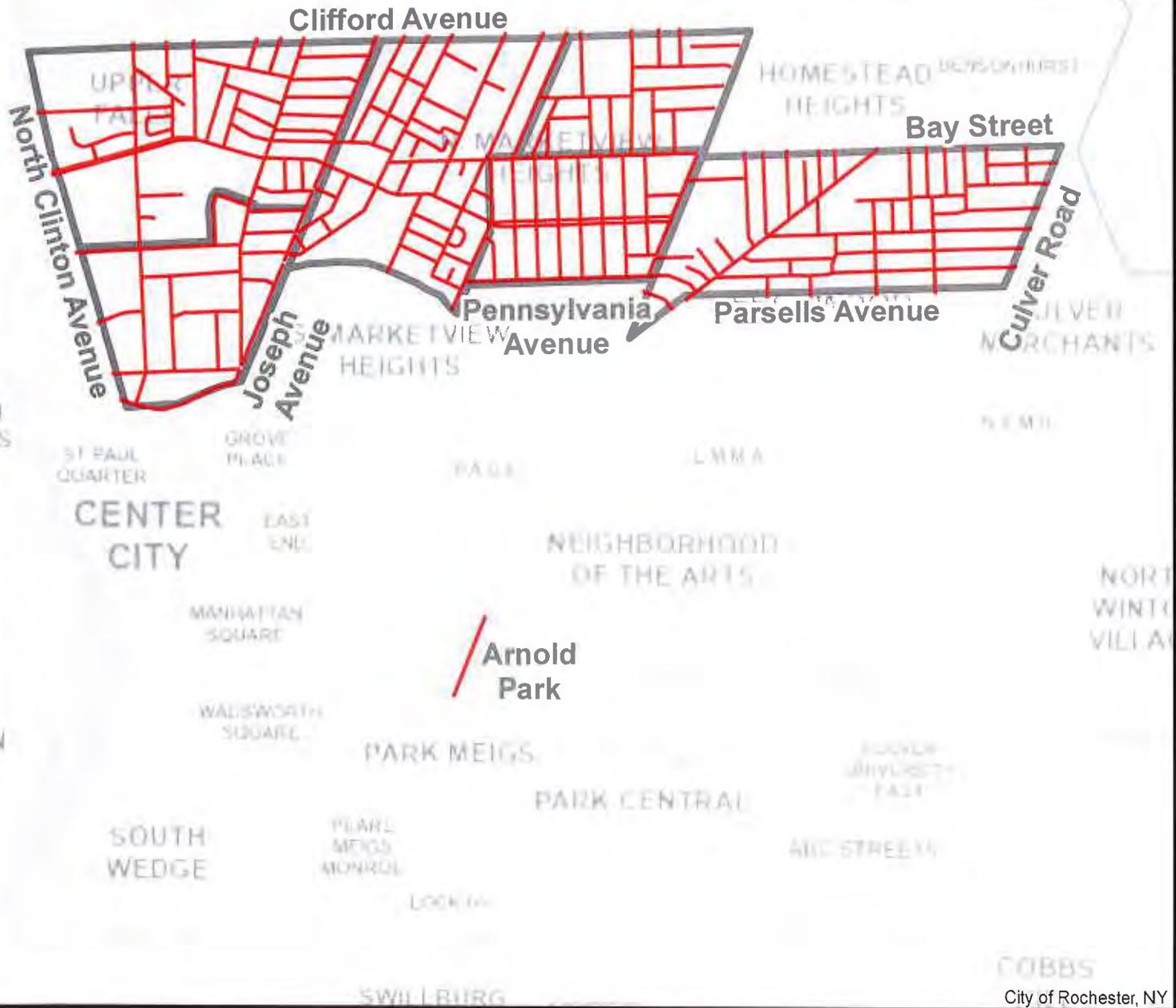
DES 07



City of Rochester, NY



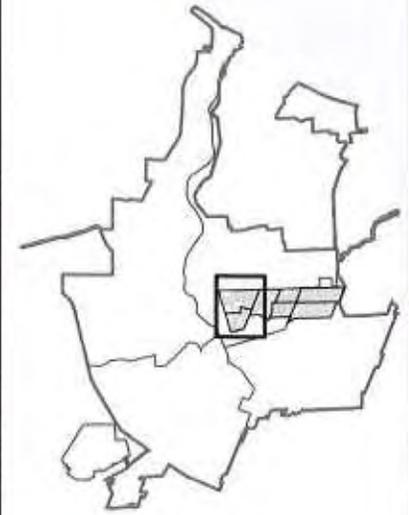
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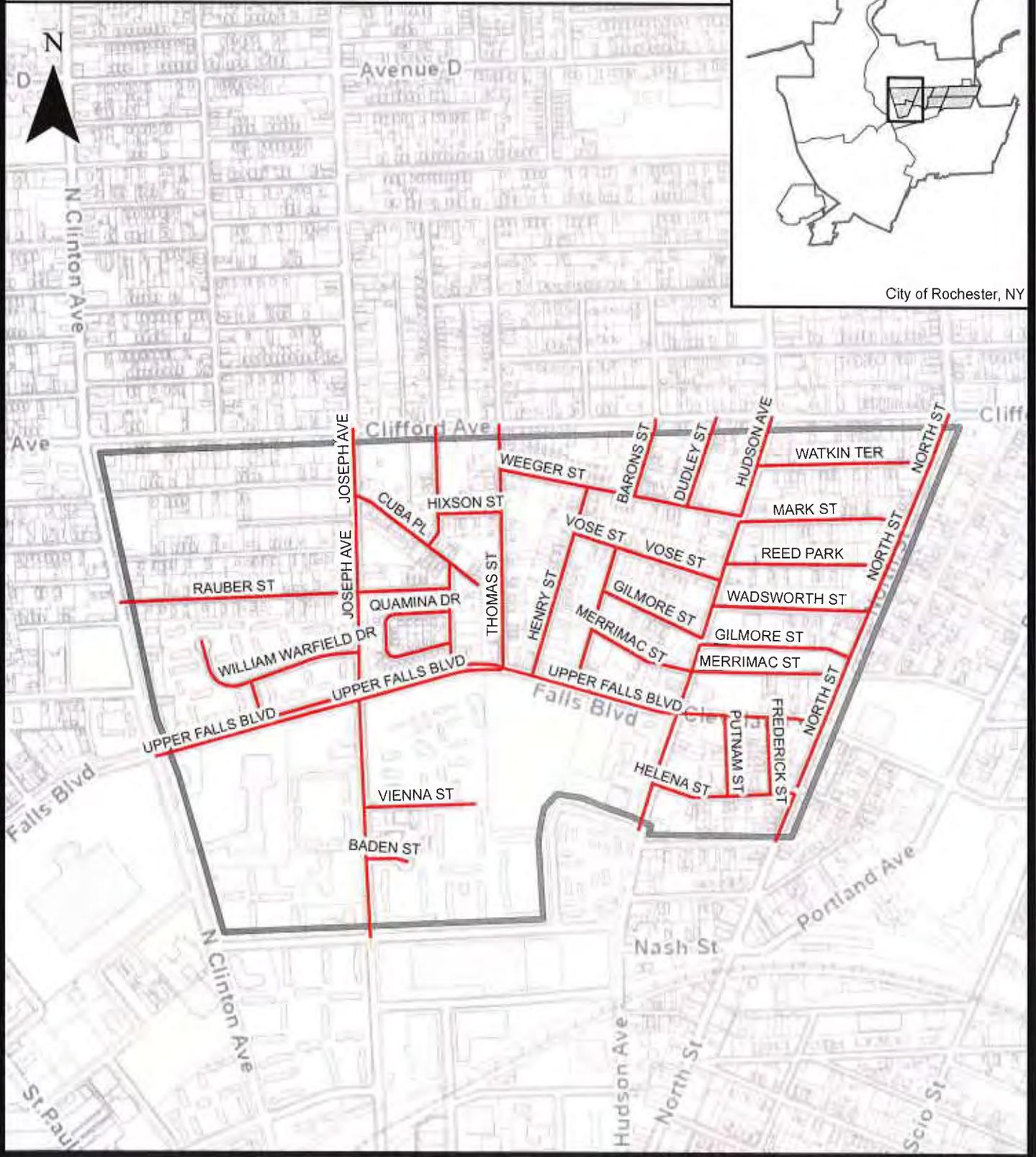
City of Rochester, NY

Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1 Section 3

DES 07

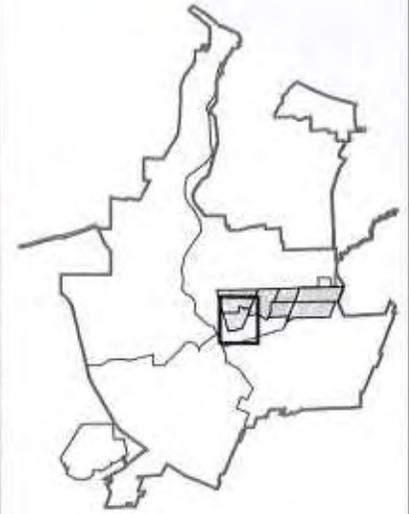


City of Rochester, NY

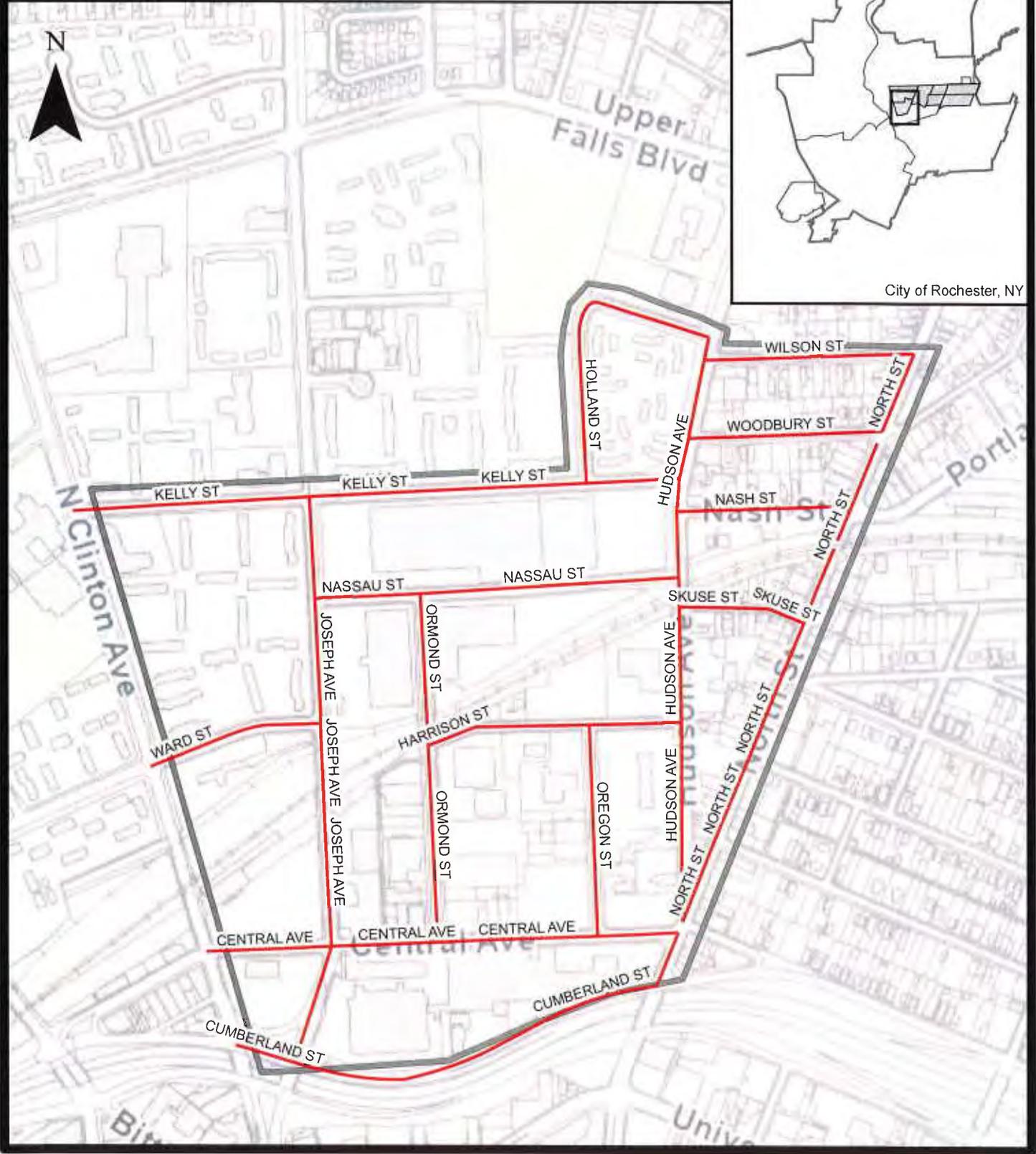


Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1 Section 4

DES 07

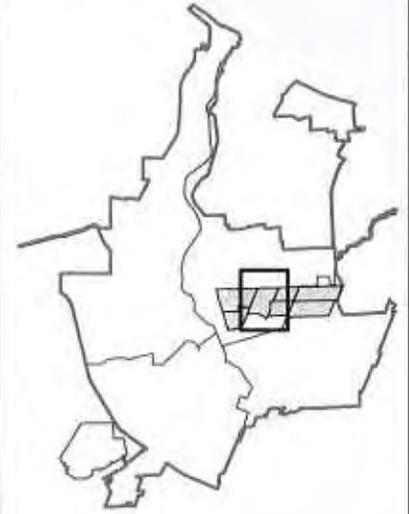


City of Rochester, NY



Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1 Section 5

DES 07



City of Rochester, NY

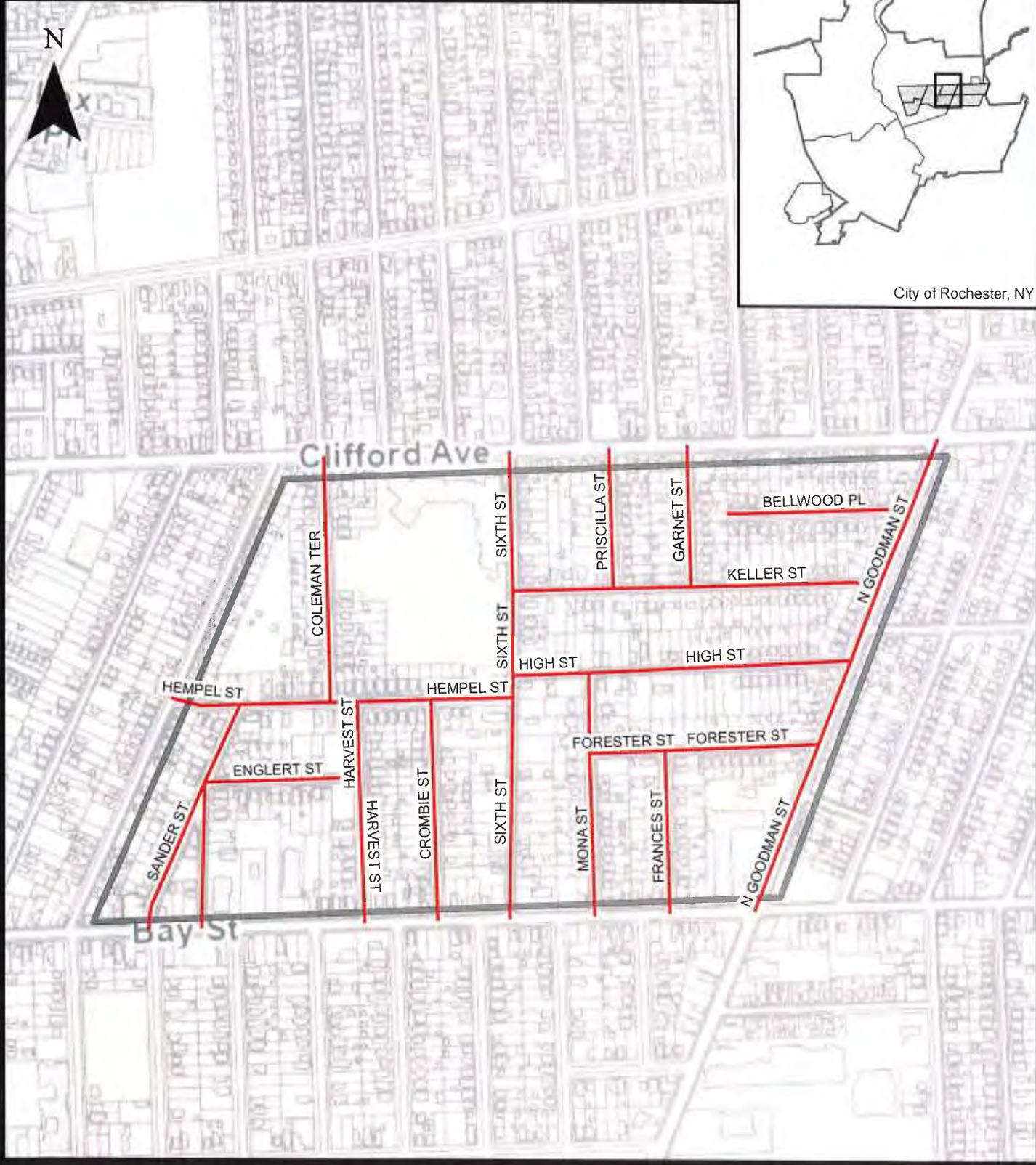


Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1 Section 6

DES 07

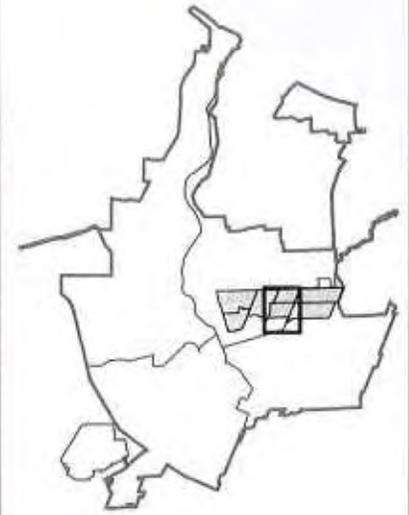


City of Rochester, NY

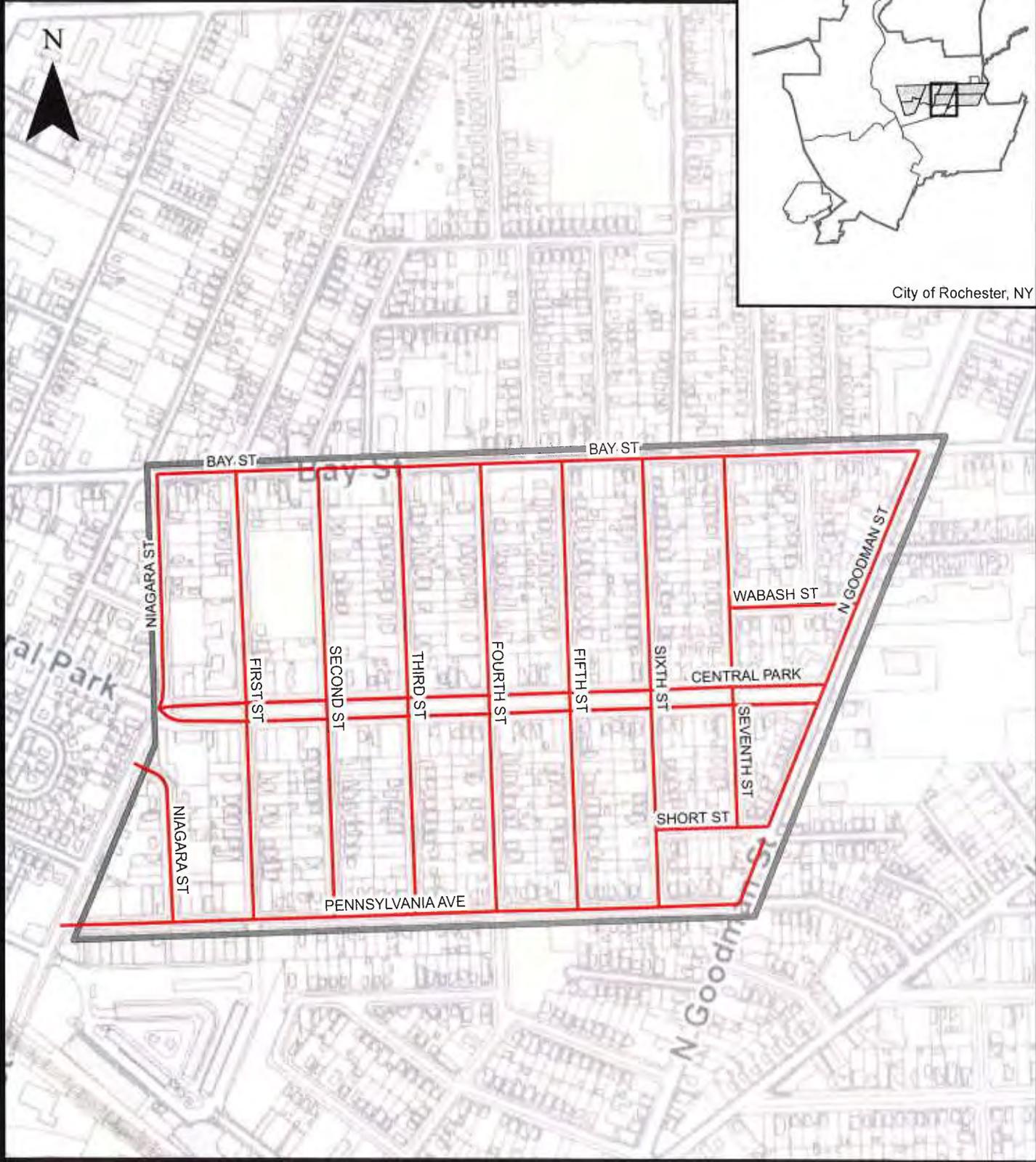


Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1 Section 7

DES 07

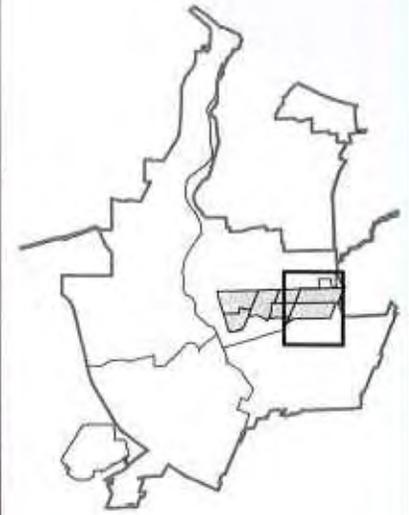


City of Rochester, NY

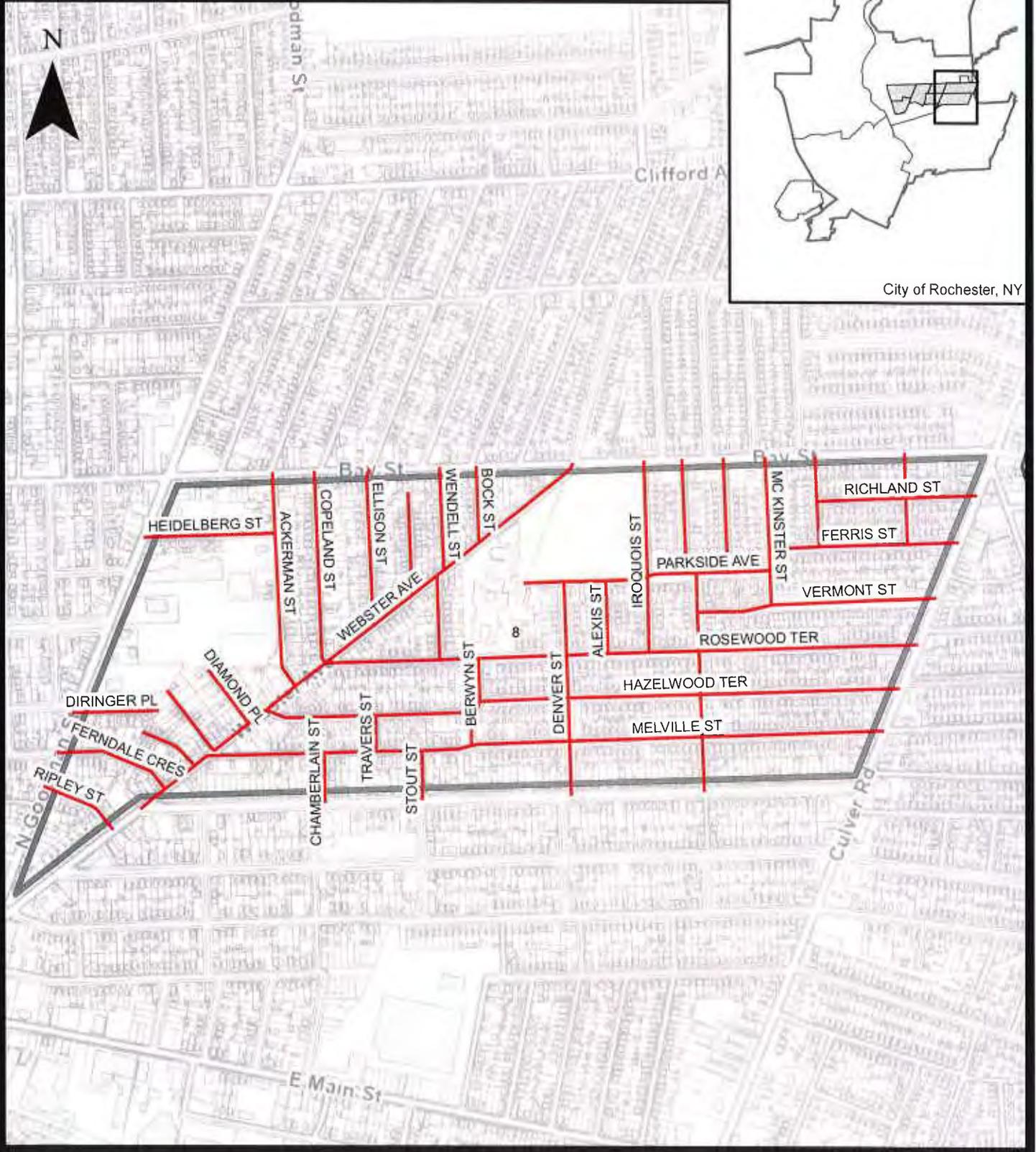


Hazardous Sidewalk Replacement Program 2024 Northeast Quadrant Phase 1 Section 8

DES 07



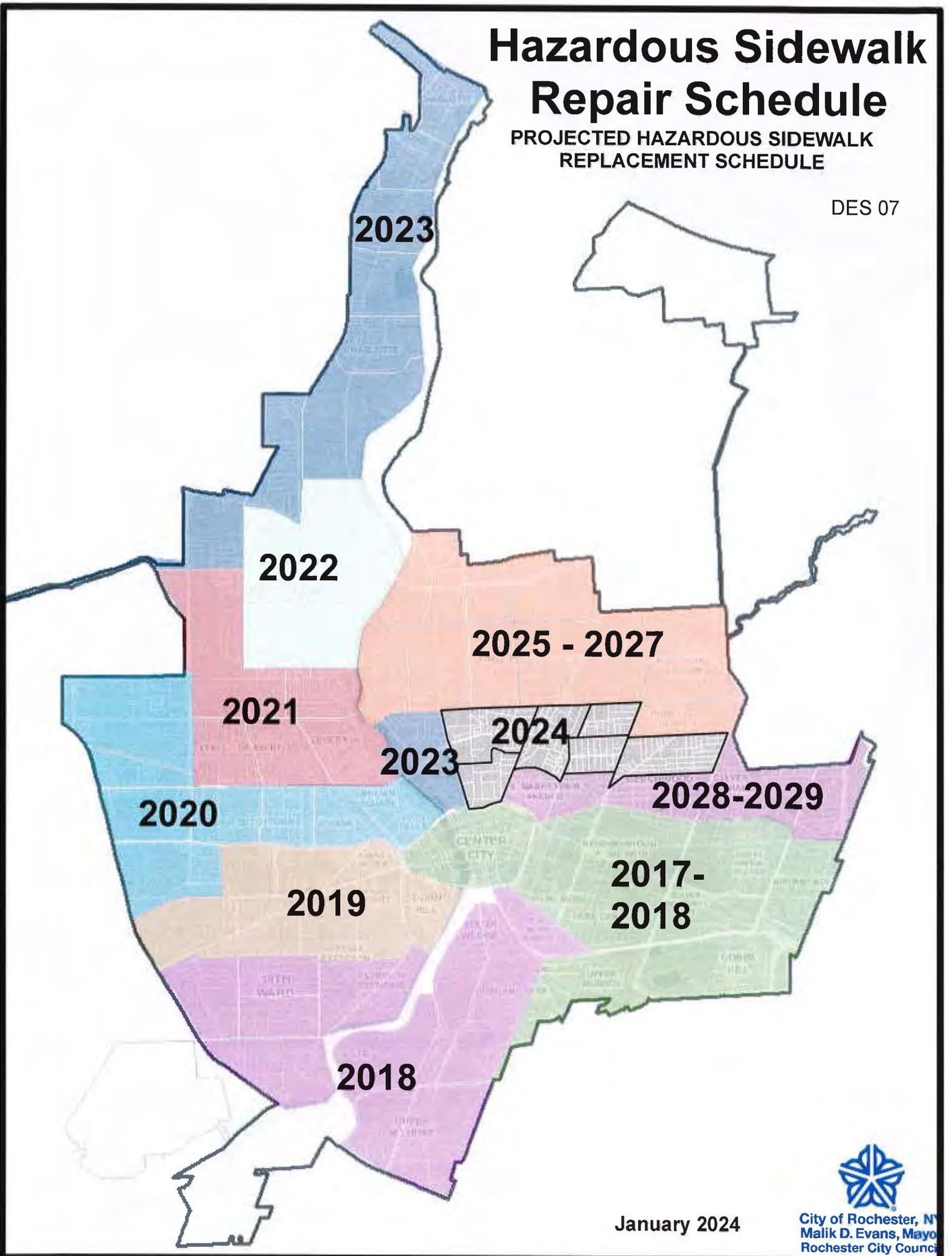
City of Rochester, NY



Hazardous Sidewalk Repair Schedule

PROJECTED HAZARDOUS SIDEWALK REPLACEMENT SCHEDULE

DES 07



January 2024



City of Rochester, NY
Malik D. Evans, Mayor
Rochester City Council

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance certain costs of the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1 along the street segments specified on the attached Project Street List (Exhibit A), including replacing hazardous sidewalk sections (flags) along the listed streets (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,886,695.20. The plan of financing includes the issuance of \$3,000,000 bonds of the City, which amount is hereby appropriated for the Project, \$601,695.20 from 2021-22 Cash Capital, \$285,000 from 2023-24 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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

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

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 24 of the Law, is ten (10) years.

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

annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

Exhibit A

Project Street List

The Project entails replacing hazardous sidewalk flags along the following street segments:

STREET	(FROM TO TO)
ACKERMAN ST	(from WEBSTER AVE to BAYCLIFF DR)
ALEXIS ST	(from ROSEWOOD TER to PARKSIDE AVE)
ARNOLD PARK	(from EAST AVE to PARK AVE)
BADEN ST	(from JOSEPH AVE to CHATHAM GDNS)
BARONS ST	(from WEEGER ST to CLIFFORD AVE)
BAY ST	(from PORTLAND AVE to N GOODMAN ST)
BELLWOOD PL	(from WEST END to N GOODMAN ST)
BERWYN ST	(from MELVILLE ST to ROSEWOOD TER)
BOCK ST	(from WEBSTER AVE to BAY ST)
BOTT PL	(from SOUTH END to BAY ST)
CASPAR ST	(from PORTLAND AVE to EAST END)
CENTRAL AVE	(from N CLINTON AVE to NORTH ST)
CENTRAL PARK	(from PORTLAND AVE to N GOODMAN ST)
CHAMBERLAIN ST	(from PARSELLS AVE to MELVILLE ST)
CLEVELAND ST	(from HUDSON AVE to NORTH ST)
COLEMAN TER	(from HEMPEL ST to MANITOU ST)
CONCORD ST	(from NORTH ST to DRAPER ST)
COPELAND ST	(from WEBSTER AVE to CUMMINGS ST)
COUNCIL ST	(from PORTLAND AVE to MILLER ST)
COVERLY ST	(from FERRIS ST to BAY ST)
CROMBIE ST	(from BAY ST to HEMPEL ST)
