

**PROCEEDINGS  
OF THE  
COUNCIL  
OF THE  
CITY OF ROCHESTER  
2000**

**ROCHESTER, NEW YORK,**

# Officials 2000

William A. Johnson, Jr.  
Mayor

Jeffrey T. Carlson  
Deputy Mayor

Robert J. Meyer  
Assistant to the Mayor

William R. Faucette Jr.  
Chief of Staff

Richard W. Hannon  
Budget Director

Bridgette D. Burch  
Director of Communications

Thomas R. Argust  
Commissioner of Community Development

John M. Merklinger<sup>(1)</sup>  
Director of Emergency Communications

John Pagano, Jr.<sup>(2)</sup>  
Acting Director of Emergency Communications

R. Fashun Ku  
Commissioner of Economic Development

M. Renee' Baker  
Director of Human Resource Management

Edward J. Doherty  
Commissioner of Environmental Services

Vincent J. Carfagna  
Director of Finance

Floyd A. Madison  
Fire Chief

Linda S. Kingsley  
Corporation Counsel

Richard Panz  
Library Director

Terrance Borshoff  
Neighborhood Empowerment Team Director

Loretta C. Scott  
Commissioner of Parks, Recreation & Human Services

Robert J. Duffy  
Police Chief

(1) Appointed February 9, 2000.

# Members of Council 2000

Members	Residence
Lois J. Giess ..... President, Councilmember, East District	15 East Boulevard, 14610
Gladys Santiago ..... Vice President, Councilmember-at-Large	1850 Culver Road, 14609
Brian F. Curran..... Councilmember-at-Large	56 Elmwood Avenue, 14611
Benjamin L. Douglas ..... Councilmember, Northeast District	135 Rutledge Drive, 14621
Nancy K. Griswold ..... Councilmember-at-Large	90 Browncroft Boulevard, 14609
Tim O. Mains ..... Councilmember-at-Large	31 Menlo Place, 14620
Wade S. Norwood ..... Councilmember-at-Large	74 Appleton Street, 14611
Robert J. Stevenson..... Councilmember, Northwest District	77 Albemarle Street, 14613
Tony M. Thompson..... Councilmember, South District	105 Depew Street, 14611

# City Clerk's Office 2000

Carolee A. Conklin..... City Clerk

Daniel B. Karin ..... Deputy City Clerk

Birth A. Wright..... Legislative Assistant

Rebecca M. McNamara ..... Legislative Assistant

Geraldine Agnello ..... Administrative Assistant

Bernard J. Christopher ..... Legislative Aide Part-time

Candice A. Bianchi ..... Clerk III

Bilinda M. Escalante..... Clerk III w/Typing-Bilingual

Betsy P. Indivino ..... Receptionist

Carol Supernault ..... Legislative Clerk Part-time

# **Standing Committees of The City Council 2000**

**Parks, Public Works, and the Environment**  
Stevenson, Curran, Thompson

**Public Safety/Public Services**  
Douglas, Stevenson, Thompson

**Housing and Community Development**  
Norwood, Douglas, Griswold

**Jobs, Finance, and Governance**  
Mains, Curran, Griswold

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

Regular Meetings of the Council - Regular meetings shall be held at 8:00 p.m. in the Council Chamber, Room 302-A, City Hall.

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

ORGANIZATION MEETING  
January 3, 2000  
4:00 P.M.

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - 0.

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

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

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

By Councilman Norwood  
Resolution No. 2000-1

**Resolution For The Nomination And Selection Of A President For The Rochester City Council**

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

Section 1. The Council of the City of Rochester nominates and selects Lois J. Giess as President for the years 2000-01.

Section 2. These actions shall take effect immediately.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

By Councilman Douglas  
Resolution No. 2000-2

**Resolution For The Nomination And Selection Of A Vice President For The Rochester City Council**

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

Section 1. The Council of the City of Rochester nominates and selects Gladys Santiago as Vice President for the years 2000-01.

Section 2. These actions shall take effect immediately.

The motion was seconded by Councilman Curran.

The motion was adopted unanimously.

By Councilman Mains  
Resolution No. 2000-3

**Resolution For The Selection And Appointment Of The City Clerk**

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

Section 1. The Council of the City of Rochester hereby selects and appoints Carolee A. Conklin as the City Clerk for the years 2000-01.

Section 2. These actions shall take effect immediately.

The motion was seconded by Councilman Steven-

son.

The motion was adopted unanimously.

By Councilwoman Santiago  
Resolution No. 2000-4

**Resolution Adopting The Rules Of Council**

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

Section 1. The Council hereby adopts the following Rules of Council, for the years 2000-01:

I. REGULAR MEETINGS — Regular meetings of the Council of the City of Rochester shall be held in the Council Chambers, City Hall, at 8:00 P.M., on the following dates in 2000:

- January 18
- February 15
- March 21
- April 18
- May 16
- June 20
- July 18
- August 22
- September 19
- October 17
- November 14
- December 19

and also at such other times as the Council may by adjournment to a day certain appoint. The regular meeting schedule for 2001 shall be established in a resolution adopted in 2000. When the date for a regular meeting falls on a legal holiday the meeting shall be held on the following day.

II. SPECIAL MEETINGS — Special meetings may be called at any time by the Mayor, the President of the Council, or any three Councilmembers. The City Clerk shall cause the written notice thereof, specifying the object of the meeting, to be served upon each member personally or to be delivered at the member's usual place of residence at least twenty-four hours before the time fixed for such meeting, except that if such notice is served prior to 5:00 P.M., the time for the special meeting may be fixed at any time after 9:00 A.M. the following day. Councilmembers may waive service of such notice in writing. At such special meeting no business other than that named in the notice of the meeting shall be transacted.

III. EXECUTIVE MEETINGS — Whenever the Council or a duly constituted committee thereof shall determine to transact business in an executive session, it shall do so in accordance with the provisions of the Open Meetings Law, and the presiding officer shall direct all persons except members and designated officers of the City to withdraw.

IV. QUORUM — The majority of the Councilmembers shall constitute a quorum; but a smaller number may adjourn from day to day.

V. PRESIDING OFFICER — The President of the Council, and in the President's absence, the Vice President, shall preside over the meetings of the Council. In the absence of both the President and the Vice President, the City Clerk shall call the meeting to order and the Council shall appoint as presiding officer a President *pro tempore*.

VI. ORDER OF BUSINESS — The following shall

be the order of business at regular meetings:

1. Roll Call.
2. Prayer.
3. Approval of the minutes of the preceding meeting or meetings.
4. Communications to the Council from the Mayor, President of the Council, other corporate officers, boards and departments and miscellaneous communications.
5. Presentation and reference of petitions and remonstrances.
6. Public Hearings.
7. Introduction of an action upon local laws, ordinances and resolutions.
8. Reports of standing committees and action thereon.
9. Reports of special committees.
10. Miscellaneous business.
11. Adjournment.

VII. PERMISSION FOR PERSONS TO SPEAK BEFORE THE COUNCIL — For one hour prior to roll call at the commencement of a Council meeting, the President of the Council may allow any person to speak to the Council upon the following terms and conditions:

1. In order to speak, a citizen must notify the Clerk's Office before 6:00 p.m. on Council meeting nights.
2. The citizen must specify to the Clerk the subject of his or her remarks.
3. The Clerk will prepare two lists of scheduled speakers:
  - A. Those wishing to speak on items which are on the agenda for that Council meeting and which are not the subject of a public hearing.
  - B. All other speakers.
4. The lists shall be in the order that citizens notified the Clerk's Office.
5. At the start of the session, the President will divide sixty (60) minutes by the number of speakers on both lists to determine the amount of time allotted to each speaker. However, the minimum allotted time will be three (3) minutes.
6. The President will call the speakers in order as listed on List A, and after completing List A, the speakers on List B, giving each the amount of time determined in paragraph 5 above.
7. Any listed speakers not reached by 8:00 p.m. will be invited to return to the next Council session when their names will be placed at the top of the respective lists.
8. Speakers must relinquish the podium at the end of their allotted time.
9. In the event that the President shall determine that any speaker is violating any of the Rules of Council, the President, in the President's discretion, may cause the meeting to be recessed.

Any person may also speak at meetings of duly constituted committees of the Council at the invitation of the

Chairperson and upon such terms and conditions as the Chairperson may, from time to time, prescribe.

VIII. ROLL CALL VOTE — On the passage of every ordinance which is not adopted by unanimous vote, on the passage of any ordinance authorizing the issuance of bonds and notes, on the selection of any officer other than by unanimous vote, and on the enactment of any local law, the individual vote for or against the particular legislation before Council shall be entered in full upon the journal. In the case of an abstention from a vote, any member who abstains from voting shall state publicly the reasons for such abstention: such reasons shall be entered in full upon the journal.

IX. PRECEDENCE OF MOTIONS — When a question is before the Council no motion shall be entertained except: First, to adjourn; second, to fix the hour of adjournment; third, for the previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a day certain; seventh, to refer; eighth, to amend. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to vote without debate.

X. PREVIOUS QUESTION — The previous question shall be put as follows: "Shall the main question be now put?" If this question is decided in the negative, the main question remains before the Council.

XI. DIVISION OF QUESTIONS — If the question contains two or more divisible propositions, the presiding officer shall, upon the request of any member, divide the same, but a motion to strike out a provision and insert a substitute is not divisible.

XII. RECONSIDERATION — After the decision of any question, a member who voted in the majority may move its reconsideration at the same or a subsequent meeting. If a motion for reconsideration be lost, it shall not be renewed without unanimous consent of the members present and no question shall a second time be reconsidered without similar unanimous consent. After a local law or ordinance has been signed by the Mayor, or has been presented to the Mayor and more than thirty (30) days have expired, during which time the Mayor neither approved it nor returned it to the Clerk with objections, it shall not be reconsidered, but such local law or ordinance may be repealed, or amended.

XIII. WITHDRAWAL OF MOTION — Any motion may be withdrawn by the maker before it has been amended or voted upon, but in such case any other member may renew the motion at that time.

XIV. PROCEDURE ON RESOLUTIONS — All resolutions of the Council shall be adopted by the affirmative vote of a majority of the members present at the meeting at which action is taken thereon. Any member of the Council may introduce a resolution into the Council either (a) at any meeting of the Council, at which time the presiding officer shall refer the resolution to the appropriate standing committee, or (b) at any time until 5:00 p.m. the day before a committee meeting by submitting it to the President of the Council who shall promptly forward it to the Chair of the appropriate standing committee. The Council shall not vote upon any resolution until it has been discharged from one or more standing committees pursuant to Section XVII of these rules, provided, however, that the Council may vote upon a resolution without reference to or discharge from a standing committee if it is accompanied by a statement of ne-

cessity of immediate passage signed by the Mayor or the President of Council, or these rules are suspended as provided herein.

**XV. PROCEDURE ON LOCAL LAWS AND ORDINANCES** — All legislative acts of the Council shall be by local law or ordinance adopted by the affirmative vote of five members of the Council, unless otherwise expressly required by law.

Any member of the Council or the Mayor may introduce a Local Law or Ordinance into the Council. Such proposed legislation shall be submitted to the President of the Council, who shall forward it to the Chair of the appropriate standing committee(s). Proposed legislation submitted to the President of the Council by any Councilmember or the Mayor shall be deemed introduced into the Council on the day the President forwards it to committee, at which time the President shall simultaneously provide a copy to the City Clerk who shall note on the copy the date of its introduction and its sequential introductory number.

Proposed legislation shall be similarly distributed to Councilmembers on "Agenda Day" which shall be at least nineteen (19) days prior to the date of the Council meeting at which it is scheduled to be considered. During the week following Agenda Day, additional legislation may be submitted to the President of Council for distribution to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted less than twelve (12) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration, stating the nature of the emergency, signed by the Mayor. The Clerk shall keep a file of all proposed legislation until it is voted upon by the Council or until the expiration of each two-year term of Council. A local law or ordinance amended after introduction shall not become a new local law or ordinance unless the presiding officer, or the Council on an appeal from the presiding officer's ruling, rules that the amendment is so substantial as to constitute a new local law or ordinance. The Council shall not vote upon any local law or ordinance until it has been discharged from one or more standing committees of the Council pursuant to Section XVII of these rules, provided, however, that the Council may vote upon proposed legislation without reference to or discharge from a standing committee if:

- a) as to a local law, it is accompanied by a statement of necessity of immediate passage signed by the Mayor, and its adoption is by the affirmative vote of six (6) members of the Council, or
- b) as to an ordinance, (i) it is accompanied by a statement of necessity of immediate passage signed by the Mayor, or (ii) approval to vote upon it is given by six (6) members of the Council.

Whenever a public hearing is required to be held by the Council on an item of proposed legislation, the President may direct the City Clerk to advertise the public hearing in the manner and for the period of time required by law so that such hearing may be held at the next available regularly scheduled or special Council meeting following introduction of the proposed legislation; or if the hearing is to be held before a committee, such hearing shall be advertised so that it may be held at the next available regularly scheduled or special meeting of that committee; unless

the Council provides otherwise by resolution.

Whenever the Mayor has disapproved a local law or ordinance and the City Clerk has presented the local law or ordinance to the Council with the Mayor's objections, the President or any member of Council may move for reconsideration of the same within thirty (30) days.

**XVI. CONSTITUTION OF COMMITTEES** — The following standing committees shall be appointed by the President of the Council at the organization meeting of the Council:

Housing & Community Development; Jobs, Finance & Governance; Parks, Public Works & The Environment; Public Safety & Public Services.

The first named member of each committee shall be Chair. The President and the Vice President shall be *ex officio* voting members of all committees.

A change in the personnel of the foregoing committees, including a change in the Chair thereof, may be effected at any time or times at the pleasure of the President of the Council with the concurrence of a majority of the Council, or in any case by a two-thirds vote of the Council. The President shall be empowered to constitute a Committee of the Whole, in place of any standing committee, to consider Mayoral appointments of Department Heads or for other resolutions, local laws, or ordinances considered to be of sufficient importance as to merit such treatment. Discharge from the Committee of the Whole shall fulfill the requirements variously stated in Sections XIV, XV, and XVII, which call for the discharge of any proposed legislation from a standing committee before it can be acted upon by the Council.

**XVII. MEETINGS AND PROCEDURES OF STANDING COMMITTEES** — A majority of a committee shall constitute a quorum. Each committee shall meet at the call of its Chair or any other two members, upon reasonable notice to all committee members. Regular meetings of the standing committees shall be scheduled no later than five (5) days before the date of a Council meeting.

A committee may hold a public hearing on any proposed legislation referred to it. A committee may amend any proposed legislation referred to it by majority vote of its members taken at a meeting, and if discharged, the Council shall consider the proposed legislation.