CUBA PL	(from JOSEPH AVE to EAST END)
CUMBERLAND ST	(from N CLINTON AVE to NORTH ST)
DAKE ST	(from HEBARD ST to NIAGARA ST)
DENVER ST	(from PARSELLS AVE to PARKSIDE AVE)
DIAMOND PL	(from WEBSTER AVE to EAST END)
DIRINGER PL	(from N GOODMAN ST to EAST END)
DRAPER ST	(from NORTH ST to PORTLAND AVE)
DUDLEY ST	(from WEEGER ST to CLIFFORD AVE)
EDWARD ST	(from UPPER FALLS BLVD to VOSE ST)
ELIZABETH PL	(from IRONDEQUOIT ST to MILLER ST)
ELLISON ST	(from WEBSTER AVE to BAY ST)
ENGLERT ST	(from SANDER ST to HARVEST ST)
FERNDAL CRES	(from PENNSYLVANIA AVE to WEBSTER AVE)
FERRIS ST	(from MCKINSTER ST to CULVER RD)
FIFTH ST	(from PENNSYLVANIA AVE to BAY ST)
FIRST ST	(from PENNSYLVANIA AVE to BAY ST)
FORESTER ST	(from MONA ST to N GOODMAN ST)
FOURTH ST	(from PENNSYLVANIA AVE to BAY ST)
FRANCES ST	(from BAY ST to FORESTER ST)
FREDERICK ST	(from HELENA ST to CLEVELAND ST)
FROMM PL	(from CENTRAL PARK to MILLER ST)

GARNET ST	(from KELLER ST to CLIFFORD AVE)
GILMORE ST	(from EDWARD ST to NORTH ST)
GRACE ST	(from NORTH ST to CONCORD ST)
GREELEY ST	(from PARSELLS AVE to BAY ST)
HARRISON ST	(from ORMOND ST to HUDSON AVE)
HARVEST ST	(from BAY ST to COLEMAN TER)
HAZELWOOD TER	(from WEBSTER AVE to CULVER RD)
HEBARD ST	(from TRINIDAD ST to BAY ST)
HEIDELBERG ST	(from N GOODMAN ST to ACKERMAN ST)
HELENA ST	(from HUDSON AVE to NORTH ST)
HEMPEL ST	(from FIRST ST to SIXTH ST)
HENRY ST	(from UPPER FALLS BLVD to WEEGER ST)
HIGH ST	(from SIXTH ST to N GOODMAN ST)
HIXSON ST	(from MARIA ST to THOMAS ST)
HOLLAND ST	(from KELLY ST to HUDSON AVE)
HOLLISTER ST	(from MERRIMAC ST to CLIFFORD AVE)
HUDSON AVE	(from NORTH ST to CLIFFORD AVE)
IRONDEQUOIT ST	(from PORTLAND AVE to ELIZABETH PL)
IROQUOIS ST	(from ROSEWOOD TER to BAY ST)
JOSEPH AVE	(from CUMBERLAND ST to CLIFFORD AVE)
KELLER ST	(from SIXTH ST to N GOODMAN ST)
KELLY ST	(from N CLINTON AVE to HUDSON AVE)
LAMONT PL	(from WEBSTER AVE to EAST END)
LANGIE AL	(from PORTLAND AVE to CONCORD ST)
LANSING ST	(from LINCOLN ST to PORTLAND AVE)
LINCOLN ST	(from MERRIMAC ST to CLIFFORD AVE)
LOCHNER PL	(from PORTLAND AVE to EAST END)
MARIA ST	(from CUBA PL to CLIFFORD AVE)
MARK ST	(from HUDSON AVE to NORTH ST)
MC KINSTER ST	(from VERMONT ST to BAY ST)
MELVILLE ST	(from WEBSTER AVE to CULVER RD)
MERRIMAC ST	(from EDWARD ST to PORTLAND AVE)
MESSINA ST	(from TRINIDAD ST to NORTH END)
MILLER ST	(from BAY ST to CLIFFORD AVE)
MONA ST	(from BAY ST to HIGH ST)
N GOODMAN ST	(from PENNSYLVANIA AVE to BAY ST)
N UNION ST	(from RAILROAD to BAY ST)
NASH ST	(from HUDSON AVE to PORTLAND AVE)
NASSAU ST	(from JOSEPH AVE to HUDSON AVE)
NETHERTON ROAD	(from NETHERTON RD to NETHERTON RD)
NIAGARA ST	(from CENTRAL PARK to BAY ST)
NIAGARA ST	(from PENNSYLVANIA AVE to N UNION ST)
NORTH ST	(from CUMBERLAND ST to CLIFFORD AVE)
OREGON ST	(from CENTRAL AVE to HARRISON ST)
PARKSIDE AVE	(from WEST END to MCKINSTER ST)
PENNSYLVANIA AVE	(from N UNION ST to N GOODMAN ST)
PETERS PL	(from HEBARD ST to HEBARD ST)
PORTLAND AVE	(from NORTH ST to CLIFFORD AVE)
PRISCILLA ST	(from KELLER ST to NICHOLS ST)
PUTNAM ST	(from HELENA ST to CLEVELAND ST)
QUAMINA DR	(from WIDMAN ST to WIDMAN ST)