In discharging any proposed legislation referred to it, a committee shall specifically recommend the legislation for adoption, rejection or consideration by the Council in a written report signed by a majority of its members attending the committee meeting. Any proposed legislation discharged by a committee shall be placed by the City Clerk on the agenda of the next regular Council meeting, at which the Council shall vote upon each item of proposed legislation separately, a yes vote to indicate adoption of the legislation, and a no vote to indicate rejection of the legislation.

If a committee fails or refuses to discharge any proposed legislation referred to it, it may be discharged on a motion duly seconded by the affirmative vote of a majority of the Council.

**XVIII. ROBERT'S RULES OF ORDER** — The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the Council in all cases except as herein provided.

XIX. SUSPENSION OF RULES — Any rule of the Council, except as otherwise specifically provided in such rule, may be temporarily suspended by a vote of two-thirds of all the members present, unless such rule is prescribed by law.

XX. AMENDMENT OF RULES — No permanent alteration shall be made in these rules without notice of the proposed change having been given at a previous meeting.

Section 2. This resolution shall take effect immediately.

The motion was seconded by Councilman Thompson.

The motion was adopted unanimously.

By Councilman Stevenson  
Ordinance No. 2000-1

**Designating The Official Newspapers Of The City Of Rochester For The Years 2000-01**

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

Section 1. The following newspapers are hereby designated to be the official newspapers of the City of Rochester for the years 2000-01: the *Democrat & Chronicle*, the *Daily Record*, and *City Newspaper*.

Section 2. The Mayor is hereby authorized to enter into agreements with the publishers of said newspapers whereby said newspapers shall publish and print such materials as shall be delivered to the newspaper by the City Clerk or other authorized officials or employees of the City. In no event shall any designated newspaper have the right to publish all official notices of the City.

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

Section 4. This ordinance shall take effect immediately.

The motion was seconded by Councilman Norwood.

Passed unanimously.

MISCELLANEOUS BUSINESS

The meeting was adjourned at 4:45 P.M.

CAROLEE A. CONKLIN  
City Clerk

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REGULAR MEETING  
January 18, 2000

Present - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.  
Absent - Councilman Curran - 1.

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

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

Recognition Ceremonies

- Retirement:
  - Police Department
    - Carlos Cruz
    - Ray Miraglia
    - \*Juan Rodriguez
  - Environmental Services
    - \*John Arieno
  - Fire Department
    - \*Michael DiMaria
- \*Did not attend meeting.

APPROVAL OF THE MINUTES

By Vice President Santiago

RESOLVED, that the minutes of the Regular Meeting of December 14, 1999 and the Organization Meeting of January 3, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

- The Mayor submits the following:
  - Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3627-7
  - Corporation Counsel Submits Settlement of Tax Assessment Proceedings. 3628-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing The Acquisition By Negotiation Or Condemnation Of Parcels For The Lake Avenue Improvement Project Int. No. 9 One speaker: City Engineer, George Stam.

Dedication of Parcels To Street Purposes As A Part Of The Lake Avenue Improvement Project Int. No. 10 No speakers.

Authorizing Amendatory 1995-96 And 1998-99 Community Development Program And 1999-2000 HOME Program Plans, Authorizing City Development Funds And An Agreement For The First Mortgage And TNT Programs Int. No. 39 One speaker: Ron Ring.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson  
January 18, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 1 - Authorizing The Extension Of A Lead Agency Agreement Between The City Council And The Mayor Regarding Environmental Review

Int. No. 2 - Authorizing Agreements For Environmental Site Assessments

Int. No. 3 - Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

Int. No. 4 - Establishing Maximum Compensation For Professional Services Agreements For Cemetery Services And Amending The 1999-2000 Budget

Int. No. 5 - Establishing \$18,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Construction Resident Project Representation Services And Appropriating Funds For The St. Joseph's Area Urban Renewal District Streetscape Improvement Project

Int. No. 6 - Authorizing Agreements With Respect To The Broad Street Tunnel-East Approach Project

Int. No. 7 - Amending The 1999-2000 Budget For The Dewey Avenue Bridge Rehabilitation Project

Int. No. 8 - Authorizing Agreements With Respect To The Elmwood Avenue Bridge Rehabilitation Project

Int. No. 40 - Establishing \$570,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Charlotte Harbortown Redevelopment Project

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 9 - Authorizing The Acquisition By Negotiation Or Condemnation Of Parcels For The Lake Avenue Improvement Project

Int. No. 10 - Dedication of Parcels To Street Purposes As A Part Of The Lake Avenue Improvement Project

Respectfully submitted,  
Robert J. Stevenson  
Brian F. Curran (Absent)  
Tony M. Thompson  
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-2  
Re: Agreement - Environmental Review

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

The requirement for environmental review of certain actions is specified by the NY State Environmental Quality Review Act and Chapter 48 of the City Code. When, under these regulations, more than one governmental body is involved in one of these actions, a lead review agency must be designated. Such designation of a lead agency is merely procedural. It does not reflect any consideration of the actual substance or merits of the action. For all actions, the

findings of the designated lead agency are presented with the proposed legislation (e.g., rezoning request or developmental proposal).

Prior to 1987, for actions in which the Council was involved, the designation of a lead agency required formal approval by a majority of its members. This requirement occasionally resulted in a delay of up to three weeks, at that time, the typical period of time between Council meetings.

To eliminate this delay, on October 13, 1987, the Council authorized an agreement between the President and the Mayor that designated the Mayor as lead agency for all actions in which both parties are involved, unless — for any individual action — the President otherwise specified. Since then, the Council has annually authorized the renewal of this agreement, most recently on February 16, 1999.

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

Similar agreements have been executed between the Planning Commission and Zoning Board of Appeals and the Director of Zoning.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor  
Lois J. Giess  
President  
Ordinance No. 2000-2  
(Int. No. 1)

**Authorizing The Extension Of A Lead Agency Agreement Between The City Council And The Mayor Regarding Environmental Review**

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

Section 1. The President of the Council is hereby authorized to enter into an extension of the agreement with the Mayor regarding the lead agency for environmental review pursuant to Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Municipal Code for actions which involve discretionary decisions by the City Council and the Mayor.

Section 2. The agreement extension shall be for a term of one year. Additional extensions shall be submitted to the City Council on an annual basis for approval. The agreement shall contain such additional terms and conditions as the Mayor and the City Council deem to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-3

Re: Agreements - Environmental Site Assessments

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for environmental assessments, investigations and analyses.

Organization  
Address

- Day Environmental Inc.  
2144 Brighton-Henrietta Town Line Road
- The Sear Brown Group  
85 Metro Park
- Bergmann Associates  
200 First Federal Plaza
- Clough Harbor Associates  
13 S. Fitzhugh Street
- Larsen Engineers  
700 West Metro Park

The agreements will provide for the services to be performed at specified unit prices. The costs of the services will be financed from the annual budgets of the departments that request the services or from the proceeds of bond issues authorized for various construction, development or environmental projects.

Environmental site assessments are a prerequisite for properties involved in real estate transactions. Such assessments permit a prospective purchaser to identify suspect environmental conditions and to thereby avoid or limit responsibility for the costs of any remediation of environmental contamination that may be required.

To provide for the conduct of such assessments on properties with which the City is involved, the City Council has periodically authorized agreements with several organizations for environmental services. The current agreements were originally authorized by the Council on November 18, 1997 and, with subsequent amendments, presently provide for the following maximum payment amounts.

<u>Organization</u>	<u>Maximum Amounts</u>
Day Environmental Inc.	\$ 20,000
Clough Harbor and Associates	155,000
The Sear Brown Group	242,500

These amounts have been completely expended or committed.

Accordingly, proposals for future environmental services were solicited from six organizations. Proposals were received from the five aforementioned organizations.

Under the proposed agreements, these organizations will...

1. For any property specified by the City, provide a Phase I environmental assessment, including:
  - a. A review of title and historical records;
  - b. An examination of other public records, including aerial photos, that may contain relevant environmental information;
  - c. An inspection of the site; and
  - d. The preparation of a report with recommendations based on the findings.

2. If further requested by the City, provide Phase II assessment services, including:
  - a. The performance of subsurface and ground water tests;
  - b. The collection and analysis of waste materials, soil and ground water samples;
  - c. The identification of remediation alternatives; and
  - d. The preparation of a report containing the results of the tests and analyses and recommendations

The services will be provided at specified unit prices. The selection of the specific organization to provide the services will be based upon the type of environmental investigation that is required and the ability of the organization to perform the services within the time period specified by the City.

Each of the agreements will have an initial term of one year with provision for renewal for an additional one year period. Adjustment of the unit prices during the second year will be permitted but will be subject to approval by the City.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-3  
(Int. No. 2)

**Authorizing Agreements For Environmental Site Assessments**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for environmental site assessments as required by the City:

Company      Address

- Day Environmental Inc.  
2144 Brighton-Henrietta Town Line Road
- The Sear Brown Group  
85 Metro Park
- Bergmann Associates  
200 First Federal Plaza
- Clough Harbor Associates  
13 S. Fitzhugh Street
- Larsen Engineers  
700 West Metro Park

Section 2. Each agreement shall have a term of one year, with provision for renewal for an additional one year. Each agreement shall provide for an assessment to be performed on an as needed basis, and shall establish a unit price to be paid for a particular assessment. The unit price may be adjusted during the renewal year with the approval of the City Engineer. The cost of said assessment shall be funded from the annual budget or from project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-4  
Re: Agreement - NYS Department of Transportation, Snow Removal

Transmitted herewith for your approval is legislation authorizing the extension of a three-year agreement with the NYS Department of Transportation for the provision by the City of snow and ice removal services on the following state highways:

1. Lake Avenue, from Lyell Avenue to W. Ridge Road; and
2. Plymouth Avenue, from the Inner Loop Ramp to Troup Street.

The total length of these two streets is 2.7 miles.

The City has provided these services since 1978 pursuant to periodic agreements. The most recent agreement was authorized by City Council on January 19, 1999.

The proposed agreement extends the existing agreement from June 30, 2001 to June 30, 2002, an extension that is required by the NYSDOT. However, the provision for snow removal services on Plymouth Avenue will actually be eliminated when jurisdiction of the street is transferred from the State to the City, probably by the end of next year.

Under the terms of the proposed agreement, the State will reimburse the City \$33,471 for snow and ice removal performed during the 1999-00 winter, which is \$1,485 more than the prior amount.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-4  
(Int. No. 3)

**Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue, from the Inner Loop Ramp to Troup Street, through June 30, 2002. The agreement shall obligate the State to reimburse the City for such services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-5  
Re: Agreements - Cemeteries Fund Raising Campaign

Transmitted herewith for your approval is legislation authorizing the following agreements relating to a fund raising campaign for Mt. Hope and Riverside Cemeteries.

Person/Organization	Amount
Miriam Shapiro 13 Selden Street	\$42,000
Saphar & Associates 185 Gibbs Street	20,000
Donna Dey Macedon, New York	15,000

The cost of the agreements will be financed through the appropriation of a portion of the unreserved retained earnings of the Cemetery Fund.

As you are aware, in recent years the annual expenses of the Cemetery Fund have exceeded the annual revenues. As a result, a contribution from the General Fund has been necessary; in 1999-00, the required contribution is projected to be \$417,700.

To address the problem of deficits, a corrective action plan was developed for the cemeteries. This plan, which was submitted to the City Council on June 1, 1998, provides for:

1. The development of a sales staff to enhance revenues,
2. Development of a long-term marketing plan to sustain revenues,
3. Limitation of improvements at the cemeteries for the next few years,
4. Establishment of a Cemetery Advisory Committee, and
5. Formation of a foundation through which to solicit funds to finance cemetery improvements.

On October 13, 1998, the Council authorized an agreement with Dr. Alan Pine for development of a fund raising campaign for the foundation, which was established earlier this year. However, the agreement has been terminated.

The proposed agreements will replace the agreement with Dr. Pine. Under the agreements....

1. Ms. Shapiro will plan, develop and manage the campaign;
2. Saphar will design and produce various materials to be used in the campaign; and
3. Ms. Dey will research, develop and prepare grant applications.

The goal of the campaign will be to raise \$3.0 million during the next five years.

Accordingly, the agreement with Ms. Shapiro will have an initial term of one year with provision of renewal for four additional one year periods. The agreement with Saphar will have a term of six months,

while the agreement with Ms. Dey will have an initial term of one year with provision for renewal for an additional one year period.

The appropriation from the retained earnings of the Cemetery Fund will require amendment of the 1999-00 budget of the Department of Parks, Recreation and Human Services. If the appropriation is approved, the balance of the fund will be \$57,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-5  
(Int. No. 4)

**Establishing Maximum Compensation For Professional Services Agreements For Cemetery Services And Amending The 1999-2000 Budget**

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

Section 1. The sum of \$42,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Miriam Shapiro for fundraising services for the Rochester Cemeteries Heritage Foundation. Said amount shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

Section 2. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Saphar & Associates, Inc. for design, layout and printing services for fundraising for the Rochester Cemeteries Heritage Foundation. Said amount shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

Section 3. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Donna Dey for grant writing services for the Cemeteries. Said amount shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services. The agreement shall extend for one year, and may contain a one-year renewal option, contingent upon funding being provided in the 2000-01 Budget.

Section 4. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$77,000, which amount is hereby appropriated from the fund balance of the Cemetery Fund to fund the agreements authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-6  
Re: St. Joseph's Urban Renewal Project

Transmitted herewith for your approval is legislation relating to the St. Joseph's Urban Renewal Project.

This legislation will:

1. Appropriate \$50,000 in anticipated reimbursements to finance a portion of the costs of sidewalk improvements within the project area; and
2. Authorize an amendatory agreement with Lu Engineers, 2230 Penfield Road, for resident project representation services at a maximum cost of \$18,000, which will be financed from the proceeds of a bond issue authorized by the City Council on February 20, 1996.

The St. Joseph's Urban Renewal District was established by the Council on November 14, 1995 to facilitate the acquisition and disposition of certain property required for the replacement of the Clinton Avenue parking garage. The development plan for the district was approved by the Council on February 20, 1996.

Under the plan, a 1,000 sq. ft. space garage is currently being constructed by SIBGAR Associates, an entity established for the project by Wilmorite, Inc., which owns the adjacent Sibley's building. Construction is expected to be completed in May, 2000.

The property on which the garage is being constructed is leased by SIBGAR (through the County of Monroe Industrial Development Agency) pursuant to an agreement authorized by the Council on February 20, 1996. Under the terms of this agreement, SIBGAR is responsible for partially financing the costs of certain improvements to the public right-of-way adjacent to the garage property.

These improvements, which were designed by the Bureau of Architecture and Engineering Services, include the installation of modular pavers and exposed aggregate concrete sidewalks, tree pits with grates, planters and other landscaping. The estimated cost of the improvements is \$200,000.

Construction	\$160,000
Inspection	18,000
Contingencies	22,000
Total	\$200,000

The proposed legislation will appropriate the anticipated reimbursement by SIBGAR of its share of the project costs. Provision for the City's share of the costs was included in the aforementioned bond issue.

Lu Engineers is one of the organizations that provide "on call" inspection services at specified hourly rates under agreements authorized by the Council on April 13, 1999. The current amount allocated for the agreement with Lu is \$60,000. The proposed legislation will increase this allocation by \$18,000 to provide for inspection services for the right-of-way improvements.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-1

Ordinance No. 2000-6  
(Int. No. 5)

**Establishing \$18,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Construction Resident Project Representation Services And Appropriating Funds For The St. Joseph's Area Urban Renewal District**

**Streetscape Improvement Project**

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

Section 1. The sum of \$18,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Lu Engineers for construction resident project representation services for the St. Joseph's Area Urban Renewal District Streetscape Improvement Project. Said amount shall be funded from Bond Ordinance No. 96-51.

Section 2. The sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated from anticipated revenues to fund the St. Joseph's Area Urban Renewal District Streetscape Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-7  
Re: Broad Street Tunnel East Approach Project

Transmitted herewith for your approval is legislation relating to the Broad Street Tunnel East Approach Project. This legislation will:

1. Authorize any necessary agreements with the NYS Department of Transportation for administration of the project by the City; and
2. Appropriate a total of \$418,000 in anticipated state and federal reimbursements to finance a portion of the estimated costs of preliminary engineering, design and property acquisition services.

The project will involve rehabilitation of the structure and may include replacement of the structural joint systems; repairs to the structural deck slabs; utility modifications; filling of non-essential tunnel areas; painting of the structural steel; drainage improvements; and sidewalk replacement. It will also include the acquisition of certain parcels to provide access to the bridge and aqueduct for maintenance purposes.

The costs of the project will be financed primarily by the state and federal governments. However, the NYS DOT has requested that the project be administered by the City.

Construction of the project is expected to begin in the spring of 2002 and be completed by the fall of 2003. The estimated cost of the project is \$3,385,000, which will be financed as follows:

	Federal	State	City	Total
Preliminary engineering and design	\$ 240,000	\$ 45,000	\$ 15,000	\$ 300,000
Property acquisition services	112,000	21,000	7,000	140,000
Right-of-way acquisition, construction and inspection	2,356,000	441,750	147,250	2,945,000
Total	\$2,708,000	\$507,750	\$169,250	\$3,385,000

Provision for the City's share of the project costs is included in the 1999-00/2003-04 Capital Improvement Program.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-2

Ordinance No. 2000-7  
(Int. No. 6)

**Authorizing Agreements With Respect To The Broad Street Tunnel - East Approach Project**

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

Section 1. The Mayor is hereby authorized to enter into necessary agreements with the New York State Department of Transportation to participate in and administer the Broad Street Tunnel—East Approach Project. To fund the preliminary engineering, right-of-way incidentals and design of this project, the sum of \$352,000 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration, \$66,000 is hereby appropriated from anticipated reimbursements from the State of New York and \$22,000 shall be funded from the 2000-01 Cash Capital Allocation, contingent on approval of said budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-8  
Re: Dewey Avenue Bridge Rehabilitation Project

Transmitted herewith for your approval is legislation relating to the Dewey Avenue Bridge Rehabilitation Project. This legislation will:

1. Appropriate a total of \$266,000 in supplemental anticipated state and federal reimbursements; and
2. Increase the 1999-00 Cash Capital allocation to reflect the receipt of these funds.

The rehabilitation project began in June, 1998 and was substantially completed in May, 1999. It involved the replacement of the structural deck system; modifications to the concrete abutments; removal of the center pier; replacement of the bearings, bridge railings, sidewalks and curbs; restoration of the approach pavement; and landscaping.

The costs of the project were financed primarily by the state and federal governments. However, the City administered the project pursuant to an agreement authorized by the City Council on March 18, 1997.

State and federal funds totaling \$1,349,000 were appropriated by the Council for the project on February 17, 1998, based upon the engineering cost estimate.

The actual bids for construction of the project were received in April, 1998.

The final costs of the project were \$1,900,000, which was \$280,000 more than the engineering estimate. The City pre-financed the state and federal shares of the additional cost.

The proposed legislation will provide for reimbursement of the amounts that were prefinanced. Following is a summary of the total project costs.

	Federal State	City Kodak	Total
Engineering			\$ 200,000 \$200,000
Construction	\$1,158,904	\$72,431	1,448,630 \$217,295
Inspection	132,000	8,250	165,000 24,750
Administration	69,096	4,319	86,370 12,955
Total	\$1,360,000	\$85,000	\$1,900,000 \$255,000 \$200,000
Prior Appropriations	1,136,000	213,000	
Supplemental Appropriations	\$ 224,000	\$ 42,000	

The participation in the project by the Eastman Kodak Company reflected the damage sustained by the bridge from a Kodak truck in February, 1996.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-3

Ordinance No. 2000-8  
(Int. No. 7)

**Amending The 1999-2000 Budget For The Dewey Avenue Bridge Rehabilitation Project**

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

Section 1. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$266,000 to fund the Dewey Avenue Bridge Rehabilitation Project, of which amount \$224,000 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration, and \$42,000 is hereby appropriated from anticipated reimbursements from the State of New York.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-9  
Re: Elmwood Avenue Bridge  
Rehabilitation Project

Transmitted herewith for your approval is legislation relating to the Elmwood Avenue Bridge Rehabilitation Project. This legislation will:

1. Authorize any necessary agreements with the NYS Department of Transportation for the City's participation in and administration of the project; and
2. Appropriate a total of \$142,500 in anticipated reimbursements from the state and federal governments to finance a portion of the costs of preliminary engineering and design services.

The project involves replacement of the structural joint systems; curb repairs and sidewalk modifications; drainage improvements; and painting of the structural steel. Although the costs of the project will be financed primarily by the state and federal governments, the City has been requested by NYS DOT to administer the project.

Construction of the project is expected to begin in the summer of 2001 and be completed by the summer of 2002. The estimated cost of the project is \$1,270,000, which is expected to be financed as follows:

	Preliminary Engineering and Design	Construction and Inspection	Total
Federal	\$120,000	\$ 896,000	\$1,016,000
State	22,500	168,000	190,500
City	7,500	56,000	63,500
Total	\$150,000	\$1,120,000	\$1,270,000

Provision for the City's share of the project costs is included in the 1999-00/2003-04 Capital Improvement Program.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-4

Ordinance No. 2000-9  
(Int. No. 8)

**Authorizing Agreements With Respect To The Elmwood Avenue Bridge 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 necessary agreements with the New York State Department of Transportation to participate in and administer the Elmwood Avenue Bridge Rehabilitation Project. To fund the preliminary engineering and design of this project, the sum of \$120,000 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration, \$22,500 is hereby appropriated from anticipated reimbursements from the State of New York and \$7,500 shall be funded from the 2000-01 Cash Capital Allocation, contingent on approval of said budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-10  
Re: Agreement - LaBella Associates,  
Charlotte Harbortown Redevelopment  
Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with LaBella Associates, 300 State Street, for additional architectural and engineering services for the Charlotte Harbortown Redevelopment Project. The maximum cost of the agreement will be \$570,000, which will be financed from funds previously appropriated for the project.

The project involves the realignment of Beach Avenue, east of Lake Avenue; reconstruction and extension of River Street from Stutson Street into the port area; reconstruction of Latta Road, east of Lake Avenue; construction of a new road from River Street extending south to Petten Street; construction of three new access roads from Lake Avenue into the port area; parking and infrastructure improvements; construction of a customs station/ferry terminal and docking facility and transient marina; and construction of new pedestrian trails along the river. The estimated cost of these improvements is \$61,600,000, which is expected to be financed from federal, state and county grants and appropriations approved by the City Council.

The original agreement with LaBella for design of most of the improvements was authorized by the Council on July 13. At that time, because the lack of a commitment from the Lake Ontario Fast Ferry corporation concerning the provision of the ferry service, the agreement did not provide for design of the ferry terminal and docking facility.

The omission of the terminal and docking facility from the design plan has made design of the other improvements somewhat difficult. The proposed amendatory agreement would provide for the addition of the facility to the design plan.

The estimated cost of design of the terminal will be financed primarily from funds from the federal and county governments. Only \$30,000 of the total cost will be financed by the City.

Monroe County and the City have been assured by the NYS Department of Transportation that the federal funds used to finance the costs of design will not have to be repaid if the planned ferry service is not actually instituted. Therefore, the City's financial risk in proceeding with design of the terminal is limited.

Further, even in the absence of the ferry service, it is expected that a terminal will be required for other types of excursion boats. At present, the docking facilities for such vessels are clearly inadequate.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-10  
(Int. No. 40)

**Establishing \$570,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Charlotte Harbortown Redevelopment Project**

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

Section 1. The sum of \$570,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LaBella Associates for architectural and engineering services related to the Charlotte Harbortown Redevelopment Project. Of said amount, \$410,000 shall be funded from the County of Monroe funds appropriated in Section 5 of Ordinance No. 99-82, \$130,000 shall be funded from the Federal funds appropriated in Section 2 of Ordinance No. 99-245, and \$30,000 shall be funded from Bond Ordinance No. 99-246.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 9 and  
Introductory No. 10  
Re: Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Lake Avenue Improvement Project. This legislation will:

1. Authorize the acquisition, by negotiation or condemnation, of 13 parcels along Lake Avenue; and
2. Amend the Official Map by dedicating these parcels as additional public right-of-way.

The project, which extends from Burley Road to Polard Avenue, is being designed by The Sear Brown Group under an agreement authorized by the City Council on August 19, 1997. Although the costs of the project will be financed primarily by the state and federal governments, the City is administering the project under an agreement authorized by the Council on June 17, 1997.

The project involves various changes in the width of the pavement; reconstruction of the pavement; installation of new water mains, services and hydrants; replacement of curbs, driveway aprons and sidewalks; the upgrading of street lighting; traffic modifications; and landscaping. The changes in pavement width were approved by the Council on July 13, 1999. The acquisition of the 13 parcels is required for construction of the above improvements. Since the acquisitions involve less than 2,000 square feet of land, they are considered de minimis, except for 3885 Lake Avenue, the appraised value of which is substantial because of severance damages of \$18,500.

The acquisition prices were established by an independent appraiser, Robert Pogel. The cost of acquisition, including associated closing costs, will be financed as follows:

Federal Highway Administration	\$40,000
NYS Department of Transportation	7,500
City	2,500
Total	\$50,000

The City's share of the cost will be financed from the proceeds of the street bond issue authorized by the Council on March 17, 1998.

The Planning Commission held an informational meeting on the proposed dedication on December 6, 1999; a representative of the Department of Environmental Services was the only speaker. The Commission recommended by a vote of 8-0 that the dedication be approved.

Public hearings on the acquisition of the parcel at 3885 Lake Avenue and the dedication of all parcels are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilman Stevenson moved to return Introductory No. 9 to committee.

The motion was seconded by Councilman Norwood.

The motion was passed unanimously.

Introductory No. 9

**AUTHORIZING THE ACQUISITION BY NEGOTIATION OR CONDEMNATION OF PARCELS FOR THE LAKE AVENUE IMPROVEMENT PROJECT**

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

Section 1. The Council hereby approves the acquisition of the following parcels for the construction and maintenance of municipal improvements as a part of the Lake Avenue Improvement Project as follows:

Address	Sq. Ft.	Land Value	Improve- ment Value	Total Acq. Amount
2924 Lake Ave. Harold & Marion Johnson	234	\$ 400	\$ -0-	\$ 400
2926 Lake Ave. Janice Pullin	152	300	-0-	300
2936 Lake Ave. Idonia Clark	204	400	-0-	400
2944 Lake Ave. Edward E. & Eleanor Rupp	148	300	-0-	300
Pt. of SBL# 61.45-01-49.1 Consolidated Rail Corp.	710	700	-0-	700
Pt. of SBL# 61.45-01-49.1 Consolidated Rail Corp.	580	600	-0-	600
3154 Lake Ave. Norman D. Irving	256	1,300	-0-	1,300
3323-27 Lake Ave. John C. & Jake L. DiMicheli	36	250	-0-	250
3345 Lake Ave. Anthony S. DiPrima	144	1,600	-0-	1,600
3861-77 Lake Ave. Gary Inzana	290	300	-0-	300
3885 Lake Ave. Frank Messina	573	26,400	4,000 (Sign)	30,400

3910 Lake Ave.	27			
Jarvee Associates		300	-0-	300
3917 Lake Ave.	149			
Chase Manhattan Bank		1,500	-0-	1,500
Totals:		\$34,350	\$4,000	\$38,350

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed \$38,350, and of said amount, plus necessary closing costs not to exceed \$11,650, \$2,500 shall be funded from Bond Ordinance No. 98-69, \$40,000 is hereby appropriated from anticipated reimbursements from the Federal Government, and \$7,500 is hereby appropriated from anticipated reimbursements from New York State.

Section 3. In the event that any or all of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcels.

Section 4. This ordinance shall take effect immediately.

Held in committee.

Councilman Stevenson moved to return Introductory No. 10 to committee.

The motion was seconded by Councilman Norwood.

The motion was passed unanimously.

Introductory No. 10

**DEDICATION OF PARCELS TO STREET PURPOSES AS A PART OF THE LAKE AVENUE IMPROVEMENT PROJECT**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcels to street purposes and adding said parcels to Lake Avenue:

**DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF HAROLD AND MARION JOHNSON LOCATED AT 2924 LAKE AVENUE**

All that tract or parcel of land containing 234 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-1, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing easterly right-of-way line of Lake Avenue (93' R.O.W.) with the existing northerly right-of-way line of Wyndham Road (50' R.O.W.), said point also being the southwest property corner of lands owned now or formerly by Harold and Marion Johnson; thence

1. N 16°51'36" E, along the existing easterly right-of-way line of Lake Avenue, a distance of 51.61 feet to a point, said point being the northwest property corner of lands owned now or formerly by Harold and Marion Johnson; thence
2. S 89°38'27" E, along the northerly property line

of the aforesaid Johnson lands, a distance of 4.63 feet; thence

- 3. S 16°44'58" W, a distance of 48.88 feet to an angle point; thence
- 4. S 28°05'48" E, a distance of 2.95 feet to a point on the existing northerly right-of-way line of Wyndham Road; thence
- 5. N 89°38'27" W, along said northerly right-of-way line, a distance of 6.90 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF JANICE PULLIN LOCATED AT 2926 LAKE AVENUE

All that tract or parcel of land containing 152 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-2, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the existing easterly right-of-way line of Lake Avenue (93' R.O.W.) with the existing northerly right-of-way line of Wyndham Road (50' R.O.W.); thence

- A. N 16°51'36" E, along the existing easterly right-of-way line of Lake Avenue, a distance of 51.61 feet to the Point of Beginning, said point also being the southwest property corner of lands owned now or formerly by Janice Pullin; thence
  - 1. N 16°51'36" E, along said easterly right-of-way line, a distance of 51.62 feet to a point, said point being the northwest property corner of the aforesaid Pullin lands; thence
  - 2. S 89°38'27" E, along the northerly property line of the aforesaid Pullin lands, a distance of 2.25 feet to a point; thence
  - 3. S 20°45'54" W, a distance of 6.49 feet to an angle point; thence
  - 4. S 13°21'19" W, a distance of 44.56 feet to a point on the existing southerly property line of the aforesaid Pullin lands; thence
  - 5. N 89°38'27" W, along said southerly property line, a distance of 4.63 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF IDONIA CLARK LOCATED AT 2936 LAKE AVENUE

All that tract or parcel of land containing 204 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No.