RAUBER ST (from N CLINTON AVE to WIDMAN ST)
 REED PARK (from HUDSON AVE to NORTH ST)
 RICHLAND ST (from VARDEN ST to CULVER RD)
 RIPLEY ST (from N GOODMAN ST to WEBSTER AVE)
 RITZ ST (from SCIO ST to HEBARD ST)
 ROBERT WARFIELD CT (from UPPER FALLS BLVD to WILLIAM WARFIELD DR)
 ROHR ST (from BAY ST to CLIFFORD AVE)
 ROSEWOOD TER (from WEBSTER AVE to CULVER RD)
 SANDER ST (from THIRD to HEMPEL ST)
 SCIO ST (from RAILROAD to CENTRAL PARK)
 SECOND ST (from PENNSYLVANIA AVE to BAY ST)
 SEVENTH ST (from SHORT to BAY ST)
 SHAFER ST (from ROSEWOOD TER to WEBSTER AVE)
 SHORT ST (from SEVENTH ST to N GOODMAN ST)
 SIGEL ST (from CENTRAL PARK to ZIMMER ST)
 SIXTH ST (from PENNSYLVANIA AVE to BAY ST)
 SKUSE ST (from HUDSON AVE to NORTH ST)
 STEVENS ST (from LINCOLN ST to PORTLAND AVE)
 STOUT ST (from PARSELLS AVE to MELVILLE ST)
 STUNZ ST (from WEBSTER AVE to EAST END)
 TERESA ST (from BAY ST to SANDER ST)
 THIRD ST (from PENNSYLVANIA AVE to BAY ST)
 THOMAS ST (from UPPER FALLS BLVD to CLIFFORD AVE)
 TRAVERS ST (from MELVILLE ST to HAZELWOOD TER)
 TRINIDAD ST (from HEBARD ST to N UNION ST)
 UPPER FALLS BLVD (from N CLINTON AVE to HUDSON AVE)
 VARDEN ST (from FERRIS ST to BAY ST)
 VERMONT ST (from GREELEY ST to CULVER RD)
 VETTER ST (from SCIO ST to HEBARD ST)
 VIENNA ST (from JOSEPH AVE to EAST END)
 VOSE ST (from HENRY ST to REED PARK)
 WABASH ST (from EIGHT ST to N GOODMAN ST)
 WADSWORTH ST (from HUDSON AVE to NORTH ST)
 WAIT ST (from SCIO ST to HEBARD ST)
 WANGMAN ST (from HEBARD ST to N UNION ST)
 WARD ST (from N CLINTON AVE to JOSEPH AVE)
 WATKIN TER (from HUDSON AVE to NORTH ST)
 WEBSTER AVE (from PARSELLS AVE to BAY ST)
 WEBSTER CRES (from WEST END to WEBSTER AVE)
 WEEGER ST (from THOMAS ST to HUDSON AVE)
 WENDELL ST (from WEBSTER AVE to MORTON ST)
 WESLEY ST (from PORTLAND AVE to CONCORD ST)
 WIDMAN ST (from UPPER FALLS BLVD to CUBA PL)
 WILLIAM WARFIELD DR (from NORTH END to JOSEPH AVE)
 WILSON ST (from HUDSON AVE to NORTH ST)
 WOODBURY ST (from HUDSON AVE to CONCORD ST)
 WRIGHT TER (from MILLER ST to EAST END)
 ZIMMER ST (from BAY ST to CASPAR ST)

INTRODUCTORY NO.

72

Ordinance No.

Authorizing an amendatory agreement for the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1

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 Vanguard Engineering, P.C. to provide additional Resident Project Representative (RPR) services for hazardous sidewalk replacement projects. The amendatory agreement shall amend the original agreement authorized in Ordinance No. 2022-58 and as amended by Ordinance No. 2023-43, by extending the scope of RPR services to the Hazardous Sidewalk Replacement Program Northeast Quadrant Contract 2024 - Phase 1 and increasing the maximum compensation by \$325,000 to a new total of \$825,000. The amendatory compensation shall be funded in the amounts of \$234,535 from 2021-22 Cash Capital and \$90,465 from 2023-24 Cash Capital. The term of the amended agreement shall extend for one year with the option to extend for one additional year.

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

Section 3. This ordinance shall take effect immediately.



February 27, 2024

DES 08

TO THE COUNCIL

Ladies and Gentlemen:

Re: Charles Carroll Plaza and Genesee Crossroads
Parking Garage Roof Slab Reconstruction Project

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project. This legislation will:

1. Authorize the receipt and use of \$1,000,000 of funding from Rochester Gas and Electric Corporation to partially finance the design, construction, construction administration, and construction management/residential project representation (CM/RPR) services for phase three of the Project - State Street Connection; and,
2. Authorize the issuance of bonds totaling \$880,000 and the appropriation of the proceeds thereof to partially finance the construction of the Project; and,
3. Authorize an amendatory agreement with T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Radley, C.E.O., 255 East Avenue, Rochester, New York) which was originally authorized in Ordinance No. 2015-71 and as amended in Ordinance Nos. 2016-404, 2019-96, 2021-294, 2022-277, and 2023-102. This amendment will increase the compensation by \$75,000 for a maximum total of \$2,815,000. The amendatory agreement authorized herein will fund design and construction administration services for the Project. The cost of the amendatory agreement will be funded from the sources outlined in the funding chart below; and,
4. Authorize an amendatory agreement with LiRo Engineers, Inc. (Rocco Trotta PE, C.E.O., 3 Aerial Way, Syosset, New York) which was originally authorized in Ordinance No. 2020-67 and as amended in Ordinance No. 2021-294. This amendment will increase the compensation by \$300,000 for a maximum total of \$3,529,000. The amendatory agreement authorized herein will fund construction management/residential project representation (CM/RPR) services for the Project. The cost of the amendatory agreement will be funded from the sources outlined in the funding chart below.

Charles Carroll Plaza is located on the west side of the Genesee River between Main Street and Andrews Street. Much of the plaza is built on top of the Genesee Crossroads Parking Garage roof.

Phase one of this ROC the Riverway project included renovation and extension of the Sister Cities Bridge to achieve a bicycle friendly, fully ADA accessible link across the Genesee River from Bragdon Place to the Charles Carroll Plaza.



Phase two includes the removal of the plaza to perform structural repairs to the garage roof slab underneath, replacement of the slab waterproofing system, and construction of a modernized plaza, with an updated, naturally flowing space with ADA accessible connections serving as a critical link in the Genesee Riverway Trail system.

Phase three of the Project, which will improve pedestrian access to the plaza and Genesee Riverway Trail from State Street, and will include the removal of existing steps, construction of an ADA accessible sidewalk connection, and park gateway signage.

The Project was designed by with T.Y. Lin International Engineering & Architecture, P.C. and CM/RPR services for the project are provided by LiRo Engineers, Inc. The amendatory agreements authorized herein will fund additional services related to addition of phase three - State Street Connection.

The Project will be funded as follows:

Funding Source	Design	Construction	CM/RPR	Total
2012-13 Cash Capital Ordinance No. 2015-71	250,000	0	0	\$250,000
2013-14 Cash Capital Ordinance No. 2015-71	300,000	0	0	\$300,000
2014-15 Cash Capital Ordinance No. 2015-71	150,000	0	0	\$150,000
NYSDOS appropriated Ordinance No. 2016-404	400,000	0	0	\$400,000
URI / NYSDOS appropriated Ordinance No. 2019-96	1,100,000	0	0	\$1,100,000
URI / NYSDOS appropriated (Phase one) Ordinance No. 2020-67	0	5,500,000	0	\$5,500,000
Bonds authorized Ordinance No. 2020-68	0	0	1,250,000	\$1,250,000
URI / NYSDOS appropriated (Phase two) Ordinance No. 2021-294	0	10,900,000	0	\$10,900,000
ARPA funds appropriated Ordinance No. 2021-294	0	1,500,000	0	\$1,500,000
RGE grant appropriated Ordinance No. 2021-294	20,000	199,129	0	\$219,129
Bonds authorized Ordinance No. 2021-295	500,000	2,433,000	1,979,000	\$4,912,000
RGE grant appropriated Ordinance No. 2022-277	20,000	200,000	0	\$220,000
Bonds authorized herein	0	880,000	0	\$880,000
RGE funds appropriated herein	75,000	625,000	300,000	\$1,000,000
Total	\$2,815,000	\$22,237,129	\$3,529,000	\$28,581,129

Construction of phase one began in summer 2020. Construction of phase two began in spring 2022. Design of phase three - State Street Connection is in progress with construction

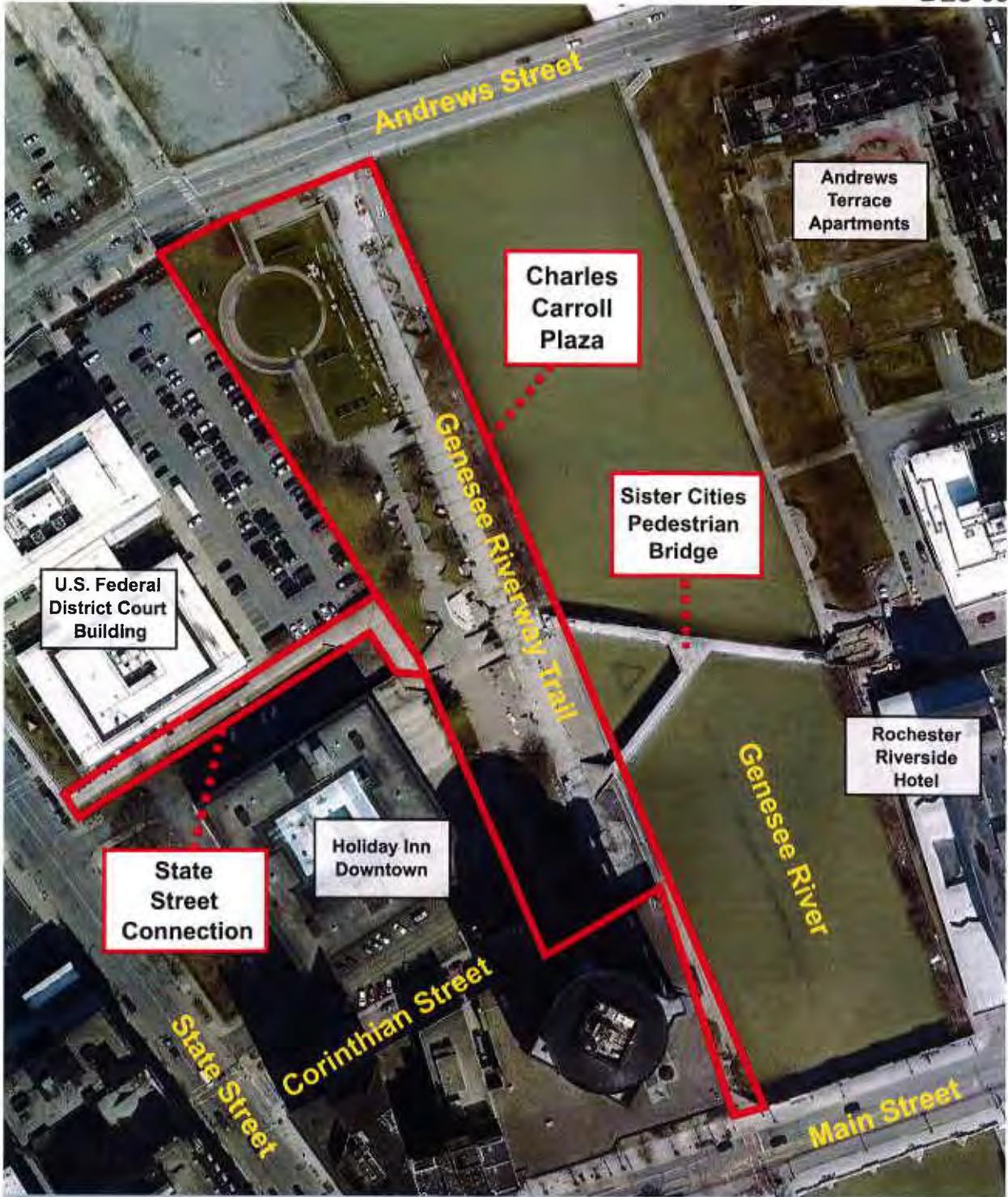
anticipated to begin in spring 2024. All phases of the project are anticipated to be substantially complete in fall 2024. The additional funding appropriated herein will result in the creation and/or retention of the equivalent of 20.4 full-time jobs.

The term of the agreements shall be three months after completion of the two-year guarantee inspection of the Project.

Respectfully submitted,



Malik D. Evans
Mayor



**Charles Carroll Plaza &
Genesee Crossroads Parking Garage
Roof-Slab Reconstruction Project**



Site Location Map

INTRODUCTORY NO.

73

Ordinance No.