14880 SU-3, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the existing easterly right-of-way line of Lake Avenue (93' R.O.W.) with the existing northerly right-of-way line of Wyndham Road (50' R.O.W.); thence

- A. N 16°51'36" E, along the existing easterly right-of-way line of Lake Avenue, a distance of 103.23 feet to the Point of Beginning, said point also being the southwest property corner of lands owned now or formerly by Idonia Clark; thence
  - 1. N 16°51'36" E, along said easterly right-of-way line, a distance of 51.61 feet to a point, said point being the northwest property corner of the aforesaid Clark lands; thence
  - 2. S 89°38'27" E, along the northerly property line of the aforesaid Clark lands, a distance of 6.00 feet to a point; thence
  - 3. S 20°45'54" W, a distance of 52.80 feet to a point on the southerly property line of the aforesaid Clark lands; thence
  - 4. N 89°38'27" W, along said southerly property line, a distance of 2.25 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF EDWARD E. AND ELEANOR RUPP LOCATED AT 2944 LAKE AVENUE

All that tract or parcel of land containing 148 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-4, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the existing easterly right-of-way line of Lake Avenue (93' R.O.W.) with the existing southerly right-of-way line of Holcroft Road (50' R.O.W.); thence

- A. S 16°51'36" W, along the existing easterly right-of-way line of Lake Avenue, a distance of 51.61 feet to the Point of Beginning, said point also being the northwest property corner of lands owned now or formerly by Edward E. and Eleanor Rupp; thence
  - 1. S 10°17'08" W, a distance of 50.25 feet to a point on the existing southerly property line of the aforesaid Rupp lands; thence
  - 2. N 89°38'27" W, along said southerly property line, a distance of 6.00 feet to a point on the existing easterly right-of-way line of Lake Avenue; thence
  - 3. N 16°51'36" E, along said easterly right-of-way line, a distance of 51.62 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE AC-

QUIRED FOR HIGHWAY PURPOSES ON  
LANDS OF CONSOLIDATED RAIL COR-  
PORATION

All that tract or parcel of land containing 710 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-5, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the existing westerly right-of-way line of Lake Avenue (R.O.W. Varies) with the existing southerly right-of-way line of Crest Street (50' R.O.W.); thence

- A. S 01°30'25" E, along the existing westerly right-of-way line of Lake Avenue, a distance of 30.78 feet to a point on the northerly right-of-way line of lands owned now or formerly by Consolidated Rail Corporation; thence
- B. N 39°18'30" E, along the common right-of-way line of Lake Avenue, to the north, and Consolidated Rail Corporation, to the south, a distance of 33.66 feet to the Point of Beginning; thence
  1. S 01°30'25" E, along the common right-of-way line of Lake Avenue, to the east, and Consolidated Rail Corporation, to the west, a distance of 99.63 feet to an angle point; thence
  2. S 02°26'56" W, continuing along said common right-of-way line, a distance of 28.97 feet to a point; thence
  3. S 39°18'30" W, along the common right-of-way line of Lake Avenue, to the south, and Consolidated Rail Corporation, to the north, a distance of 14.80 feet to a point; thence
  4. N 03°16'05" E, a distance of 140.22 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE AC-  
QUIRED FOR HIGHWAY PURPOSES ON  
LANDS OF CONSOLIDATED RAIL COR-  
PORATION

All that tract or parcel of land containing 580 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-6, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the existing easterly right-of-way line of Lake Avenue (R.O.W. Varies) with the existing northerly right-of-way line of Boxart Street (50' R.O.W.); thence

- A. N 02°26'56" E, along the existing easterly right-of-way line of Lake Avenue, a distance of 49.00 feet to an angle point; thence
- B. N 01°30'25" W, along the existing easterly right-of-way line of Lake Avenue, a distance of 52.11 feet to the Point of Beginning, said point also being on the westerly right-of-way line of lands

owned now or formerly by Consolidated Rail Corporation; thence

1. N 01°30'25" W, along the common right-of-way line of Lake Avenue, to the west, and Consolidated Rail Corporation, to the east, a distance of 96.80 feet to an angle point; thence
2. N 06°11'44" E, continuing along said common right-of-way line, a distance of 35.34 feet to a point, said point also being on the northerly right-of-way line of the aforesaid Consolidated Rail Corporation lands; thence
3. N 39°18'30" E, along said northerly right-of-way line, a distance of 8.50 feet to a point; thence
4. S 02°45'03" W, a distance of 138.63 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE AC-  
QUIRED FOR HIGHWAY PURPOSES ON  
LANDS OF NORMAN D. IRVINGLOCATED  
AT 3154 LAKE AVENUE

All that tract or parcel of land containing 256 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-7, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the existing easterly right-of-way line of Lake Avenue (R.O.W. Varies) with the existing southerly right-of-way line of Appliance Street (33' R.O.W.); thence

- A. S 06°11'44" W, along the existing easterly right-of-way line of Lake Avenue, a distance of 139.01 feet to the Point of Beginning, said point also being the northwest property corner of lands owned now or formerly by Norman D. Irving; thence
  1. S 03°37'16" W, a distance of 103.37 feet to a point on the southerly property line of the aforesaid Irving lands; thence
  2. S 39°18'30" W, along said southerly property line, a distance of 8.50 feet to a point on the existing easterly right-of-way line of Lake Avenue; thence
  3. N 06°11'44" E, along said easterly right-of-way line, a distance of 110.39 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE AC-  
QUIRED FOR HIGHWAY PURPOSES ON  
LANDS OF JOHN C. AND JAKE L. DIMICHE-  
LI LOCATED AT 3323-3327 LAKE AVENUE

All that tract or parcel of land containing 36 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York,

dated September 30, 1999, and having drawing No. 14880 SU-9, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing westerly right-of-way line of Lake Avenue (R.O.W. Varies) with the existing southerly right-of-way line of Stonewood Road (49.5' R.O.W.), said point also being the northeast property corner of lands owned now or formerly by John C. and Jake L. DiMicheli; thence

- 1. S 13°57'30" W, along the existing westerly right-of-way line of Lake Avenue, a distance of 7.65 feet to a point; thence
- 2. N 45°56'07" W, a distance of 10.86 feet to a point on the existing southerly right-of-way line of Stonewood Road; thence
- 3. S 89°14'02" E, along said southerly right-of-way line, a distance of 9.65 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF ANTHONY S. DIPRIMA LOCATED AT 3345 LAKE AVENUE

All that tract or parcel of land containing 144 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-10, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing westerly right-of-way line of Lake Avenue (76' R.O.W.) with the existing northerly right-of-way line of Stonewood Road (49.5' R.O.W.), said point also being the southeast property corner of lands owned now or formerly by Anthony S. DiPrima; thence

- 1. N 89°14'02" W, along the existing northerly right-of-way line of Stonewood Road, a distance of 16.50 feet to a point; thence
- 2. N 52°07'17" E, a distance of 28.01 feet to a point on the existing westerly right-of-way line of Lake Avenue; thence
- 3. S 17°51'13" W, along said westerly right-of-way line, a distance of 18.30 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF GARY INZANA LOCATED AT 3861-3877 LAKE AVENUE

All that tract or parcel of land containing 290 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-12, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the exist-

ing westerly right-of-way line of Lake Avenue (76' R.O.W.) with the existing southerly right-of-way line of Denise Road (49.5' R.O.W.); thence

- A. S 26°22'44" W, along the existing westerly right-of-way line of Lake Avenue, a distance of 138.00 feet to the Point of Beginning, said point also being the northeast property corner of lands owned now or formerly by Gary Inzana; thence
  - 1. S 26°22'44" W, along said westerly right-of-way line, a distance of 150.00 feet to a point, said point also being the southeast property corner of the aforesaid Inzana lands; thence
  - 2. N 24°53'00" E, a distance of 148.17 feet to a point on the northerly property line of aforesaid Inzana lands; thence
  - 3. S 89°33'19" E, along said northerly property line, a distance of 4.30 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF FRANK MESSINA LOCATED AT 3885 LAKE AVENUE

All that tract or parcel of land containing 573 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-13, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing westerly right-of-way line of Lake Avenue (76' R.O.W.) with the existing southerly right-of-way line of Denise Road (49.5' R.O.W.), said point also being the northeast property corner of lands owned now or formerly by Frank Messina; thence

- 1. S 26°22'44" W, along the existing westerly right-of-way line of Lake Avenue, a distance of 138.00 feet to a point, said point also being the southeast property corner of the aforesaid Messina lands; thence
- 2. N 89°33'19" W, along the southerly property line of aforesaid Messina lands, a distance of 4.30 feet to a point; thence
- 3. N 26°59'31" E, a distance of 120.93 feet to an angle point; thence
- 4. N 31°24'48" W, a distance of 18.75 feet to a point on the existing southerly right-of-way line of Denise Road; thence
- 5. S 89°33'19" E, along said southerly right-of-way line, a distance of 20.50 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF THE CHASE MANHATTAN BANK LOCATED AT 3917 LAKE AVENUE

All that tract or parcel of land containing 149 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-14, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing westerly right-of-way line of Lake Avenue (76' R.O.W.) with the existing northerly right-of-way line of Denise Road (49.5' R.O.W.), said point also being the southeast property corner of lands owned now or formerly by The Chase Manhattan Bank; thence

1. N 89°33'19" W, along the existing northerly right-of-way line of Denise Road, a distance of 20.10 feet to a point; thence
2. N 68°04'55" E, a distance of 22.75 feet to an angle point; thence
3. N 38°34'07" E, a distance of 26.80, more or less, feet to a point on the existing westerly right-of-way line of Lake Avenue; thence
4. Southwesterly, along said westerly right-of-way line, a distance of 34.50, more or less, feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

**DESCRIPTION OF PARCEL TO BE ACQUIRED FOR HIGHWAY PURPOSES ON LANDS OF JARVEE ASSOCIATES LOCATED AT 3910 LAKE AVENUE**

All that tract or parcel of land containing 27 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-15, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing easterly right-of-way line of Lake Avenue (76' R.O.W.) with the existing northerly right-of-way line of Denise Road (R.O.W. Varies), said point also being the southwest property corner of lands owned now or formerly by Jarvee Associates; thence

1. N 30°53'59" E, along the existing easterly right-of-way line of Lake Avenue, a distance of 5.11 feet to a point; thence
2. S 26°18'53" E, a distance of 7.39 feet to an angle point; thence
3. S 59°06'20" E, a distance of 12.53 feet to a point on the existing northerly right-of-way line of Denise Road; thence
4. Northwesterly, along said northerly right-of-way line, a distance of 1.23 feet to an angle point; thence
5. N 60°52'20" W, continuing along said northerly right-of-way line, a distance of 17.66 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

**DESCRIPTION OF PARCEL FOR HIGHWAY PURPOSES ON LANDS OF THE CITY OF ROCHESTER LOCATED AT 3557 LAKE AVENUE**

All that tract or parcel of land containing 89 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-16, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing westerly right-of-way line of Lake Avenue (76' R.O.W.) with the existing northerly right-of-way line of Britton Road (66' R.O.W.), said point also being the southeast property corner of lands owned now or formerly by the City of Rochester; thence

1. N 74°35'32" W, along the existing northerly right-of-way line of Britton Road, a distance of 1.15 feet to a point; thence
2. N 17°35'49" E, a distance of 39.81 feet to an angle point; thence
3. N 19°06'50" E, a distance of 60.34 feet to a point on the existing westerly right-of-way line of Lake Avenue, said point also being the northeast property corner of aforesaid City of Rochester lands; thence
4. S 17°51'13" W, along said westerly right-of-way line, a distance of 100.09 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

Section 2. The changes authorized herein shall take effect upon acquisition of said parcels by the City.

Section 3. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Douglas  
January 18, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 11 - Authorizing A Lease Agreement With Waring Plaza Corporation For The Continued Lease Of Space For The Goodman Police Section

Int. No. 12 - Authorizing Agreements For The Weed & Seed Program And Amending The 1999-2000 Budget

Int. No. 13 - Authorizing Amendatory Agreements For The Adolescent Pregnancy Prevention Services Program

Int. No. 36 - Establishing Maximum Compensation For Professional Services Agreements For A New Public Safety Building, As Amended

Int. No. 41 - Establishing Maximum Compensation For An Agreement For The 2000 MusicFest

Respectfully submitted, Benjamin L. Douglas Robert J. Stevenson Tony M. Thompson Gladys Santiago PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL: Ladies and Gentlemen:

Ordinance No. 2000-11 Re: Lease Agreement - Goodman Police Section

Transmitted herewith for your approval is legislation authorizing a lease agreement with Waring Plaza Corporation (principals: Allan and Joan Wolk) for continued use of 262 Waring Road as the headquarters of the Goodman patrol section of the Police Department. The maximum annual cost of this agreement will be \$27,225, which will be financed from the annual budgets of the department.

The property has been used by the Goodman patrol section since 1986. The most recent agreement for such use was authorized by the City Council on November 18, 1997 and expires on December 31, 1999.

Under the proposed agreement, the section will continue to occupy 5,500 square feet of space within Waring Plaza at a cost of \$4.95 per square foot. This cost is the same as the present cost.

The Waring Corporation will continue to be responsible for adequate parking for the section. The City will be responsible for all utility costs.

The agreement will have an initial term of one year with provision for renewal for two one year periods.

Respectfully submitted, William A. Johnson, Jr. Mayor

Ordinance No. 2000-11 (Int. No. 11)

Authorizing A Lease Agreement With Waring Plaza Corporation For The Continued Lease Of Space For The Goodman Police Section

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 Waring Plaza Corporation for the continued lease of approximately 5,500 square feet of space at 262 Waring Road to be used for the Goodman Police Section Office of the Rochester Police Department. The agreement shall extend for a term of one year, with two additional one-year renewal options.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$2,268.75 in monthly rent. Said amounts shall be funded from the annual budgets of the Rochester Police Department.

Section 3. The agreement shall contain such ad-

ditional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL: Ladies and Gentlemen:

Ordinance No. 2000-12 Re: Weed and Seed Program

Transmitted herewith for your approval is legislation relating to the Weed and Seed Program. This legislation will:

1. Authorize an agreement with the U.S. Department of Justice for the receipt and use of a grant of \$50,000 from the Assets Forfeiture Fund component of the program; and

2. Increase the 1999-00 budget of the Police Department to reflect this grant.

The Weed and Seed Program, which was established in 1996, is designed to support both anti-crime efforts (weed) and projects that prevent crime by improving neighborhood conditions (seed). In Rochester, the program is operated in the northeast quadrant of the city.