Authorizing funding and amendatory agreements relating to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The Council hereby authorizes the receipt and use of a \$1,000,000 grant from the Rochester Gas and Electric Corporation (RGE) for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project (Project), which amount is hereby appropriated to fund the design, construction, construction administration and construction management/resident project representation (CM/RPR) services for phase three of the Project pertaining to the State Street Connection.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. to provide additional engineering services for the Project. The amendments to the existing agreement authorized in Ordinance No. 2015-71 and as amended in Ordinance Nos. 2016-404, 2019-96, 2021-294, 2022-277 and 2023-102 shall include: extending the scope of work to provide for additional design and construction administration services for the Project; and increasing the maximum compensation by \$75,000 to a new total of \$2,815,000. The increase shall be funded from the RGE grant authorized in Section 1 herein. The term of the amendatory agreement shall extend to three months after completion of the two-year guarantee inspection of the Project.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with LiRo Engineers, Inc. to provide additional services for the Project. The amendments to the existing agreement authorized in Ordinance No. 2020-67 and as amended in Ordinance No. 2021-294 shall include: extending the scope of work to provide for additional CM/RPR for the Project; and increasing the maximum compensation by \$300,000 to a new total of \$3,529,000. The increase shall be funded from the RGE grant authorized in Section 1 herein. The term of the amendatory agreement shall extend to three months after completion of the two-year guarantee inspection of the Project.

Section 4. The amendatory agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

INTRODUCTORY NO.

74

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$880,000 Bonds of said City to finance the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project consisting of removing the plaza platform to perform structural repairs to the underlying garage roof slab, replacing the slab waterproofing system, constructing a new modernized public plaza and associated improvements (collectively, the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$28,581,129. The plan of financing includes the issuance of \$880,000 bonds of the City, which amount is hereby appropriated for the Project, \$400,000 from the New York State Department of State (NYSDOS) appropriated in Ordinance No. 2016-404, \$1,100,000 in Urban Revitalization Initiative (URI) grant funds from NYSDOS appropriated in Ordinance No. 2019-96, \$1,250,000 in bond proceeds appropriated to the Project in Ordinance No. 2020-68, \$5,500,000 in URI grant funds from NYSDOS appropriated in Ordinance No. 2020-67, \$10,900,000 in URI grant funds from NYSDOS appropriated in Ordinance No. 2021-294, \$1,500,000 in United States Treasury funds provided pursuant to the American Rescue Plan Act of 2021 and appropriated in Ordinance No. 2021-294, \$219,129 in reimbursements from the Rochester Gas and Electric Corporation (RGE) appropriated in Ordinance No. 2021-294, \$250,000 in 2012-13 Cash Capital, \$300,000 in 2013-14 Cash Capital, \$150,000 in 2014-15 Cash Capital, \$4,912,000 in bond proceeds appropriated to the Project in Ordinance No. 2021-295, \$220,000 in reimbursements from RG&E's Commercial Corridor/Main Street Revitalization Assistance Program appropriated in Ordinance No. 2022-277, \$1,000,000 in reimbursements from RGE appropriated to the Project in a concurrent ordinance and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$880,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$880,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.10 of the Law, is forty (40) years.

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

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

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

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

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

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

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



75

February 27, 2024

DES 09

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Fisher Associates, P.E., L.S., L.A.,
D.P.C. – Railroad Underpass Improvements Project
(Atlantic Avenue, Culver Road and Winton Road).

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for a professional services agreement with Fisher Associates, P.E., L.S., L.A., D.P.C. (Roseann B. Schmid, C.E.O., 180 Charlotte Street, Rochester, NY 14607) for engineering services for the Railroad Underpass Improvements Project. The cost of the agreement will be funded with 2023-24 Cash Capital.

Railroad underpasses have been in a state of disrepair for numerous years. The railroad companies have limited their work to completing safety repairs to the most severely distressed elements. The Project is consistent with similar projects undertaken by the City of Rochester in the past to improve safety, maintenance and aesthetics elements outside of the strict safety categories adhered to by the railroad companies. These improvements reinforce the safety, stability and economic viability of the surrounding neighborhoods. The railroad underpasses included in the Project were prioritized based on condition and include Atlantic Avenue, Culver Road and Winton Road.

Fisher Associates was selected for preliminary design, final design, bid, award and construction administration services through a request for proposal process, which is described in the attached summary.

Design is anticipated to begin in spring 2024. Construction is anticipated to begin in spring 2025. The professional services agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

The term of the agreement shall be three months after the completion of the two-year guarantee inspection of the Project.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

DES 09

Department: DES/ Bureau of Architecture and Engineering
Project / Service Sought: Railroad Underpass Improvement Project (at Atlantic Avenue, Culver Road and Winton Road)
Consultants Selected: Fisher Associates, P.E., L.S., L.A., D.P.C.
Method of selection: Request for Proposal

1. **Date RFP issued** (and posted on City web site): October 30, 2023

2. **RFP was also sent directly to:**

Barton & Loguidice, D.P.C.	Rochester, NY 14614
Bergmann Architects, Engineers & Planners	Rochester, NY 14604
C&S Engineers, Inc.	Rochester, NY 14604
CHA Consulting, Inc.	Rochester, NY 14604
Clark Patterson Lee (CPL)	Rochester, NY 14604
Erdman Anthony and Associates, Inc.	Rochester, NY 14620
Fisher Associates, P.E., LS, LA, DPC	Rochester, NY 14607
Greenman-Pedersen, Inc.	Rochester, NY 14614
Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C.	Rochester, NY 14614
LaBella Associates, D.P.C.	Rochester, NY 14614
Joseph C. Lu Engineering, P.C.	Rochester, NY 14604
Popli Design Group	Penfield, NY 14526
Prudent Engineering, LLP	Rochester, NY 14614
Ravi Engineering and Land Surveying, PC	Rochester, NY 14618
Stantec Consulting Services, Inc.	Rochester, NY 14614
T.Y. Lin International	Rochester, NY 14604

3. **Qualification Proposals were received from:**

Fisher Associates, P.E., LS, LA, DPC	Rochester, NY 14607
LaBella Associates, D.P.C.	Rochester, NY 14614
Joseph C. Lu Engineering, P.C.	Rochester, NY 14604

4. Evaluation criteria

DES 09

<u>Criteria</u>	<u>Weighting</u>	<u>Points possible</u>	<u>Points received by Fischer Associates</u>
Firm Qualifications	10%	10	7.33
Technical Proposal	40%	40	26.33
<u>Project Team Qualifications</u>	50%	50	34.00
SUBTOTAL		100	67.66
<u>Bonus Criteria</u>			
Firm located in City	10%	10	6.77
State Certified M/WBE firm	10%	10	0.00
M/WBE subconsultant utilization	10%	10	6.77
- 0% for below 10% utiliz.			
- 5% for 10-20% utiliz.			
- 10% for over 20% utiliz.			
<u>Workforce utilization</u>	10%	10	3.38
BONUS POINTS SUBTOTAL		40	16.92

TOTAL POINTS RECEIVED by the Firm Selected = 84.6

5. Review team included staff from: (1) DES/A&E/Planning, (1) DES/A&E/Construction, (1) DES/A&E/Structures

6. Additional considerations/explanations:

7. MWBE Officer has reviewed the recommended firm's proposal for meeting MWBE and Workforce goals.

MWBE Officer Initials: SMD

Date: 12/29/2023

RAILROAD UNDERPASS IMPROVEMENT PROJECT

Atlantic Avenue - Between Russel St and Crouch St
Culver Road - Between University Ave and Humboldt St
Winton Road - Between University Ave and Halstead St




**ATLANTIC
AVENUE**


**CULVER
ROAD**

**NORTH
WINTON
AVENUE** 



City of Rochester, NY
Malik D. Evans, Mayor
Rochester City Council

INTRODUCTORY NO.

75

Ordinance No.

Authorizing an agreement relating to the Railroad Underpass Improvements 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 Fisher Associates, P.E., L.S., L.A., D.P.C. to provide preliminary design, final design, bid, award and construction administration services for the Railroad Underpass Improvements Project (Atlantic Avenue, Culver Road and Winton Road). The maximum compensation for the agreement shall be \$200,000, which shall be funded from 2023-24 Cash Capital. The term of the agreement shall continue to three months after completion of the two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.



76

February 27, 2024

DES 10

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Application – USEPA Climate Pollution
Reduction Grants Implementation Grant

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

Transmitted herewith for your approval is legislation related to the United States Environmental
Protection Agency (USEPA) Climate Pollution Reduction Grants (CPRG) program:

This legislation will:

1. Authorize the City to apply for \$20 million in USEPA CPRG Implementation Grant funds; and
2. Authorize the Mayor to enter into any necessary agreement with the USEPA for the receipt and use of funding.

The 2022 Inflation Reduction Act established the Climate Pollution Reduction Grants (CPRG) program to provide Planning and Implementation grants to eligible applicants to significantly reduce greenhouse gas (GHG) emissions that contribute to climate change and result in negative impacts to our natural resources, infrastructure and socio-economic systems. Furthermore, the CPRG program prioritizes projects that reduce GHGs while improving community benefits as well as reducing harmful air pollutants in low income and disadvantaged communities because climate change disproportionately impacts our most vulnerable populations who already face socio-economic hardships and have limited means to recover.

As required by the USEPA CPRG program, projects to be included in the application will be based on their potential to reduce the use of fossil fuels and resulting GHG emissions and their opportunity to improve energy efficiency, to use electricity and renewable energy to power buildings in disadvantaged communities and in municipal operations. These projects strongly align with GHG reduction and clean energy strategies included in the City of Rochester Municipal Operations and Community-wide Climate Action Plans.

Anticipated projects in the CRPG application include:

- Sustainable home rehabilitation and repair program: Work with City and community partners to provide funding to insulate homes and install clean heating and cooling technology when replacing fossil fuel burning furnaces and water heaters during rehabilitation or emergency situations in single and multi-family homes in low income/disadvantaged communities.
- Residential rooftop solar installation program: Work with City and community partners to make residential rooftops solar ready and install solar photovoltaic systems wherever possible as part of the City’s emergency roof replacement program in low income/disadvantaged communities.
- Sustainable municipal facility upgrades: Funding to install rooftop solar and clean heating and cooling technology at existing municipal facilities.
- LED streetlights expansion program: Provide funds to support the ongoing conversion to LED street lights, including Smart technology that will allow remote monitoring.



If USEPA CPRG Implementation funding is awarded, no City matching funds are required. Awards are anticipated to be made by USEPA in fall 2024.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

INTRODUCTORY NO.

76

Ordinance No.

Authorizing an application, grant agreement and appropriation for the Climate Pollution Reduction Grants program

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

Section 1. The Mayor is hereby authorized to submit an application to the United States Environmental Protection Agency (USEPA) for a grant of \$20 million through the agency's Climate Pollution Reduction Grants (CPRG) program.

Section 2. The Mayor is hereby authorized to enter into an agreement with the the USEPA for the receipt and use of CPRG program funds in the amount of up to \$20 million, which amount is hereby appropriated for the implementation of CPRG projects.

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

Section 4. This ordinance shall take effect immediately.



77

February 27, 2024

DES 11

TO THE COUNCIL

Ladies and Gentlemen:

Re: Bond Authorization – Conduit Modernization
Project 2024 – Phase 1

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 \$671,000 and appropriating the proceeds thereof to partially finance a portion of the Conduit Modernization Project 2024 – Phase 1.

The City's water supply conduit transmission system consists of three large diameter pipes (Conduits No. 1, No. 2 and No. 3, ranging in size from 24 inches to 42 inches in diameter) that convey treated water from the Hemlock Filtration Plant to Highland and Cobbs Hill Reservoirs. The pipes were installed in phases between 1874 through 1918 and have been rehabilitated in phases over the years.

The Project includes the installation of conduit interconnections at two locations along New York State (NYS) Route 15A between Rush Reservoir and I-390. These interconnections will enhance operational flexibility and overall reliability of the City's water transmission system. The scope of work includes the installation of eight 24 inch valves and ten 36 inch valves in Conduits No. 1, No. 2 and No. 3. The locations for this work is south of Fall Creek Trail and at Valiant Drive on NYS Route 15A (East Henrietta Road).

Project design and construction administration/inspection will be performed by Water Bureau staff with design support from Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. as authorized by Council Ordinance No. 2022-381. Water Bureau Staff will perform construction at Fall Creek Trail. Construction at Valiant Drive will be performed by a contractor to be selected through a competitive bidding process in Phase 2. Purchasing materials in advance is required due to the long lead times for large diameter valves and related equipment.