The program provides annual grants from two sources: the Executive Office of Weed and Seed and the Assets Forfeiture Fund. The most recent grant from the Executive Office component was approved by the City Council on October 22; the most recent grant from the Assets Forfeiture Fund component was approved by the Council on December 15, 1998.

The grants provided under the Assets Forfeiture Fund component must be used for law enforcement purposes and, specifically, for programs in which a local law enforcement agency is working in conjunction with a federal law enforcement agency. Accordingly, the proposed grant will be used to finance the costs of firearms suppression and drug interdiction efforts, which currently include joint activities with the Bureau of Alcohol, Tobacco and Firearms and the Immigration and Naturalization Service.

Firearms Suppression

Table with 2 columns: Item, Amount. Rows include Programmable radios and headsets (\$4,840), Rental of surveillance vehicles (11,600), Cellular telephone charges (3,000), Rental of office space (10,000) totaling \$29,440.

Drug Interdiction

Table with 2 columns: Item, Amount. Rows include Overtime (\$18,280), Digital cellular telephone (1,600), Cellular telephone charges (680) totaling \$20,560. Total for both sections is \$50,000.

Respectfully submitted, William A. Johnson, Jr. Mayor

Ordinance No. 2000-12 (Int. No. 12)

**Authorizing Agreements For The Weed & Seed Program And Amending The 1999-2000 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice, Office of Justice Programs, for funding under the Weed & Seed Grant Program.

Section 2. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the Weed & Seed Grant Program. The agreements shall obligate the City to pay amounts not to exceed those set forth in the budget for the Weed & Seed Grant Program, and said amounts, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the Rochester Police Department.

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

Section 4. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$50,000, which amount is hereby appropriated from the funds to be received from the grant agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-13  
Re: Agreements - CONECTS Program

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following organizations to reflect changes in the work plan for the CONECTS program.

Organization	Change
Threshold Center for Youth 80 St. Paul Street	\$35,030
Catholic Family Center Sibley Tower Building	(26,000)
Urban League of Rochester, Inc. 265 N. Clinton Avenue	(9,030)

The CONECTS program, which was initiated in 1984, involves a consortium of seven community agencies: Action for a Better Community, Baden Street Settlement, Catholic Family Center, Puerto Rican Youth Development, Threshold, Urban League, and YWCA of Rochester & Monroe County. Oversight of the program is provided by the City, which serves as lead agency. The Council on Teen Pregnancy provides program coordination and direction. Baden Street serves as host agency for CONECTS staff.

CONECTS is designed to reduce the rate of teen pregnancy, enhance the sense of responsibility of young fathers and provide various services to pregnant or parenting teenagers. A project description is available for review in the office of the City Clerk.

The costs of the program are financed from a grant from the NYS Department of Social Services. The most recent allocation of grant funds among the various participating agencies was approved by the City Council on August 11, 1998; a revised allocation was approved by the Council on July 13, 1999.

The proposed legislation provides for a further revision in certain allocations, based upon the recommendations of the MCTP. As indicated above, the revision involves an increase in the allocation for Threshold, which will be financed through decreases in the allocations for the Catholic Family Center and Urban League.

The additional allocation will be used to finance the costs of coordination of the Members Against Teen Pregnancy program, which is a collaborative effort of Threshold, Catholic Family Center, Urban League and City School District. The program is based in East, Franklin and Marshall high schools and is directed by students.

The objective of the program is to encourage students to complete at least their high school education before beginning a family. Activities include classroom presentations, discussions groups for school athletes, public address system messages, skits and "talk shows" at assemblies, prom promises campaigns and the "Baby Think It Over" project.

The reduction in the allocations for the Catholic Family Center and Urban League relate, respectively, to their Parent Advocate and Resource Coordinator positions. The reductions will not result in the termination of any employees.

The reallocation is intended to increase the number of at-risk youth who are served by the program. If the reallocation is approved, the total costs of the applicable agreements will be as follows:

Organization	Prior Allocation	New Allocation
Threshold	\$ 5,000	\$35,030
Catholic Family Center	45,840	19,840
Urban league	45,024	35,994

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-13  
(Int. No. 13)

**Authorizing Amendatory Agreements For The Adolescent Pregnancy Prevention Services Program**

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

Section 1. The Mayor is hereby authorized to enter into amendatory agreements with the following agencies for programs under the New York State Adolescent Pregnancy Prevention Services Grant Program whereby the amount authorized and appropriated in Ordinance No. 99-248 shall be reduced by the following amount:

Agency	Reduction
Catholic Family Center	\$26,000
Urban League of Rochester	9,030

Section 2. The Mayor is hereby further authorized to enter into an amendatory agreement with Threshold under the New York State Adolescent Pregnancy Prevention Services Grant Program.

Section 3. The amendatory agreement shall obligate the City to pay an amount not to exceed \$35,030, and said amount, or so much thereof as may be necessary, is hereby reappropriated from the funding reduced in Section 1 hereof.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-14  
Re: Public Safety Building Project

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for various services relating to the Public Safety Building Project.

<u>Organization</u> <u>Address</u>	<u>Amount</u>
Bergmann Associates 200 First Federal Plaza	\$177,500
Merkel Donahue 200 South Avenue	11,000
Rochester Gas and Electric Corp. 89 East Avenue	170,900

The cost of the agreements will be financed from the 1999-00 Cash Capital allocation.

On February 16, 1999, the City Council authorized an agreement with Bergmann Associates for design of a new public safety building. At that time, the program plan for the building provided for about 127,000 square feet for the Police and Fire Departments.

On October 12, the Council authorized a comprehensive agreement with Monroe County for various real estate transactions in or near the Civic Center Complex. Among the provisions of this agreement is the requirement for the Bureau of Data Processing to vacate its present location, which contains 13,176 square feet of space, in the Test Lab building.

Because of this requirement, the program plan for the new Public Safety Building was revised to include the provision of 12,350 feet of space for the Bureau of Data Processing. The proposed amendatory agreement with Bergmann will provide for the cost of design of this additional space.

It will also provide for a portion of the cost (\$7,500) of a critique by three national design firms of the designs for both the new Public Safety Building and the Monroe County jail expansion, as well as a review of other possible improvements to the Civic Center complex. Such a critique had been requested by the Downtown Design Committee and City Planning Commission.

If the agreement is approved, the total cost of

the agreement with Bergmann will increase to \$1,277,500.

The proposed agreement with Merkel Donahue will provide for design of approximately 400 work stations for the new building. The proposed agreement with RG&E will provide for the utility installations and relocations that will be required for the project.

At present, the project plan provides for the construction of 150,760 square feet of space at an estimated cost of \$17.5 million, including contingencies.

	<u>Present</u> <u>Building</u>	<u>Proposed</u> <u>Building</u>
Police	62,480	70,770
Fire	9,833	8,740
Data Processing	13,176	12,350
Support Space	78,052	43,610
Parking	0	15,290
Total	163,541	150,760

Construction of the new building is expected to begin in the spring of 2000 and be completed in the fall of 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-14  
(Int. No. 36, As Amended)

**Establishing Maximum Compensation For Professional Services Agreements For A New Public Safety Building**

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

Section 1. The sum of \$177,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for architectural services for a new Public Safety Building. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. The sum of \$11,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Merkel Donahue for the design of work stations for a new Public Safety Building. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

[Section 3. The sum of \$170,900, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Rochester Gas and Electric Corporation for electrical service installation and relocations for a new Public Safety Building. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.]

Section [4]3. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-15  
 Re: Agreement - John Schreiber Group,  
 Rochester MusicFest

Transmitted herewith for your approval is legislation authorizing an agreement with the John Schreiber Group, of New York City, for the provision of talent booking services for the 1999 Rochester MusicFest. The maximum cost of this agreement will be \$281,500, which will be financed from the 1998-99 and 1999-00 budgets of the Department of Parks, Recreation and Human Services and revenues from the event.

The 1999 MusicFest will represent the fifth annual event. The John Schreiber Group has been involved with the Fest since its inception, first as one of the three principals of Rochester Festival Associates and, since 1997, when Dr. Carl Atkins and Quint Davis withdrew, as the primary provider of talent to the Fest.

The most recent agreement with the John Schreiber Group, for talent booking for the 1999 MusicFest, was authorized by the City Council on February 16, 1999. The Fest was held on July 17 and 18.

It was attended by more than 16,000 people. Following is a financial summary for the 1999 Fest and the budget for the 2000 Fest which will be held on July 15 and 16.

	1999		2000
	Budget	Actual	Budget
<b>Revenue</b>			
City	\$130,000	\$139,657*	\$130,000
Time-Warner	120,000	90,000	90,000
Other Corporate			
Sponsors	267,850	233,515	261,400
Ticket Sales	—	173,398	100,000
Concessions	—	76,504	40,000
Other	—	4,740	0
Total	\$517,850	\$717,814	\$621,400
<b>Expense</b>			
Music Production	\$265,750	\$352,901	\$355,000
Site	132,850	131,763	132,000
Concessions	25,550	50,416	26,400
Finance &			
Administration	11,400	22,781	23,000
Advertising/Public			
Relations	75,200	75,345	80,000
Office	7,100	4,672	5,000
Total	\$517,850	\$637,878	\$621,400
Surplus (Deficit)	\$ 0	\$79,936	\$ 0

\*Includes \$9,657 financed by DPRHS for MusicFest Week activities.  
 The reduction (from 1999 actual) in ticket sales and concession revenues do not imply an anticipated reduction in attendance. Rather, it represents conservative budgeting.

The City's contribution to the 1999 Fest will remain the same as in the past, \$130,000. Any increase in the budget will be financed from event revenues.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-15  
 (Int. No. 41)

**Establishing Maximum Compensation For An Agreement For The 2000 MusicFest**

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

Section 1. The sum of \$281,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the John Schreiber Group, Inc. to act as the booking agent for the 2000 Rochester MusicFest. Of said amount, \$221,500 shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services, and \$60,000 shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood  
 January 18, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 14 - Authorizing The Sale Of Real Estate

Int. No. 15 - Amending Ordinance No. 99-407 Relating To The Sale Of Real Estate

Int. No. 16 - Resolution Approving Reappointments To The City Planning Commission

Int. No. 17 - Resolution Approving Appointments To The Rochester Preservation Board

Int. No. 18 - Appropriation Of 1999 HOME Program Funds For The 1999 Home Expo And Brown Street Revitalization Projects

Int. No. 19 - Appropriation Of 1999 HOME Program Funds For The 1999 Home Expo and Brown Street Revitalization Projects And Authorizing Agreements

Int. No. 20 - Authorizing An Amendatory Agreement For Administration Of The Residential Assistance Program - \$31,000

Int. No. 21 - Authorizing An Amendatory Agreement For A Fair Housing Study

Int. No. 22 - Authorizing An Agreement With The Housing Council In The Monroe County Area, Inc. For The Rehabilitation Of Investor Properties Program

Int. No. 23 - Authorizing An Agreement With The Urban League Of Rochester, Inc. To Administer The Technical Assistance And Consulting Program - \$40,000

Int. No. 24 - Establishing \$40,000 As Maximum Compensation For A Professional Services Agreement For A Downtown Housing Study

Int. No. 35 - Resolution Approving Appointment And Reappointments To The Elevator Examining Board

Int. No. 37 - Amending The Municipal Code With Respect To The Issuance Of Immediate Tickets For Commercial Activities Conducted In Violation Of The Zoning Ordinance

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 39 - Authorizing Amendatory 1995-96 And 1998-99 Community Development Program And 1999-2000 HOME Program Plans, Authorizing City Development Funds And An Agreement For The First Mortgage And TNT Programs

Respectfully submitted,  
Wade S. Norwood  
Benjamin L. Douglas  
Nancy K. Griswold  
Gladys Santiago  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-16 and  
Ordinance No. 2000-17  
Re: Real Estate Sales

Transmitted herewith for your approval is legislation approving the sale of 23 properties and the revision of the terms of a sale previously approved by the City Council.

The first 12 properties to be sold were included in public auctions. The purchasers will be required to rehabilitate the properties and obtain Certificates of Occupancy within nine months of the conditional closing.

The next two properties, 249-253 Genesee Street and 537-539 Jefferson Avenue, were included in the public auction of September 29 subject to approval of the development proposals. Both properties will be developed as parking lots for use in conjunction with the purchasers' adjacent auto repair facilities.

The next three properties, 171 Lincoln Street and 1230 and 1236 Portland Avenue, will be sold to their former owners. The sale prices include all delinquent taxes and charges, interest and a 10% penalty.

The sale of the next five properties, which are vacant lots, were also subject to approval of the development proposals. 696 Brown Street and 67, 73, 75 Silver Street will be used for the construction of single-family houses, while 202 Burrows Street will be developed as a parking lot for use by the owner of the adjacent property at 208 Burrows Street.

The last property, 2085 Lake Avenue, contains a single-family house. It will be converted to a two-family house as part of the Doubles Program.

The revision in sale terms involves 1072 N. Clinton Avenue, the sale of which was approved by the Council on November 9. The revision will specify that Artis Miller, as well as Rutha Turner, is an authorized purchaser.

Respectfully submitted,  
William A. Johnson, Jr.

Mayor

Attachment No. Z-5

Ordinance No. 2000-16  
(Int. No. 14)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by public auction:

Address SBL#	Price	Legal Use Purchaser
152 Cady St. 120.590-1-37	\$5,600	2 Family Debra Williams
75 Flower St. 106.30-4-23	4,300	1 Family Marc Consler
616 Genesee St. 120.82-2-08	15,200	1 Family Southwest Area Development Corporation*
15 Gladstone St. 120.51-3-8.1	2,300	2 Family Stanley Pixley
1100 Goodman St. N. 107.29-3-35	19,000	2 Family Linda Cheeks
15 Henion St. 120.51-1-3	1,600	1 Family Joseph Soldi
45 Herald St. 106.25-2-9	7,100	2 Family Jackson Lloyd
11 Reed Pk. 106.41-4-6	400	2 Family Vincent Moore
315 Sherman St. 105.50-1-13	4,000	1 Family Ronald Stebbins
187 Sixth St. 106.52-1-9	15,500	2 Family Golden Guest Shiferaw
170 Union St. N. 106.74-2-84	14,000	2 Family Debra Williams
23 Winterroth St. 107.37-1-28	2,900	2 Family Joseph Macko

\*Officers: Frederick Johnson & Janice Washington

Section 2. The Council hereby further approves the sale of the following parcels of vacant land by public auction with proposal:

Address S.B.L.#	Price	Purchaser
249-253 Genesee St. 120.58-3-11	\$50	Lonnie Pollocks
537-539 Jefferson Ave. 120.68-1-01	50	Truman Snowden

Section 3. The Council hereby further approves the sale of the following parcels of real estate to the former owners:

Address S.B.L.#	Price	Purchaser
171 Lincoln St. 106.34-3-38	\$13,904.74	Tommy & Mary Miller
1230 Portland Ave.	7,962.92	

091.59-2-13 Deborah Scibetta  
 1236 Portland Ave. 2,758.98  
 091.59-2-12 Deborah Scibetta

Section 4. The Council hereby further approves the negotiated sale through proposal of the following parcels of vacant land:

Address S.B.L.#	Price	Purchaser
696 Brown St. 120.43-1-12	\$ 425	Urban League / EDC*
202 Burrows St. 105.48-2-32	1,300	Kim Coco
67 Silver St. 120.35-2-81	450	Flower City Habitat for Humanity**
73 Silver St. 120.35-2-80	450	Flower City Habitat for Humanity**
75 Silver St. 120.35-2-79	450	Flower City Habitat for Humanity**

\*Officers: William A. Clark, Carolyn Vitale, John Summas, Gary Pierce, Theodore Wood & Mark Simolo.  
 \*\*Officers: Arthur Woodward & Mona Alongi.

Section 5. The City Council hereby further approves the negotiated sale with proposal of the following parcel of real estate:

Address S.B.L.#	Price	Purchaser
2085 Lake Ave. 075.79-1-30	\$5,200	Ibero American Dev. Corp.*

\*Officers: Julio Vasquez, Edward Sigler, Jose Cruz, Rafael Cestero, Diana Ortiz & Juan Lugo.

Section 6. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 7. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-17  
 (Int. No. 15)

**Amending Ordinance No. 99-407 Relating To The Sale Of Real Estate**

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

Section 1. Ordinance No. 99-407, relating to the sale of real estate, is hereby amended by authorizing the sale of 1072 Clinton Avenue North, as approved in Section 3 thereof, to Rutha Turner and Artis Miller, instead of Rutha Turner.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Resolution No. 2000-5  
 Re: Appointments - City Planning Commission

Transmitted herewith for your approval is legislation confirming the reappointment of the following persons to the City Planning Commission

Riley James  
 157 Fifth Street

William Pritchard  
 674 Broadway

Mr. James' original appointment, to complete an unexpired term, was confirmed by the City Council on January 11, 1995, while his reappointment and the original appointment of Mr. Pritchard were confirmed by the Council on January 14, 1997. Following is a summary of their attendance at meetings of the Commission since the latter date.

	Meetings tended	Meetings At-
James	36	33
Pritchard	36	22

Their reappointments will extend through December 31, 2002.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Resolution No. 2000-5  
 (Int. No. 16)

**Resolution Approving Reappointments 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 reappointment of Riley James, 157 Fifth Street and William Pritchard, 674 Broadway, to the City Planning Commission for terms which shall expire on December 31, 2002.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Resolution No. 2000-6  
 Re: Appointment - Rochester Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of the following persons to the Rochester Preservation Board.

Craig Jensen  
 137 Gibbs Street

Robert LaFave  
30 Merriman Street

Mr. Jensen will fill an existing vacancy, while Mr. LaFave will replace Jeffrey Freeland. Mr. Jensen is an architect and a resident of the Grove Place Preservation District, while Mr. LaFave is a resident of the East Avenue Preservation District.

Their terms will extend through December 31, 2002. Copies of their resumes are on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-6  
(Int. No. 17)

**Resolution Approving Appointments To The Rochester Preservation Board**

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

Section 1. The Council hereby approves the appointments of Craig Jensen, 137 Gibbs Street, and Robert LaFave, 30 Merriman Street, to the Rochester Preservation Board for terms which shall expire on December 31, 2002. Mr. LaFave will replace Jeffrey Freeland and Mr. Jensen will fill an existing vacancy.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-18 and  
Ordinance No. 2000-19

Re: Home Expo Program and Brown Street  
Neighborhood Housing Project

Transmitted herewith for your approval is legislation relating to the Home Expo Program and Brown Street Housing Project. This legislation will:

1. Appropriate \$90,000 from the 1999 HOME Program for the 1999 Home Expo Program;
2. Revise the source of funding of the cost of an agreement with the Urban League of Rochester Economic Development Corporation for the construction of housing in the Brown Street neighborhood; and
3. Authorize an agreement with Flower City Habitat for Humanity for the infrastructure improvements for seven houses in the Brown Street neighborhood, at a maximum cost of \$56,000, which will be financed from the 1999 HOME Program.

1999 Home Expo Program

The 1999 Home Expo Program, which was approved by the City Council on February 16, provides for the construction of a minimum of 10 houses on Conkey Avenue. To date, six houses have been constructed or are being constructed.

The present budget for the program is as follows:

<u>Expenses</u>	
Home purchase subsidies	\$225,000
Closing cost subsidies	55,000
Promotion	10,000
Operating	11,000
Infrastructure/site improvements	27,000
Total	\$333,000

  

<u>Funding Sources</u>	
Cash Capital	\$225,000
Community Development Block Grant	48,000
HOME and City Development Fund	60,000
Total	\$333,000

Under the proposed legislation, additional funds will be appropriated from the HOME Program as a substitute for a portion of the Cash Capital funds. The substitution is intended to conserve funds that may be used to provide financial assistance to families whose income is above 80% of the median family income of the Rochester Statistical Metropolitan Area.

There are several sources of funds from which financial assistance may be provided to families whose income is at or below the 80% level, including CDBG, HOME and City Development Fund funds and grants from the NYS Affordable Housing Corporation. However, Cash Capital is one of the few sources of funds from which financial assistance may be provided to families whose income is between 81% and 120% levels.

Accordingly, if other funds are available, Cash Capital funds should not be used to provide assistance to families at or below the 80%. The appropriation of additional HOME funds will reduce the need to utilize Cash Capital funds.

To date, three of the six home buyers have incomes at or below the 80% level.

Brown Street Neighborhood

For a similar reason, HOME funds may be substituted for a portion of the Cash Capital funds that were to be used to finance the agreement with ULREDC. This agreement was authorized by the Council on September 15.

Under the agreement, a Cash Capital allocation of \$245,000 was provided to ULREDC for the construction of 10 houses. To date, eight houses have been constructed or are under construction.

Seven of the eight buyers have incomes at or below the 80% level. The use of HOME funds to provide assistance to these buyers is therefore possible. In total, the Brown Street Neighborhood Housing Project includes the following construction:

Providence Housing Development Corporation	30 rental units
Flower City Habitat for Humanity	40 houses
Urban League Economic Development Corp./Youthbuild	2 houses
Urban League Economic Development Corporation	10 houses

To date, the City has participated in the projects by acquiring and selling various parcels on which the houses or units are being constructed, authorizing property tax exemptions for the rental units in con-

sideration of payments in lieu of taxes, appropriating \$60,000 for the Youthbuild houses and as indicated above, providing \$245,000 for the other ULREDC houses.

Under the proposed legislation, an additional \$56,000 will be provided for infrastructure improvements for seven of the houses being constructed by Habitat. The houses are expected to be completed during the 2000 construction season.

The houses will be sold to families selected by a Habitat committee. To be eligible for selection, a family must have...

1. Children,
2. No member receiving public assistance,
3. Annual income within the Section 8 very-low income guidelines,
4. Substandard rental housing at present, and
5. The ability to finance housing costs of \$350 a month plus utilities.

Each family must either contribute 500 hours of "sweat equity" in building their house or the house of someone else, or contribute an equal amount of service at a neighborhood association or settlement house. The families also must attend a 12-week workshop on homeownership.

The houses will be sold for about \$55,000. Habitat will provide a 20-year mortgage with an interest rate of 0%.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-18  
(Int. No. 18)

**Appropriation Of 1999 HOME Program Funds For The 1999 Home Expo And Brown Street Revitalization Projects**

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

Section 1. There is hereby appropriated from 1999 HOME Program Funds the sum of \$90,000, or so much thereof as may be necessary, to fund home purchase subsidies as a part of the 1999 Home Expo Program.

Section 2. There is hereby appropriated from 1999 HOME Program Funds the sum of \$45,000, or so much thereof as may be necessary, to fund home purchase subsidies as a part of the Brown Street Revitalization Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-19  
(Int. No. 19)

**Appropriation Of 1999 HOME Program Funds For The 1999 Home Expo And Brown Street Revitalization Projects And Authorizing Agreements**

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

Section 1. There is hereby appropriated from

1999 HOME Program Funds the sum of \$90,000, or so much thereof as may be necessary, to fund home purchase subsidies as a part of the 1999 Home Expo Program.

Section 2. There is hereby appropriated from 1999 HOME Program Funds the sum of \$45,000, or so much thereof as may be necessary, to fund home purchase subsidies as a part of the Brown Street Revitalization Project.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement these projects.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-20  
Re: Agreement - CONEA, Residential Assistance Program

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Coalition of North East Associations for continued administration of the Residential Assistance Program in the Upper Falls neighborhood. The maximum cost of this agreement will be \$31,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 1999-00 Community Development Block Grant.

The Residential Assistance Program consists of the Special Materials Grant, Home Security and Emergency Repair Grant program components. These components provide grants of up to \$3,500 to assist low-income owner-occupants in making emergency repairs and the purchase of materials for exterior repairs and home security.

The program is administered by various neighborhood organizations throughout the city. CONEA administers the program in the Upper Falls area.

The most recent agreement for such administration was authorized by the City Council on May 11. The agreement provided an allocation of \$100,000 for the program.

Recently, it was determined that, because of an accounting error, CONEA had approved 11 grants exceeding this amount by \$27,000. The error occurred during a six month period in which the position of Executive Director was vacant and corrective measures and additional controls have now been established.

The grants were to be used for payment of the cost of improvements that have been completed by three contractors. The proposed amendatory agreement will permit such payments to be made and will also provide for a minimum of two additional grants.

The cost of the agreement will be financed from the remaining balance of the 1999-00 allocation for the Residential Assistance Program, including funds originally designated for a new matching grant program to be developed in conjunction with the Rochester

Center for Independent Living. Since the Center's matching grant application was not approved by the NYS Division of Housing and Community Renewal, these funds can be used for other purposes.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-6

Ordinance No. 2000-20  
(Int. No. 20)

**Authorizing An Amendatory Agreement For Administration Of The Residential Assistance Program - \$31,000**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Coalition of North East Associations for the administration of the Residential Assistance Program.

Section 2. The amendatory agreement shall obligate the City of Rochester to pay an amount not to exceed \$31,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-21  
Re: Agreement - Monroe County,  
Community Choice Action Plan

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Monroe County for partial payment of the costs of the Community Choice Action Plan. The maximum cost of this agreement will be \$1,650, which will be financed from the Housing Stock and General Property Conditions allocation of the 1995-96 Community Development Block Grant.

As a recipient of federal housing assistance funding, the City is required to affirmatively further fair housing choices in the community. Likewise, as similar recipients, Monroe County and the Towns of Greece and Irondequoit are also required to take such actions.

To fulfill the City's responsibility, on February 20, 1996, the City Council authorized an agreement with Monroe County for administration of a joint analysis of the impediments to fair housing choice in the Rochester area. The County contracted with Development Planning Services to perform this analysis.

On the same date, the Council appropriated \$1,650 to partially finance an analysis of the underlying statutory, regulatory and legal precepts relating to fair hous-

ing choice. It was anticipated that this analysis would be performed by the Monroe County Legal Assistance Corporation pursuant to a separate agreement.

A report incorporating both analyses was completed in April, 1996. A copy of the report is available in the Office of the City Clerk.

However, both analyses were completed under the agreement administered by the County. Under the proposed legislation, the City's share of the costs of MCLAC's services will be incorporated into the agreement with the County.

If the legislation is approved, the total cost of the agreement with the County will increase to \$11,650. Following is a summary of the financing for the total costs of the project.

Monroe County	\$15,350
City	11,650
Greece	3,650
Irondequoit	2,350
Total	\$33,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-21  
(Int. No. 21)

**Authorizing An Amendatory Agreement For A Fair Housing Study**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the County of Monroe for a Fair Housing Study.

Section 2. The amendatory agreement shall obligate the City to pay an amount not to exceed \$11,650, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Ordinance No. 96-36.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-22  
Re: Agreement - Housing Council,  
Rehabilitation of Investor Properties  
Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Housing Council in the Monroe County Area, Inc., 183 E. Main Street, for continued administration of the Rehabilitation of Investor Properties Program. The maximum cost of this agreement will be \$150,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 1999-00 Community Development Block Grant.

Heretofore, the program, which was initially authorized by the City Council on June 18, 1996, has contained the following components:

1. Investor Matching Grant for Materials - a matching grant of up to \$1,000 is provided for exterior and home security related improvements and repairs of structures with 1-4 units.
2. Investor-Owner Loan for Materials - a 1% loan of up to \$7,500 with a term of up to four years is provided to investors who own structures with 2-4 units who are capable of making their own repairs.
3. Investor Loan - a loan of up to \$35,000 with a term of up to 15 years is provided to investors who own 2-4 unit structures that require more extensive renovation.

Based upon past utilization rates for each of the components, it is recommended that only the grant component be continued. It is also recommended that the maximum grant amount be increased to \$2,000 and that use of the grant for emergency repairs be permitted.

Since inception of the program, grants totaling \$330,000 have been provided for the improvement of 371 properties; an additional \$70,000 has been committed for the improvement of 70 other properties. Therefore, during the 39 months in which the program has been operating, the average number of grants approved per month has been 11.3.

In comparison, no applications for loans for materials have been received and only 72 investor loans totaling \$1,422,665 have been approved; three applications for loans totaling \$75,000 are pending. Therefore, the average number of loans approved each month has been 1.85.

During the most recent 12 months, the average number of approved loans decreased to 1.33. Only 7% of the applications that were sent to prospective lenders were returned.

Under the proposed agreement, the Housing Council will continue to provide eligibility screening, pre- and post-construction inspections and grant disbursement services. Of the total amount allocated for the program, \$15,000 will be used to finance administrative costs.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-22  
(Int. No. 22)

**Authorizing An Agreement With The Housing Council In The Monroe County Area, Inc. For The Rehabilitation Of Investor Properties Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Housing Council in the Monroe County Area, Inc. for continued administrative services and grants through the Matching Grant for Materials component of the Rehabilitation of Investor Properties Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$150,000,

and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-23  
Re: Agreement - Urban League, Technical Assistance Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Urban League of Rochester, Inc., 265 N. Clinton Avenue, for the continued administration of the Technical Assistance Program. The maximum cost of this agreement will be \$40,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 1999-00 Community Development Block Grant.

The City has several programs designed to assist small businesses to participate in the City's procurement opportunities. The aforementioned program is directed primarily to businesses that are involved in the City's housing rehabilitation programs, although assistance also is provided to other businesses if requested.