The Project will be funded as follows:

	Design	Construction	Total
2019-20 Cash Capital	\$293,000		\$293,000
2020-21 Cash Capital	\$907,000		\$907,000
Bonds authorized herein		\$671,000	\$671,000
Total	\$1,200,000	\$671,000	\$1,871,000



Construction is anticipated to begin summer 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 7.3 full-time jobs.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

Jefferson Rd - NY 252

I- 390

E Henrietta Rd - NY 15

W Henrietta Rd - NY 15

I- 390

Cross Connection, Blow Off at Valiant Dr

Lehigh Station Rd - NY 253

W Henrietta Rd - NY 15, 253

I- 90

Thruway Park Dr - NY 253

I- 390

Henrietta Booster Pump Station

Cross Connection at Fall Creek Tr

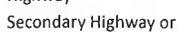
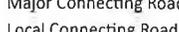
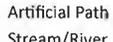
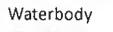
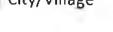
E Henrietta Rd - NY 15

W Henrietta Rd - NY 15

I- 390

Rush Reservoir

Clover St - NY 65

-  Conduit Modernization Project
-  Conduit
-  Controlled-access Highway
-  Secondary Highway or Major Connecting Road
-  Local Connecting Road
-  Artificial Path
-  Stream/River
-  Waterbody
-  City/Village

2024 Conduit Modernization

City of Rochester Water Bureau
 Customer Service - (585)428-5990
 Water Bureau Dispatch Office - (585)428-7500
 Water Bureau Maps & Records - (585)428-7562

0 500,000 2,000 3,000 4,000 US Feet



Scale: 1:36,000



Spatial Reference
 PCS: NAD 1983 StatePlane New York West FIPS 3103 Feet

INTRODUCTORY NO.

77

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$671,000 Bonds of said City to finance a portion of the City's Conduit Modernization Project 2024 – Phase 1

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the City's Conduit Modernization Project 2024 – Phase 1, which includes the installation of approximately 18 interconnection valves within the City's three large-diameter pipes known as Conduits No. 1, No. 2 and No. 3 that convey treated water to the city from the Hemlock Filtration Plant within two segments thereof located in the vicinity of NYS Route 15A's intersections with each of Fall Creek Trail and with Valiant Drive (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 \$1,871,000. The plan of financing includes the issuance of \$671,000 bonds of the City, which amount is hereby appropriated for the Project, \$293,000 in 2019-20 Cash Capital, \$907,000 in 2020-21 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 \$671,000 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 \$671,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital

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

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

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

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

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

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

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



78

February 27, 2024 DRHS 13

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – On-Call Therapist Services

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the provision of on-call therapist services for employees, volunteers, and participants in Department of Recreation and Human Services (DRHS) programs. This legislation will:

Authorize \$60,000 as maximum compensation for a professional services agreement with BreatheDeep, Inc. (Dr. Melany J. Silas, President, 1515 South Avenue, Rochester NY) to provide one-on-one and/or group therapy on an on-call basis to process trauma, grief and loss that may be experienced by:

- DRHS staff and volunteers while on the job working with program participants; and
- DRHS program participants, coaches, staff and volunteers to deal with athletic injuries that may occur during DRHS programs.

The goal of the therapy will be to help the recipients to deal with any direct or vicarious mental or emotional trauma.

The cost of the agreement will be funded from the 2023-24 Budget of DRHS, using a portion of the funds authorized by Council via Ordinance No. 2023-375 for Social-Emotional Supports and Programs. The term of the agreement shall not exceed one year.

The consultant selected through a request for proposals process described in the attached Vendor Selection Form.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

Department: Department of Recreation and Human Services

Project / Service Title: On Call Therapist

Consultant Selected: Breathe Deep, Inc.

Method of selection: Request for Proposal [*Complete 1-7*]

Request for Qualifications [*Complete 1-7*]

From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-7*]

1. Date RFP / RFQ issued (and posted on City web site):

January 11, 2024

2. The RFP / RFQ was also sent directly to:

Sankofa Family Counseling Services

Breathe Deep, Inc.

3. Proposals were received from

FIRM

Sankofa Family Counseling Services

Breathe Deep, Inc.

City/ST

Rochester, NY 14621

Rochester, NY 14620

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting Points possible</u>	<u>Points received by FIRM</u>
<i>Proposal</i>	40	34
<i>Experience</i>	25	21
<i>Cost</i>	20	18
<i>References</i>	<u>15</u>	<u>13</u>
	SUBTOTAL	86
<u>Bonus Points</u>		
City business: 10% of total	$.10 \times 86 = 8.6$	
Prime is an MWBE: 10% of total	$.10 \times 0 = 0$	
Prime uses 10% - 20% MWBE subs	$.05 \times 0 = 0$	
Prime uses 20%+ MWBE subs	$.10 \times 0 = 0$	
Workforce goals for M & W met	<u>$.10 \times 86 = 8.6$</u>	
	BONUS POINTS SUBTOTAL	17.2

TOTAL POINTS RECEIVED by the Firm: $86 + 17.2 =$ 103.2

5. Review team included staff from:

Department of Recreation and Human Services/Commissioner's Bureau 1 (1)

Department of Recreation and Human Services/Bureau of Human Services (2)

6. Additional considerations/explanations

Both respondents are being awarded professional services agreements

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: *S.M.D* Date: *2/5/2024*

Form date 1/4/19

INTRODUCTORY NO.

78

Ordinance No.

Authorizing an agreement for on-call therapist services for the Department of Recreation and Human Services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with BreatheDeep, Inc. to provide one-on-one and group therapy on an on-call basis on an on-call basis to process trauma, grief and loss that may be experienced by: (a) Department of Recreation and Human Services (DRHS) staff and volunteers while on the job working with program participants; and (b) DRHS sports program participants, coaches, staff and volunteers to deal with athletic injuries that may occur during DRHS programs. The term of the agreement shall be up to one year. The maximum compensation shall be \$60,000, which shall be funded from the 2023-24 Budget of DRHS.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Malik D. Evans
Mayor

**Budget, Finance & Governance
Introductory No.**

79

LAW 16

February 27, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amending License Agreement –
Blue Cross Arena at the War Memorial

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing an amendment to the City’s license agreement with Rochester Arena, LLC (RA) for the operation of the Blue Cross Arena at the War Memorial. The current agreement authorized in Ordinance No. 2018-408 requires RA to reimburse the City for the Arena’s utility costs, including gas, electric, water and sewer services. The amendment will require the City to contribute up to forty percent (40%) of the utility costs, up to a maximum of \$250,000 annually. The amendment will go into effect on July 1, 2024 and continue for the remainder of the term of the current license agreement, which expires on December 31, 2033. The City’s share of utility costs will be funded from the annual operating budgets of the Department of Environmental Services (DES) in the fiscal year that they are incurred, beginning with the 2024-25 Budget of DES and contingent upon the approval of the 2024-25 and future years’ Budgets.

Over the last year, a committee comprising staff from the Mayor’s Office, Department of Environmental Services, the Law Department, and the Office of Management and Budget has been engaged in reviewing the license agreement with RA and making recommendations for the next period of the agreement. One of the issues addressed during the course of those conversations has been increasing costs associated with operation of the Arena, particularly utility costs. The proposed sharing of utility costs will meaningfully address these concerns.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

79

Ordinance No.

Authorizing an amendatory license agreement for the Blue Cross Arena at the War Memorial

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rochester Arena, LLC relating to the use of the Blue Cross Arena at the War Memorial. The amendatory agreement shall amend the original agreement authorized in Ordinance No. 2018-408 to provide that, commencing July 1, 2024 and continuing to the end of the agreement term, the City shall contribute up to 40% of the facility's costs for utilities, including gas, electric, water and sewer services, up to a maximum of \$250,000 per year. The amendatory compensation for utility costs shall be funded from the 2024-25 and subsequent years' Budgets of the Department of Environmental Services based on when such costs are incurred and contingent upon the approval of future years' budgets.

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

Section 3. This ordinance shall take effect immediately.



**Budget, Finance & Governance
Introductory No.**

80

February 27, 2024

LAW 17

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Medical Expert Services

Transmitted herewith for your approval is legislation for an amendatory professional services agreement with Legal Med, LLC, with offices at Apple Tree Business Park (Gabrielle Kotas acting, Manager, 2875 Union Road, Suite 8, Cheektowaga, New York 14227) to provide expert medical witnesses in conjunction with personal injury litigation. Legal Med has been providing services required for the defense of these matters. The original agreement, authorized by Ordinance No. 2018-82, authorized professional services agreement to provide expert medical services as requested with the maximum amount of \$40,000. This legislation will authorize the City to amend that agreement to increase the maximum compensation by an additional \$40,000 up to a new maximum total of \$150,000. All other terms will remain the same. The additional compensation will be funded from the 2023-24 Law Department Budget.

Legal Med has extensive experience in placing the correct expert witness and medical professional for each specific matter, from which the City has benefitted pursuant to this agreement since at least 2018.

Respectfully submitted,

Malik D. Evans
Mayor



Authorizing an amendatory agreement for expert witness services for the Law Department

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Legal Med, LLC to provide additional expert witness services for the Law Department. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2018-82 and amended by Ordinance Nos. 2019-2 and 2022-263, by \$40,000 to a total amount of \$150,000. The amendatory compensation shall be funded from the 2023-24 Budget of the Law Department.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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**Budget, Finance & Governance
Introductory No.**

81

Malik D. Evans
Mayor

February 27, 2024 NBD 18

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment – Rochester Preservation Board

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Greg Scott Irwin, Preservation District Resident, as a full-time member to the Rochester Preservation Board. Mr. Irwin is a Senior Project Manager for software implementation in the healthcare field.

Mr. Irwin's term will expire on May 31, 2026, as he will be serving out the remainder of the current vacancy and then a new, two-year term. Mr. Irwin's resume is on file with the City Clerk.

Respectfully submitted,

Malik D. Evans
Mayor



81

Resolution No.

Approving appointment to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following person as a regular member for the remaining term of a vacant seat that expires on May 31, 2024 and for a subsequent full two-year term which shall expire on May 31, 2026:

Name	Affiliation
Greg Scott Irwin	Preservation District Resident

Section 2. This resolution shall take effect immediately.



City of Rochester

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www.cityofrochester.gov

Malik D. Evans
Mayor

**Budget, Finance & Governance
Introductory No.**

82

February 27, 2024 NBD 19

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment – Zoning Board of Appeals

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Mark Chiarenza, East District, as a full-time member to the Rochester Zoning Board of Appeals. Mr. Chiarenza is a local commercial Real Estate broker.

Mr. Chiarenza's term will expire on May 31, 2026, as he will be serving out the remainder of the current vacancy and then a new, two-year term. Mr. Chiarenza's resume is on file with the City Clerk.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

82

Resolution No.

Approving appointment to the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointment to the Zoning Board of Appeals of the following person as a regular member for the remaining term of a vacant seat that expires on May 31, 2024 and for a subsequent full two-year term which shall expire on May 31, 2026:

Name	Council District
Mark Chiarenza	East

Section 2. This resolution shall take effect immediately.



City of Rochester

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Malik D. Evans
Mayor

Budget, Finance & Governance Introductory No.

83

February 27, 2024 NBD 20

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment – City Planning Commission

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Jacob Hall, East District, as a full-time member to the Rochester City Planning Commission. Mr. Hall is a Community Prevention and Curriculum Coordinator in the healthcare field.

Mr. Hall's term will expire on May 31, 2026, as he will be serving out the remainder of the current vacancy and then a new, two-year term. Mr. Hall's resume is on file with the City Clerk.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

83

Resolution No.

Approving appointment to the City Planning Commission

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following person as a regular member for the remaining term of a vacant seat that expires on May 31, 2024 and for a subsequent full two-year term which shall expire on May 31, 2026:

Name	Council District
Jacob Hall	East

Section 2. This resolution shall take effect immediately.



**Budget, Finance & Governance
Introductory No.**

84, 85

February 27, 2024

FIN 21

TO THE COUNCIL

Ladies and Gentlemen:

Re: Capital Improvement Program – City
School District

City Council Priorities: Deficit Reduction and
Long-Term Financial Stability, Creating
Effective Educational Systems

Transmitted herewith for your approval is legislation relating to the Capital Improvement Program (CIP) of the Rochester City School District (RCSD). This legislation will:

1. Authorize a one-time exception to the RCSD 2023-24 debt limit in the amount \$2,700,000 for improvements to facilities that the RCSD shares with the City; and
2. Authorize the issuance of bonds for \$19,500,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings.

During fiscal year 2023-24 the RCSD will redeem \$16,800,797 in previously authorized debt principal. *Attachment A* is a projection of that debt to be repaid over the current and next four fiscal years. By the City’s Debt Authorization Policy adopted in Resolution No. 81-4, the RCSD’s borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year, unless the excess authorization is justified by exceptional circumstances. Therefore, RCSD is requesting a one-time exception to the above-described debt limit in the amount of \$2,700,000 to fund the following improvements:

- School No.33 (\$2,000,000) – For improvements to the attached Thomas Ryan R-Center that include: installing doors and access controls to create secure lobby entrance and modifying the control desk; replacing rooftop air handlers; upgrading the existing building management system; and replacing existing moveable partition wall panels in the recreation room, gymnasium curtains and scoreboards.
- School No. 12 (\$500,000) – For improvements to the attached Frederick Douglass R-Center that include: replacing the R-Center’s kitchen hood and upgrading the fire rating of the cooking space; and upgrading of RCSD/R-Center shared space to support a maker space program.
- School No. 5 (\$200,000) – Resurfacing the existing City playground located on the school premises.