The current agreement with the Urban League for the administration of the program was authorized by City Council on December 15, 1999. Following is a summary of the League's performance under this agreement through October:

	Planned	Actual
Consultive Services:		
participants	70	121
Bid estimation assistance	30	24
Business planning assistance	45	118
Seminars/workshops	40	56

This proposed agreement will provide for continued administration of the program by the Urban League. Specifically, the Urban League will:

1. Provide individual businesses with assistance on procedural aspects of eligibility for Women/Minority Business Enterprise certification with the NYS office of Minority and Women Business Development.
2. Provide bid estimation services, on an as-needed basis, to a minimum of 30 businesses.
3. Conduct a minimum of 40 workshops and provide direct assistance to a minimum of 70 businesses concerning the following subjects:
  - a. Information and referral services
  - b. Business planning
  - c. Cost estimating and bid preparation
  - d. Blueprint and specification interpretation
  - e. Establishing and securing credit
  - f. Employment practices
  - g. Marketing and advertising

- 4. Maintain a reference library with copies of specifications, plans and Dodge Reports.

The cost of the proposed agreement is the same as the current agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-23  
(Int. No. 23)

**Authorizing An Agreement With The Urban League Of Rochester, Inc. To Administer The Technical Assistance And Consulting Program - \$40,000**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester, Inc., to administer the Technical Assistance and Consulting Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$40,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-24  
Re: Agreement - RDDC, Center City  
Housing Development

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Downtown Development Corporation, 183 E. Main Street, for the provision of technical assistance relating to the development of additional housing in the Center City area. The maximum cost of this agreement will be \$40,000, which will be financed from the 1999-00 budget of the Department of Community Development.

Among the campaigns of *Rochester 2010: The Renaissance Plan* is the development of the Center City area as "... an exciting mix of housing, specialty retail and services, restaurants, arts and cultural venues, entertainment and 'night-life'." One of the specific goals of the Center City campaign is an "increase [in] the number of people living in the Center City through affordable as well as market-rate housing development".

To assist in the achievement of this goal, on June 2, the City Council conducted a special hearing on Center City housing in conjunction with its review of the proposed 1999-00 City budget. Among the participants in the hearing were several real estate

developers, who identified the various barriers that retard the development of such housing.

As a result of the hearing, the Council amended the proposed budget to provide \$40,000 to "...begin to better understand and break down these barriers.... and to build the necessary alliances between the development and financing sectors and other interested parties". The amendment indicated that these efforts should be performed through contractual services rather than by City staff.

Accordingly, in September, proposals for technical assistance were solicited through public advertisement. Three proposals were received.

These proposals were evaluated by an interdepartmental committee consisting of representatives of the City Council, Department of Community Development and Economic Development Department. RDDC is recommended because of its experience and comparative cost.

Under the proposed agreement, RDDC will...

- 1. Identify potential residential development sites, including both vacant land and vacant buildings,
- 2. Conduct a survey of rental rates for existing rental housing,
- 3. Develop a list of comparable sales for existing owner-occupied housing,
- 4. Identify the housing development companies that are qualified to participate in construction or rehabilitation projects,
- 5. Identify potential resources for financing construction or rehabilitation projects,
- 6. Develop a marketing plan and related materials for the recruitment of housing developers, developers, and
- 7. Conduct at least one seminar or workshop on housing development in the Center City.

The project is expected to be completed within a year.

A copy of RDDC's proposal is available for review in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-24  
(Int. No. 24)

**Establishing \$40,000 As Maximum Compensation For A Professional Services Agreement For A Downtown Housing Study**

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

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Downtown Development Corporation for market research and technical assistance for the development of downtown housing. Said amount shall be funded from the 1999-2000 Budget of the Department of Community Development.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-7  
Re: Appointment - Elevator Examining Board

Transmitted herewith for your approval is legislation confirming the appointment or reappointment of the following persons to the Elevator Examining Board.

Appointment

Michael Ferris  
4520 Sweden Walker Road

Reappointment

Timothy Carges 300 Main Street Brockport	Glenn Goodlein 124 Stottle Road
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David Cooper 45 East Avenue	Dean LaDelfa 31 Cooper Drive
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John Dyryanka 63 Hampton Way	Richard Reidman 1740 Penfield Road
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Mr. Ferris, an employee of the Eastman Kodak Company, will replace Eric Fairchild as a representative of a building owner. His term will extend through December 31, 2002.

The original appointments of the members of the board who will be reappointed all were confirmed by the City Council on April 14, 1992. All of these members were subsequently reappointed.

Following is the attendance record of each of these members since the date of their most recent reappointment.

Member	Reappointment Date	Meetings	Meetings Attended
Carges	April 11, 1995	25	22
Cooper	January 14, 1997	19	16
Dyryanka	April 16, 1996	24	12
Goodlein	April 11, 1995	25	20
LaDelfa	March 15, 1994	25	20
Reidman	April 16, 1996	24	22

A copy of the resume of Mr. Ferris is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-7  
(Int. No. 35)

**Resolution Approving Appointment And Reappointments To The Elevator Examining Board**

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

Section 1. The Council hereby approves the appointment of Michael Ferris, 4520 Sweden Walker Road, to the Elevator Examining Board for a term which shall expire on December 31, 2002. Mr. Ferris shall replace Eric Fairchild.

Section 2. The Council hereby further approves the reappointment of the following individuals to the Elevator Examining Board:

Name	Expiration of Term
Timothy Carges 300 Main Street, Brockport	April 15, 2001
David Cooper 45 East Avenue	April 15, 2002
John Dyryanka 63 Hampton Way	April 15, 2002
Glenn Goodlein 124 Stottle Road	April 15, 2001
Dean LaDelfa 31 Cooper Drive	April 15, 2000
Richard Reidman 1740 Penfield Road	April 15, 2002

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-25  
Re: City Code Amendment - Commercial Sales Violations

Transmitted herewith for your approval is legislation amending the City Code to provide for the immediate issuance of tickets for violation of the provisions of the Zoning Code relating to commercial sales.

Under the Zoning Code, the commercial use of properties with residential zoning classifications is prohibited, except for home occupations. Nonetheless, in recent years, there has been an increasing number of violations of this prohibition, particularly during special events such as the Corn Hill and Park Avenue Summer Arts Festivals and the Lilac Festival.

Each of these free events generates revenue through the rental of space or rights to authorized commercial vendors. The revenue is used to offset the costs of the events.

Each of these events is held in or near a residential area. Some residents in each of these areas have been renting space or rights on their properties to other, unauthorized commercial vendors, who then compete with the authorized festival vendors, presumably at a lower cost. At the 1999 Park Avenue Festival, for example, there were 31 unauthorized vendors.

The competition has the potential for reducing the number of vendors who request authorization to sell at the events and/or to reduce the fees that they are willing to pay for vending rights, thus reducing event revenues. It also has the potential for resulting in misunderstanding and confusion by some people who attend the events.

For example, it is commonly known that the authorized vendors at the Corn Hill Arts Festival undergo careful scrutiny by the event organizers; the quality of their products and their past performance at the event are evaluated by a committee. As a result, there is an implicit endorsement by the event organizers of the authorized vendors and some people attending the event may rely upon this implicit endorsement when purchasing a product.

Often, it is difficult for people who attend the event to distinguish between authorized and unauthorized vendors. They therefore may not know that an unauthorized vendor has not been evaluated by the committee and may not satisfy the high standards required for authorized vendors.

Because of such misunderstanding, some people who make purchases from unauthorized vendors may do so with false impressions about the quality of the products or the business practices of the vendors. The City has received at least one report of an unauthorized vendor selling an inferior product and not accepting its return.

When an owner of a residential property permits it to be used for commercial purposes, the City may, of course, issue a Notice and Order for correction of the violation. Typically, the Order would direct correction within 30 days, after which period the property would be reinspected for compliance.

With respect to violations during festival events, though, the typical compliance period would be longer than event duration. Compliance would occur routinely with the conclusion of the event and no penalty would be imposed.

Therefore, under the present code provisions, there is no effective means of enforcement. A property owner may violate the code with impunity.

The proposed legislation is intended to correct this problem. It would authorize the immediate issuance of a ticket for violation of the prohibition against commercial sales on a residential property.

The authority to issue tickets would not apply to "garage sales" conducted by the owner of a property or to the sale by the owner of homemade food and drinks. However, there would be restrictions on the equipment used in such sales.

The issuance of a ticket would result in a fine of up to \$150. The subsequent correction of the violation would not absolve an owner of the need to pay the fine.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-25  
(Int. No. 37)

**Amending The Municipal Code With Respect To The Issuance Of Immediate Tickets For Commercial Activities Conducted In Violation Of The Zoning Ordinance**

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

Section 1. Section 52-3 of the Municipal Code, Penalties for offenses, as amended, is hereby further amended by amending subsection A thereof to read in its entirety as follows:

A. Any person who, having been served with a notice or order to remove any violation of either the Property Conservation Code, Building Code, Plumbing Code, Fire Prevention Code, Zoning Ordinance, Health Ordinance and Anti-Litter Ordinance of the City of Rochester or any nuisance, fails to comply therewith within the time fixed by

the Department, or who violates a section of the Municipal Code for which an immediate ticket may be given, shall be guilty of an offense, punishable, for each offense, by a fine not exceeding one hundred fifty dollars (\$150.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment, or by a penalty of not less than twenty-five dollars (\$25.) nor more than five hundred dollars (\$500.) to be recovered by the City of Rochester in a civil action. Every day of such violation may be held to constitute a separate offense.

Section 2. Section 52-5 of the Municipal Code, Procedure for enforcement, as amended, is hereby further amended by amending subsection A(1) thereof to read in its entirety as follows:

(1) Whenever the Department shall declare that a building or vacant area is a nuisance or is in violation of either the Property Conservation Code, Building Code, Plumbing Code, Fire Prevention Code, Zoning Ordinance, Health Ordinance and Anti-Litter Ordinance of the city or of any other state or local law, ordinance or regulation enforced by the Department, it shall serve a notice or order in the manner prescribed by § 52-6 of this chapter, reciting the facts constituting such nuisance or violation, specifying in what respect the building or vacant area is a nuisance or in violation of either the Property Conservation Code, Building Code, Plumbing Code, Fire Prevention Code, Zoning Ordinance, Health Ordinance and Anti-Litter Ordinance of the city or of any other state or local law, ordinance or regulation enforced by the Department and requiring the owner to remove such nuisance or violation within a specified period for compliance after service of such notice or order, or it shall serve a ticket for such violation. A ticket shall have the same effect as a notice and order requiring immediate abatement of a nuisance or violation, in addition to subjecting the respondent to penalties for the violation. Such notice or order or ticket shall provide that, if the owner fails to remove such nuisance or violation within such period for compliance so prescribed, the Department may remove or cause the removal of such nuisance or violation by cleansing, repairing, vacating or by taking such other corrective action deemed necessary and shall notify the owner and, in the case where the Department may cause the vacating of a building, all tenants, of the right to a hearing as hereinafter provided. Notwithstanding the requirements for a notice and order established in this section and elsewhere in this Municipal Code, immediate tickets may be issued for commercial activities conducted in violation of the Zoning Ordinance, except that immediate tickets shall not be issued for sales of personal used items being conducted in accordance with the provisions of Section 96-7A of the Municipal Code, or for the sale of homemade food or drinks at a residence by the owner or occupant thereof provided that a commercial vending unit may not be used and the aggregate size of any table or tables or other display, preparation and storage areas shall not exceed four feet (4') wide by eight feet (8') long.

Section 3. Section 52-5 of the Municipal Code, Procedure for enforcement, as amended, is hereby further amended by amending subsection B(1) thereof to read in its entirety as follows:

(1) If such nuisance or violation is not removed by the owner within the time heretofore prescribed after service of such notice or order or ticket, the

Department may proceed with the removal of such nuisance or violation as provided in the notice or order or ticket or may cause the same to be done. Removal of a violation after service of a ticket shall not absolve the owner of a violation that existed at or before the time the ticket was issued.

Section 4. Section 52-5 of the Municipal Code, Procedure for enforcement, as amended, is hereby further amended by adding thereto the following new subsection D to read in its entirety as follows:

D. When an immediate ticket is authorized to be issued for a violation, the ticket shall have the same effect as a notice or order requiring immediate abatement of a nuisance or violation, in addition to subjecting the respondent to penalties for the violation, and the owner and/or tenant shall have all rights that are provided when a notice or order is issued and the City shall have all remedies that are provided when a notice or order is issued. Every day of such violation may be held to constitute a separate offense for which additional tickets may be issued and for which penalties shall increase. Removal of a violation after service of a ticket shall not absolve the owner of a violation that existed at or before the time the ticket was issued.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-26  
Re: Agreement - Neighborhood Housing Services, Loan Programs

Transmitted herewith for your approval is legislation authorizing an agreement with Neighborhood Housing Services, 683 South Avenue, for administration of two loan programs. The maximum cost of this agreement will be \$43,000, which will be financed from the 1999-00 City Development Fund.

Both loan programs, First Mortgage and Transforming Neighborhoods Together (TNT), provide funds for the purchase and/or rehabilitation of houses or for the refinancing of existing mortgages for rehabilitation projects. Under the First Mortgage Program, NHS provides the entire loan; under the TNT Program, banks provide 75% of the loan and NHS provides 25%.

The TNT Program is targeted to housing near schools in the northeast and southwest sectors of the city. NHS has received a two-year pilot grant of \$500,000 for the program from the Neighborhood Reinvestment Corporation.

Of the total grant amount, \$350,000 will be used to capitalize the loan fund. The remaining amount, \$150,000, will be used for administration.

The proposed agreement will provide an additional \$43,000 for administration during the two-year period. This cost will be financed through a reallocation of

funds among the Community Development Block Grant, City Development and HOME Program, since the loan programs are not eligible for CDBG funding.

It is expected that 15 loans will be provided under the First Mortgage Program and 14 loans will be provided under the TNT Program.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-26  
(Int. No. 39)

**Authorizing Amendatory 1995-96 And 1998-99 Community Development Program And 1999-2000 HOME Program Plans, Authorizing City Development Funds And An Agreement For The First Mortgage And TNT Programs**

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the sum of \$4,000 shall be transferred from the United Way Housing Initiative Account to the Rehab Rochester Account.

Section 2. The Council hereby approves an amendment to the 1998-99 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the sum of \$39,000 shall be transferred from the Housing Development Support Account to the Rehab Rochester Account.

Section 3. The Council hereby approves an amendment to the 1999-2000 HOME Program whereby the sum of \$43,000 shall be transferred from the Rehab Rochester Program Account to the HOME Rental Allocation.

Section 4. The Council hereby approves the transfer of the sum of \$43,000 in the 1999-2000 City Development Fund from the HOME Program Local Match to a new account for the First Mortgage and Transforming Neighborhoods Together (TNT) Programs.

Section 5. The Mayor is hereby authorized to enter into an agreement with the Neighborhood Housing Services of Rochester for the First Mortgage and Transforming Neighborhoods Together (TNT) Programs.