An exception to the Debt Authorization Policy is justified for the debt funding of these three projects because they present an unanticipated opportunity to fund improvements to two R-Centers and one playground that are used by the City as well as by the RCSD. In addition, the State Education Department typically reimburses school districts up to 98% of the costs for



renovations of this kind. Therefore, declining this funding opportunity would result in an economic loss to the City and RCSD.

For cities with dependent school districts, the NY State Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$150,002,709 (*Attachment B*).

In accordance with the City/RCSD Debt Policy set forth in Resolution No. 2016-8 (2016 Debt Policy), bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program (FMP) unless for reasons of health and safety. RCSD will use cash capital as defined by New York State Finance law for work on FMP-funded facilities.

Attachment C is a letter from the School District detailing the planned uses of the new bonds and the use of cash capital as well as a copy of the Board of Education Resolution approving the capital plan.

In addition, the 2016 Debt Policy requires the City of Rochester's Engineering and Architecture staff (E&A) to review the CIP request and for RCSD to provide a list of school closings. *Attachment D* is a memorandum from the City Engineer stating that the E&A review confirms that most of the \$19,500,000 in proposed projects involve improvements for reasons of health, safety and welfare and that none of the projects involve FMP facilities. *Attachment E* is a letter from RCSD stating that they plan to close and return to the City of Rochester schools #20, #29, and #44.

The New York State Education Department, by letter dated January 31, 2024, has confirmed the RCSD has met the Maintenance of Effort (MOE) requirement for 2023-24. When the City issues this debt the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Malik D. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

ATTACHMENT A

**Rochester City School District Debt Projection
For the Next Five Fiscal Years
As of August 2, 2023**

	<u>Fiscal Year</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Bonds						
Principal		\$16,564,461.20	\$12,427,682.71	\$12,100,328.28	\$11,427,158.27	\$9,855,000.00
Interest		4,298,914.98	3,747,318.11	3,259,966.50	2,762,683.46	2,315,951.00
Total		<u>20,863,376.18</u>	<u>16,175,000.82</u>	<u>15,360,294.78</u>	<u>14,189,841.73</u>	<u>12,170,951.00</u>
Notes						
Principal		1,190,000.00	1,990,000.00	2,435,000.00	2,230,000.00	3,335,000.00
Interest*		641,200.00	1,549,800.00	1,941,591.67	1,795,897.50	1,662,469.17
Total		<u>1,831,200.00</u>	<u>3,539,800.00</u>	<u>4,376,591.67</u>	<u>4,025,897.50</u>	<u>4,997,469.17</u>
Total						
Principal		17,754,461.20	14,417,682.71	14,535,328.28	13,657,158.27	13,190,000.00
Interest*		4,940,114.98	5,297,118.11	5,201,558.17	4,558,580.96	3,978,420.17
Total		<u>22,694,576.18</u>	<u>19,714,800.82</u>	<u>19,736,886.45</u>	<u>18,215,739.23</u>	<u>17,168,420.17</u>
Less Debt Limit Exceptions						
Principal Payments	Ord. #					
8/1	06-061	0.00	0.00	0.00	0.00	0.00
8/1	06-061	0.00	0.00	0.00	0.00	0.00
8/1	07-172	0.00	0.00	0.00	0.00	0.00
8/1	07-172	(678,663.79)	(676,203.21)	0.00	0.00	0.00
8/1	14-243	(80,000.00)	(60,000.00)	(80,000.00)	(80,000.00)	(60,000.00)
8/1	14-243	(185,000.00)	(130,000.00)	(170,000.00)	(195,000.00)	(150,000.00)
8/1	14-243	<u>(10,000.00)</u>	<u>(5,000.00)</u>	<u>(5,000.00)</u>	<u>(5,000.00)</u>	<u>(5,000.00)</u>
		(953,663.79)	(871,203.21)	(255,000.00)	(280,000.00)	(215,000.00)
Total						
Principal Pymts Net Exceptions		16,800,797.41	13,546,479.50	14,280,328.28	13,377,158.27	12,975,000.00

- * Interest rate is 4.00% for the Notes due August 2, 2023.
- ** Interest rate is 4.50% for the Notes due August 1, 2024.
- Future interest rate for the Notes is estimated at 6.00%.

RCSD has the right to adjust the BAN repayment schedule prior to the BAN being converted to a Bond as long as it is within the repayment rules.

ATTACHMENT B

NYS Constitutional Debt Limit Calculation (Including Rochester City Charter Limits) As of November 30, 2023

Fiscal Year	Full Valuation
2020	\$7,685,512,896
2021	\$7,651,053,429
2022	\$8,331,061,200
2023	\$8,677,765,511
2024	\$8,945,731,435
Total	\$41,376,125,521
Five-Year Average: NYS Constitutional Debt Limit (9% of 5-Yr Average)	\$8,265,225,104 \$743,870,259

(1) Current Debt Outstanding,
W/o Authorized, Unissued
(as of November 30, 2023)

School (3.5% of NYS Limit)	\$128,845,169
City (5.5% of NYS Limit)	\$197,174,831
Remaining Margin	\$410,441,709
	(\$52,860,872)

Allocation by Rochester
City Charter Limits:

School (3.5% of NYS Limit)	\$289,282,879
City (5.5% of NYS Limit)	\$454,587,181
Total	\$743,870,259

(1) Recap by Type:

Bonds	\$77,359,831
Authorised, Unissued	\$119,815,000
Total	\$197,174,831

(1) Recap by Type:

Bonds	\$94,405,169
Authorised, Unissued	\$34,440,000
Total	\$128,845,169

NYS Constitutional Debt Limit Calculation (Including Rochester City Charter Limits) As of November 30, 2023

Fiscal Year	Full Valuation
2020	\$7,685,512,896
2021	\$7,651,053,429
2022	\$8,331,061,200
2023	\$8,677,765,511
2024	\$8,945,731,435
Total	\$41,376,125,521
Five-Year Average: NYS Constitutional Debt Limit (9% of 5-Yr Average)	\$8,265,225,104 \$743,870,259

Allocation by Rochester
City Charter Limits:

School (3.5% of NYS Limit)	\$289,282,879
City (5.5% of NYS Limit)	\$454,587,181
Total	\$743,870,259

(1) Current Debt Outstanding,
& Authorized, Unissued
(as of November 30, 2023)

School	\$139,280,169
City	\$239,931,831
Less Water	(652,860,872)
Remaining Margin	\$326,351,128

(1) Recap by Type:

Bonds	\$77,359,831
Authorised, Unissued	\$119,815,000
Total	\$197,174,831

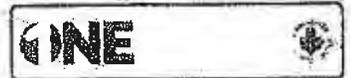
(1) Recap by Type:

Bonds	\$94,405,169
Authorised, Unissued	\$34,440,000
Total	\$128,845,169



Thomas P. Keysa
Director of Educational Facilities
(585) 336-4098 | Thomas.Keysa@resdk12.org

ATTACHMENT C



DATE: July 27, 2023
TO: Jacob Scott, Chief of Operations
FROM: Thomas P. Keysa, Director of Educational Facilities
RE: Proposed Allocation of the 2023-24 Bond Request - \$19,500,000

2023-24 CONSTRUCTION PROJECTS

School Name	Project Description	Budget Request
School #5/John Williams School	Construct playground and relocate existing ballfield, masonry repointing, reroofing of bay window for room #101 and resurface existing City playground.	\$ 900,000
School #12/Anna Murray-Douglass Academy	Replace chiller on third floor with rooftop air cooled unit, replace R-Center kitchen hood and upgrade fire rating of the cooking space and upgrade District/City shared space to support maker space program.	\$ 2,400,000
School #19/Dr. Charles T. Lunsford	Provide planning and design consultant services to replace roof on school building, provide boiler burner upgrades, and replace the fire alarm system throughout the building.	\$ 300,000
School #23/ Francis Parker	Replace classroom doors and transoms, replace exterior doors and other interior doors and provide card readers and door lock devices on all classroom doors.	\$ 900,000
School No. 33/John James Audubon	Replace scoreboard in large gym. Complete Thomas Ryan R-Center renovations project for the City. Work to include: building envelope improvements, gymnasium upgrades, MEP systems upgrades, life safety equipment upgrades, interior renovations, and site work improvements.	\$ 2,100,000
School No. 34/Dr. Louis A. Cerulli	Replace VAT flooring in select classrooms, rebuild parapets on original building and complete masonry restorations on exterior façade.	\$ 800,000
School No. 39/Andrew J. Townson	Install security screens on first and second floor windows.	\$ 500,000

School Name	Project Description	Budget Request
School No. 42/Abelard Reynolds	Complete gymnasium interior finishes on gymnasium exterior walls.	\$ 500,000
School No. 45/Mary McLeod Bethune	Recoat fiberglass cornice and provide air cooled chiller.	\$ 1,700,000
School No. 46/Charles Carroll	Replace battleship flooring in 6 classrooms on first floor and 8 classrooms on second floor, complete classroom upgrades, abate classroom ceilings on 2 nd floor, and install new ceiling and new technology. Renovate toilets in kindergarten classrooms and lower level.	\$ 2,500,000
Charlotte Campus	Auditorium renovations to include: repair water damage on ceiling and paint ceiling, install air conditioning, abate ACM panels on stage, replace seating on main floor and balcony. Provide screening for properties adjacent to football field. Construct security screening room at main entry.	\$ 2,100,000
James Monroe	Construct school-based health clinic previously designed in the modernization program. Construct cosmetology classroom in 24B.	\$ 1,000,000
School Without Walls Commencement	Replace rooftop air handler. Upgrade freight elevator.	\$ 600,000
Wilson Foundation Academy	Relocate interior vestibule glass wall to create secure vestibule. Modify control desk.	\$ 600,000
Various Schools/Building Reorganization	Provide design and renovations to support building reorganizations. Locations to be determined.	\$ 1,000,000
District Wide/Door Security Alarm Initiative	Door Security Alarm project provides alarms and cameras at all building exits with rapid notifications.	\$ 1,600,000
GRAND TOTAL 2023-24 BOND REQUEST		\$19,500,000

Please let me know if you have any questions.

xc: Shawn Farr, Chief Financial Officer
Eric Hansen, Project Architect

Rochester City School District Board of Education

Cynthia Elliott, President
Beatriz LeBron, Vice President
Ricardo Adams
Amy Maloy
James Patterson
Willa Powell
Camille Simmons



Rahimah Wynn
District Clerk
(585) 262-8308
Rahimah.wynn@rcsdk12.org

Certified Resolution: Business Meeting: September 28, 2023

Resolution No. 2023-24: 295

Whereas, by resolution 2022-23: 631 adopted on May 9, 2023, the Board approved and adopted the Budget for the 2023-24 fiscal year. Said budget included the 2023-24 Capital Improvement Program; therefore be it

Resolved, that the Board hereby requests the City Council of the City of Rochester to issue notes or bonds in the amount of Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) and to appropriate the proceeds therefrom for the purpose of making capital improvements to existing school buildings in the school district as noted in the 2023-24 Capital Improvement Program; and be it further

Resolved, that additional detail of specific items to be accomplished within the above request be submitted to the Mayor of the City of Rochester together with certified copies of this resolution.

Originators: Ruth Turner, Jacob Scott, Tom Keysa

Motion & Voting

Motion by Beatriz LeBron, second by Amy Maloy.

Final Resolution: Motion Carries

Yes: Ricardo Adams, Cynthia Elliott, Beatriz LeBron, Amy Maloy, Willa Powell, Camille Simmons

I, Rahimah Wynn, Clerk of the Board of Education of the Rochester City School District of the State of New York, do hereby certify that I have compared the attached resolution with the original resolution passed by such Board of Education at a legally convened meeting held on the 28th day of September 2023, on file as part of the minutes of such meeting, and the same is a true copy thereof and the whole of such original. I further certify that the full Board of Education consists of seven members and that six of such members were present at the vote and that six of such members voted in favor of such resolution.

IN WITNESS THEREOF, I have hereunto set my hand and the seal of the Rochester City School District on this 6th day of October 2023.


Rahimah Wynn, District Clerk



City of Rochester

Department of Environmental Services
City Hall Room 300B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Bureau of Architecture
and Engineering

Inter-Departmental Correspondence

To: Kim D. Jones, Director of Finance
From: Holly E. Barrett, P.E., City Engineer *HB*
Date: December 6, 2023
Subject: RCSD 2023-24 Bond Request - City A&E Review

Attached is the Bureau of Architecture and Engineering review memo of the Rochester City School District's 2023-24 Bond Request - \$19,500,000 for capital improvements to existing school buildings and support facilities in the district.

Please contact me anytime if you have any questions or require additional information.

Attachments

XC: Richard Perrin, AICP, Commissioner/DES
Jason VanDemark, R.A., DES/Architectural Services



RCSD 2023-24 Bond Request**DES/Architectural Services Review Memo**

December 6, 2023

The Bureau of Architecture and Engineering (DES A&E) has reviewed the Rochester City School District's (RCSD) 2023-24 Capital Improvement Program (CIP) and 2023-24 Bond Request - \$19,500,000 for making capital improvements to existing school buildings and support facilities in the district (attached).

RCSD submitted all of its 2015 Building Condition Survey (BCS) reports for facilities included in this annual CIP request to the City's Architectural Services Division staff in accordance with Resolution No. 2016-8, requirements for annual CIP requests. Under new State statute, districts must conduct BCSs on a staggered schedule as assigned in calendar years 2020 through 2024, and every five years on that same five year cycle thereafter. The district is currently preparing its next BCS reports with expected completion by March 2024.

DES A&E reviewed the proposed projects included in the RCSD 2023-24 CIP and found them to be consistent with the 2015 BCS recommendations for improvements for reasons of health, safety and welfare, with the exception of the following, which are considered improvements for RCSD's educational program initiatives:

- School #5/John Williams School: Construct new parking along Verona St.; construct playground and relocate existing ball field; and resurface the existing City playground.

RCSD has submitted the plans for the project to the City for review and comments. City review comments were provided to Eric Hansen, RCSD on November 16, 2023, which include, but are not limited to, the following:

- City/Law has advised RCSD must obtain approval from City Zoning and Building Permits because the proposed work is located in City parkland;
 - City/DRHS Commissioner raised concerns about the proposed playground location to Jacob Scott, RCSD;
 - City/Water and Monroe County Public Health provided the requirements for final approval of the plans;
 - City/DES and various departments provided comments and recommendations for the design features of the project;
 - City requested RCSD submit a revised set of final plans for the project addressing all City review comments.
- School #12/Anna Murray-Douglass Academy: Upgrade District/City shared space to support maker space program.
- School #33/John James Audubon: Is a City project request for the Thomas Ryan R- Center renovations. Proposed work includes: Install doors and access controls to create secure lobby entrance and modify control desk. Replace rooftop air handlers. Upgrade existing building management system. Replace existing moveable partition wall panels in the recreation room, gymnasium curtains and scoreboards.
- Charlotte Campus: Provide screening for properties adjacent to the football field. Construction security screening room at main entry.

- James Monroe: Construct school based health clinic previously designed in the modernization program. Construct cosmetology classroom.
- Wilson Foundation Academy: Relocate interior vestibule glass wall to create secure vestibule. Modify control desk.
- Various Schools: Provide design and renovations to support building reorganizations, locations to be determined.

The 2023-24 CIP does not include projects at any school facilities that are included as a project under the Facilities Modernization Program (current Phase 3).

G:\DIV\ARCH\RCSD Coord\2023-24 CIP\2023-24 DES Review Memo\23-24 DES Review Memo_RCSD CIP Bond Request - Revised.DOC

ATTACHMENT E

KIM JONES
Director of Finance
City of Rochester
30 Church Street Rm 109A
Rochester, NY 14614

RE: School Buildings returned to the City of Rochester

Dear Ms. Jones:

Please find enclosed certified Resolution No. 2023-24: 213 pertaining to the facilities we are returning. The District is returning the following facilities to the City of Rochester, as these buildings will no longer be required for educational purposes. The transfer of these facilities to the City of Rochester will take place on the specified dates below:

Name	Location	Returned
NorthSTAR Program School No. 20	54 Oakman St, 14605	December 2024
Adlai E. Stevenson School No. 29	88 Kirkland Rd, 14611	December 2024
Early Childhood Center School No. 44	820 Chili Ave, 14611	December 2025

We appreciate the City's ongoing support of the Rochester City School District.

Sincerely,



Jacob Scott
Chief Operating Officer



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Office of Educational Management Services
Room 1075 Education Building Annex
89 Washington Ave.
Albany, NY 12234
Tel: (518) 474-6541
EMSCMGTS@nysed.gov

January 31, 2024

Mayor Malik D. Evans
City Hall, Room 307A
30 Church St.
Rochester, New York 14614

Dear Mayor Evans:

After reviewing the City and District's information pursuant to Education Law, Section 2576, subdivision 5-b, we have determined that the City of Rochester has maintained its fiscal effort for its component school district for the 2023-2024 School Year.

Should you have any further questions about the maintenance requirement, please contact me via email at David.Elliott@nysed.gov or by phone at (518) 474-4364.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Elliott".

David Elliott
Coordinator, Educational Aid Services

Cc: Jason Harmon
Carmine Peluso
Kim D. Jones
Michael T. Burns
Shawn J. Farr
Jaime Alicea

INTRODUCTORY NO.

84

Resolution No.

Resolution authorizing an exception to the debt limit for Rochester City School District purposes

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

Section 1. The sum of \$2,700,000 is hereby approved as an exception to the 2023-24 Debt Limit for the Capital Improvement Program of the Rochester City School District (RCSD) in order to authorize the issuance of bonds in an amount that exceeds by up to \$2,700,000 the amount of previously authorized debt principal to be redeemed during the fiscal year 2023-24. This exception to the debt limit set forth in the City's Debt Authorization Policy adopted in Resolution No. 81-4 is provided in order to fund renovations and improvements to the following three RCSD facilities that are also used by the City for recreation and other human services:

- School No.33 (\$2,000,000) – For improvements to the attached Thomas Ryan R-Center that include: installing doors and access controls to create secure lobby entrance and modifying the control desk; replacing rooftop air handlers; upgrades to the existing building management, fire and life safety systems; replacing existing moveable partition wall panels in the recreation room, gymnasium curtains and scoreboards.
- School No. 12 (\$500,000) – For improvements to the attached Frederick Douglass R-Center that include: replacing the R-Center's kitchen hood and upgrading the fire rating of the cooking space; and upgrading of RCSD/R-Center shared space to support a maker space program.
- School No. 5 (\$200,000) – For resurfacing the existing City playground located on the school premises.

Section 2. This resolution shall take effect immediately.

INTRODUCTORY NO.

85

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$19,500,000 Bonds of said City to finance the costs of improvements to specified City School District buildings

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 \$19,500,000 of the costs of the City School District 2023-24 Capital Improvement Program, including the costs of the design, renovation and improvements of the City School District buildings indicated on the attached Schedule A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,500,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$19,500,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$19,500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto. The principal of the Bonds authorized by this Ordinance exceeds by \$2,699,203 the principal of the Bonds being redeemed on behalf of the School District during the City's 2023-24 Fiscal Year. This exceedance in the amount of \$2,700,000 is authorized by a concurrent Resolution of this Council. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$19,500,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes

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

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

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

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

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

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

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

Schedule A
2023-24 RCSD CAPITAL IMPROVEMENT PROGRAM

School Name	Project Description	Budget
School #5/John Williams School	Construct playground and relocate existing ballfield, masonry repointing, reroofing of bay window for room #101 and resurface existing City playground.	\$ 900,000
School #12/Anna Murray-Douglass Academy	Replace chiller on third floor with rooftop air cooled unit, replace R-Center kitchen hood and upgrade fire rating of the cooking space and upgrade District/City shared space to support maker space program.	\$ 2,400,000
School #19/Dr. Charles T. Lunsford	Provide planning and design consultant services to replace roof on school building, provide boiler burner upgrades, and replace the fire alarm system throughout the building.	\$ 300,000
School #23/Francis Parker	Replace classroom doors and transoms, replace exterior doors and other interior doors and provide card readers and door lock devices on all classroom doors.	\$ 900,000
School No. 33/John James Audubon	Replace scoreboard in large gym. Complete Thomas Ryan R-Center renovations to include: building envelope improvements, gymnasium upgrades, Mechanical Electrical Plumbing systems upgrades, upgrades to the existing building management, fire and life safety systems, interior renovations, and site work improvements.	\$ 2,100,000
School No. 34/Dr. Louis A. Cerulli	Replace Vinyl Asbestos Tile flooring in select classrooms, rebuild parapets on original building and complete masonry restorations on exterior façade.	\$ 800,000
School No. 39/Andrew J. Townson	Install security screens on first and second floor windows.	\$ 500,000
School No. 42/Abelard Reynolds	Complete gymnasium interior finishes on gymnasium exterior walls.	\$ 500,000

School Name	Project Description	Budget
School No. 45/ Mary McLeod Bethune	Recoat fiberglass cornice and provide air cooled chiller.	\$ 1,700,000
School No. 46/Charles Carroll	Replace battleship flooring in 6 classrooms on first floor and 8 classrooms on second floor, complete classroom upgrades, abate classroom ceilings on 2 nd floor, and install new ceiling and new technology. Renovate toilets in kindergarten classrooms and lower level.	\$ 2,500,000
Charlotte Campus	Auditorium renovations to include: repair water damage on ceiling and paint ceiling, install air conditioning, abate ACM panels on stage, replace seating on main floor and balcony. Provide screening for properties adjacent to football field. Construct security screening room at main entry.	\$ 2,100,000
James Monroe	Construct school based health clinic previously designed in the modernization program. Construct cosmetology classroom in 24B.	\$ 1,000,000
School Without Walls Commencement	Replace rooftop air handler. Upgrade freight elevator.	\$ 600,000
Wilson Foundation Academy	Relocate interior vestibule glass wall to create secure vestibule. Modify control desk.	\$ 600,000
Various School Building Reorganizations	Provide design and renovations to support building reorganizations. Locations to be determined.	\$ 1,000,000
District Wide Door Security Alarm Initiative	Door Security Alarm project provides alarms and cameras at all building exits with rapid notifications.	\$ 1,600,000
GRAND TOTAL 2023-24 RCSD CAPITAL IMPROVEMENT PROGRAM		\$19,500,000



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

**PUBLIC SAFETY
COMMITTEE
INTRODUCTORY NO.**

Malik D. Evans
Mayor

86

February 27, 2024

POLICE 14

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Monroe County, Traffic and
Crowd Control Services and Budget
Amendment

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong neighborhoods

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

1. Authorize an Intermunicipal Agreement (IMA) with Monroe County for the Rochester Police Department to provide traffic and crowd control services at Innovative Field (formerly Frontier Field) for Red Wings baseball games during 2024 in return for the County's reimbursement of the City's costs in an amount not to exceed \$225,000; and
2. Amend the 2023-24 Budget of the Police Department by \$89,100 to reflect a portion of these funds; and
3. Amend the 2023-24 Undistributed Budget of the Police Department by \$30,900 to reflect a portion of these funds.

Monroe County has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control for regular and post-season Red Wings baseball games at Innovative Field during the 2024 season. The agreement will provide for reimbursement by Monroe County at the rate of \$107 per hour for each Police Officer, in an amount not to exceed \$225,000. The term of the agreement is April 1, 2024 through October 1, 2024. The remaining funds will be included in the 2024-25 Budget upon approval. This is the second time this agreement has been presented to Council, with the first one being approved under Ordinance No. 2023-85.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

86

Ordinance No.

Authorizing intermunicipal agreement with Monroe County and amending the 2023-24 Budget for traffic and crowd control 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 intermunicipal agreement with Monroe County (the County) for the Rochester Police Department to provide traffic and crowd control services at Innovative Field for Red Wings baseball games during 2024 in return for the County's reimbursement of the City's costs in an amount not to exceed \$225,000.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget by \$120,000 as follows:

- a. \$89,100 for the Budget of the Police Department; and
- b. \$30,900 for the Budget Undistributed Expense;

which amounts are hereby appropriated from the County reimbursements authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

87

February 27, 2024

POLICE 15

TO THE COUNCIL

Ladies and Gentlemen:

Re: Budget Amendment – 2023-24 Budget of
the Police Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2024 STOP DWI Program grant that was approved in December under Ordinance No. 2023-376. This legislation will:

1. Amend the 2023-24 Budget of the Police Department by \$16,700 to reflect a portion of these funds; and
2. Amend the 2023-24 Undistributed Budget by \$5,500 to reflect a portion of these funds.

When the grant agreement was submitted to Council in December, it was unknown what additional funds would be needed in the 2023-24 Budget. These funds will be used for their original intended purpose.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

87

Ordinance No.

Amending the 2023-24 Budget for the 2024 STOP DWI 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 increasing the revenue estimates and appropriations to the Budget by \$22,000 as follows:

- a. \$16,700 for the Budget of the Police Department; and
- b. \$5,500 for the Budget Undistributed Expense;

which amounts are hereby appropriated from the STOP DWI program reimbursements from Monroe County authorized in Ordinance No. 2023-376.

Section 2. This ordinance shall take effect immediately.