Section 6. The agreement shall obligate the City to pay an amount not to exceed \$43,000, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 City Development Fund.

Section 7. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains  
January 18, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 25 - Authorizing The Director Of Finance To Cancel Real Property Taxes Or Charges Of \$1,000 Or Less

Int. No. 26 - Cancellation Of Taxes And Charges

Int. No. 27 - Appointment Of Marriage Officers

Int. No. 28 - Resolution Approving An Appointment To The Municipal Civil Service Commission

Int. No. 29 - Resolution Appointing Temporary Members To The Board Of Assessment Review

Int. No. 30 - Establishing \$10,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Digital Graphic Arts Services

Int. No. 31 - Approving An Amendatory Cooperative Investment Agreement

Int. No. 32 - Amending The 1999-2000 Budget To Fund Inspectors For The Presidential Primary Election

Int. No. 38 - Establishing \$20,000 As Maximum Compensation For Professional Services Agreements For Investigative Services

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 42 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$22,295,000 Bonds Of Said City To Finance The Cost Of Partial Reconstruction Of Various Public School Buildings  
The following entitled legislation is being held in committee:

Int. No. 33 - Establishing \$35,000 As Maximum Compensation For A Professional Services Agreement For The Employee Suggestion Program

Int. No. 34 - Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12

Respectfully submitted,  
Tim O. Mains (Voted against Int. No. 27.)  
Brian F. Curran (Absent)  
Nancy K. Griswold  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2000-27  
Re: Authorization - Tax Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous ad valorem taxes, charges and fees

during 2000.

Each year, approximately 65,800 tax bills are issued by the City. In 1998-99, the most recently completed fiscal year, these bills contained City and School taxes, charges and fees totalling \$169,603,948.52. Of this amount, taxes and charges totalling \$953,760.70 or .56% of the total levy, subsequently were determined to be erroneous and were cancelled. These cancellations involved 498 accounts or .76% of the total number.

Pursuant to Section 556 of the N.Y.S Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. Such delegation was initially approved by the Council on March 24, 1987 and was most recently approved on January 19, 1999. As a result of this latter delegation, through December 15, the Director of Finance authorized cancellations totaling \$118,479.56 for 204 accounts.

Under Chapter 515 of the Laws of 1997, the maximum authorized to be canceled administratively is \$2,500. On January 19, 1999, the Council authorized the Director of Finance to cancel charges up to \$1,000 for calendar year 1999.

Reapproval of this delegation of authority is requested for 2000. As you are aware, the purpose of such delegation is to reduce the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to be applicable:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council during the subsequent month; and
2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-27  
(Int. No. 25)

**Authorizing The Director Of Finance To Cancel Real Property Taxes Or Charges Of \$1,000 Or Less**

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

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to taxes subject to the following conditions:

- a. The amount to be cancelled for any year for any particular account shall be \$1,000 or less;
- b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month; and

c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of tax reserve (provisions for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2000.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-28  
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$13,326.70.

Of the total, \$12,022.36 (90.2%) relates to code violations and property rehabilitations that occurred prior to the purchase of the properties by the present owners. Since the violation or rehabilitation charges did not become liens against the properties until they were added to taxes, their existence was not evident to the new owners at the time of sale closing. The remaining amount, \$1,304.34 (9.8%), relates to the omission of senior citizen and STAR exemptions for one property.

If these cancellations are approved, total cancellations during 1999-00 will be \$953,819.72.

	Accounts	Amounts
City Council	78	\$838,958.44
Administrative	176	
<u>114,861.28</u>		
Total	254	\$953,819.72

These cancellations represent .478% of the tax receivables as of July 1, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-28  
(Int. No. 26)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

(a) Code violation charges and rehabilitation charges were entered on the tax bills for the properties referenced below. Those charges are attributable to former owners:

SBL#	Class	Tax Year	Amount Cancelled
105.800-01-027	H	2000	\$1,022.36
	943 Jay St.		
106.230-03-060	H	1999	8,400.00
	75 Maria St.		

107.620-02-044 H 2000  
2,600.00

664 Garson Ave.  
Subtotal

\$12,022.36

(b) The owner of the property referenced below qualified for the Senior Citizens and Enhanced STAR exemptions applicable to the 1999 Final Assessment Roll. That assessment roll failed to reflect those exemptions:

SBL#	Class	Tax Year	Amount Cancelled
121.540-02-02	H	2000	
<u>\$1,304.34</u>			
	45-47 Hubbell Park		
	Subtotal		

\$1,304.34

Grand Total

\$13,326.70

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-29  
Re: Marriage Officers

Transmitted herewith for your approval is legislation to reappoint Carolee A. Conklin, the City Clerk and Daniel B. Karin, the Senior Legislative Coordinator (who serves as Deputy City Clerk) as Marriage Officers. The Domestic Relations Law § II-c authorizes the governing body of any village, town or city to appoint one or more Marriage Officers, for a term of up to four years, to have the authority to solemnize a marriage. A fee of \$25.00 is charged for providing such a service; said fee becomes part of the revenue to the City Clerk's licensing account.

As you recall, the position of Marriage Officer was first created in September, 1995. Since that time, approximately 1700 marriage ceremonies have been performed by the Marriage Officers. Ms. Conklin and Mr. Karin were last appointed on January 23, 1996. The proposed new term would last through January 23, 2004. There are no changes in the duties of the position or the fees charged.

Respectfully submitted,  
Lois J. Giess  
President

Ordinance No. 2000-29  
(Int. No. 27)

**Appointment Of Marriage Officers**

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

Section 1. Pursuant to Section 5-10 of the Municipal Code, the Council hereby appoints City Clerk

Carolee A. Conklin and Senior Legislative Coordinator Daniel B. Karin as Marriage Officers, as long as they serve in their respective positions, for a term that shall expire January 23, 2004.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Santiago, Stevenson, Thompson - 6.

Nays - Councilmembers Mains, Norwood - 2.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-8  
Re: Appointment - Civil Service  
Commission

Transmitted herewith for your approval is legislation confirming the appointment of Luis Zamot, 46 Roxborough Road, to the Municipal Civil Service Commission.

Mr. Zamot will replace Dolores Gonzalez-Habes, who declined reappointment. His term will extend through May 31, 2004.

A copy of Mr. Zamot's resume is on file in the office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-8  
(Int. No. 28)

**Resolution Approving An Appointment To The Municipal Civil Service Commission**

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

Section 1. The Council hereby approves the appointment of Luis Zamot, 46 Roxborough Road, to the Municipal Civil Service Commission for a term which shall expire on May 31, 2004. Mr. Zamot will replace Dolores Gonzalez-Habes, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-9  
Re: Temporary Appointments - Board of  
Assessment Review

Transmitted herewith for your approval is legislation appointing the following individuals to serve as temporary members of the Board of Assessment Review:

Lyle J. Biddle                      Kathryn H. Brennan  
172 Salisbury Street            209 Summit Grove  
Park                                    Rochester, NY 14615  
Rochester, NY 14609            Rochester, NY 14615

Ruth E. Brooks  
104 Melrose Street  
Rochester, NY 14619

James P. Donlon  
286 Averill Avenue  
Rochester, NY 14620

Gary V. Holquist  
9 Audubon Street  
Rochester, NY 14610

A. Sue Lione  
30 Vick Park B  
Rochester, NY 14607

Eileen M. Mance  
95 Merriman Street  
Rochester, NY 14607

Pamela Robinson  
858 Arnett Boulevard  
Rochester, NY 14619

Justin Underwood  
91 Jewel Street  
Rochester, NY 14621

Joe A. Ware, Sr.  
496 Lakeview Park  
Rochester, NY 14613

Each year, a need arises for more review panels than can be provided by the existing five-member board. The ten temporary members would each serve for one year and would receive the same compensation rate as permanent board members. Hearings would be conducted by panels of three members each, drawn from the pool of fifteen. Each panel would have a minimum of one permanent Board member who would serve as its Chair.

The City successfully utilized three-member assessment review panels during the revaluations of 1984, 1986, 1990, and 1996 as well as during the intervening years. As in the past, all panel decisions would be reviewed by the permanent Board in executive session. The Board of Assessment Review would have the option of accepting or modifying a panel's decision or, if necessary, scheduling a second hearing with the property owner and the Assessor to reexamine the facts and testimony.

Approval of the appointments is required at this time to allow members to receive mandatory training by the County before hearings begin in March. The appointment of additional board members will have no impact on the City's budget.

Respectfully submitted,  
Lois J. Giess  
President

Resolution No. 2000-9  
(Int. No. 29)

**Resolution Appointing Temporary Members To The Board Of Assessment Review**

Section 1. The Council hereby appoints the following persons to serve as temporary members of the Board of Assessment Review during 2000:

Lyle J. Biddle  
172 Salisbury Street  
Park  
Rochester, NY 14609

Kathryn H. Brennan  
209 Summit Grove  
Rochester, NY 14615

Ruth E. Brooks  
104 Melrose Street  
Rochester, NY 14619

James P. Donlon  
286 Averill Avenue  
Rochester, NY 14620

Gary V. Holquist  
9 Audubon Street  
Rochester, NY 14610

A. Sue Lione  
30 Vick Park B  
Rochester, NY 14607

Eileen M. Mance  
95 Merriman Street  
Rochester, NY 14607

Pamela Robinson  
858 Arnett Boulevard  
Rochester, NY 14619

Justin Underwood  
91 Jewel Street

Joe A. Ware, Sr.  
496 Lakeview Park

Rochester, NY 14621      Rochester, NY 14613

Section 2. The temporary members of the Board of Assessment Review shall be compensated in the same amount and manner as permanent Board members.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-30  
Re: Agreement - Lithochrome Corporation,  
Graphic Arts Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Lithochrome Corporation, 291 Weidner Road, for the continued provision of digital graphic arts services during 1999-00. The maximum cost of this agreement will be \$10,000, which will be financed from the budgets of the departments that use these services.

Lithochrome has provided graphic arts services to the City since July 1, 1996. The services involve the scanning of photographs and artwork and the conversion of digital files created by the Bureau of Communications for the color separations required for high-quality two-, three- and four-color printing. The fees for these services are based upon specified unit costs.

Prior to July, 1996, the Bureau of Communications purchased the required services from either of two companies, one of which was Lithochrome. Based upon this experience, it was determined that Lithochrome provided the superior service.

Accordingly, since July 1, 1996, the Bureau has executed annual agreements with Lithochrome for the services. The most recent agreement was authorized by the City Council on December 15, 1998.

Under this agreement, which has a maximum authorized cost of \$10,000, fees totaling \$9,285 already have been paid. It is expected that payment of additional fees of \$7,000 to \$10,000 will be required during the remaining months of the fiscal year.

The proposed amendatory agreement will provide for such payment. If the amendatory agreement is approved, the total cost of the agreement with Lithochrome will increase to \$20,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-30  
(Int. No. 30)

**Establishing \$10,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Digital Graphic Arts Services**

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

Section 1. The sum of \$10,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Lithochrome Corporation for digital graphic arts services. Said amount shall be funded from the annual budget or

project appropriations of the department requesting the services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-31  
Re: Agreement - Cooperative Liquid Assets  
Securities System

Transmitted herewith for your approval is legislation authorizing an amendatory agreement relating to possible participation by the City in the Cooperative Liquid Assets Securities System (CLASS).

CLASS is a cash management system designed to facilitate the temporary investment of funds by municipalities. The system permits the "pooling" of cash balances by municipalities for investment purposes.

Investments are limited to those instruments authorized by the NYS General Municipal Law, such as certificates of deposits and U.S. Treasury notes. Earnings on investments are allocated among participating municipalities based upon the relative proportion of their investment balances.

The City's participation in CLASS was authorized by the City Council on July 14, 1992. However, the City has not actually utilized the system, preferring instead to determine its own investments.

Nonetheless, it is recommended that the opportunity for actual participation be continued. Such continuation requires approval by the Council of the changes in the prescribed participation agreement that were included in Chapter 623 of the NYS Laws of 1998.

These changes include the creation of a governing board consisting of representatives of 15 participants; the board assumed the powers previously assigned to the lead agent or participant. The changes also include the preparation and dissemination of monthly and annual reports and the conduct of an annual audit.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-31  
(Int. No. 31)

**Approving An Amendatory Cooperative Investment Agreement**

WHEREAS, the City has heretofore entered into a Municipal Cooperative Agreement (the "Agreement") made pursuant to Section 119-o of the General Municipal Law, amended and restated as of July 20, 1992, for cooperative investments by and between various municipal corporations as defined in Section 119-n of the General Municipal Law; and

WHEREAS, Section 13.1 of the Agreement provides that the Agreement, including the Exhibits thereto, can be amended, from time to time, by the participants in the manner set forth therein; and

WHEREAS, for various reasons, including, but not limited to compliance with the recently enacted Article 3-A of the New York General Municipal Law

which mandates the inclusion of certain provisions of the Article in the Agreement, the Agreement is being amended.

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

Section 1. The amended and restated Municipal Cooperative Agreement, dated October 20, 1999, is hereby approved, and the Mayor is hereby authorized to execute the agreement on behalf of the City of Rochester.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-32  
Re: Budget Amendment: Presidential Primary

Transmitted herewith for your approval is a budget amendment transferring \$54,000 from the Contingency account to budget of the City Council/City Clerk to fund the cost of election inspectors for the Presidential Primary Election.

As you are aware, the City Clerk in each municipality is responsible for the compensation of election inspectors within that jurisdiction. When the 1999-2000 Budget was adopted, there had not been a final decision about the date on which the Presidential Primary Election for the year 2000 would be held. In the past, dates for such primaries have ranged from March through September. Accordingly, it was uncertain whether the election would be held in the current fiscal year or the next one. The date has now been set for March 7, 2000.

Provision was made in the Contingency account to ensure that adequate funds would be available for this purpose should they be required. The proposed amendment will effect the transfer to enable the Clerk to fulfill her responsibilities for the election.

Respectfully submitted,  
Lois J. Giess  
President

Ordinance No. 2000-32  
(Int. No. 32)

**Amending The 1999-2000 Budget To Fund Inspectors For The Presidential Primary Election**

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

Section 1. Ord. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by transferring the amount of \$54,000 from the Contingency account to the Budget of the City Council/City Clerk to provide funding for election inspectors for the Presidential Primary Election.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-23  
Re: Agreements - Investigative Services

Transmitted herewith for your approval is legislation authorizing additional agreements with private investigators for investigative services for the Law Department. The maximum cost of the agreements will be \$20,000, which will be financed from the 1999-00 budget of the department.

The Law Department often requires the services of private investigators in conjunction with claims made by or against the City. While different investigators are used, payment to any one may exceed \$10,000 if an extensive investigation is required or if several different investigations are conducted.

During 1998-99, \$27,500 was expended for 17 investigations by three private investigators.

During 1999-00, \$7,000 has been expended for two investigations. The current agreements for such investigations were authorized by the City Council on December 15, 1998. The proposed legislation will provide for additional investigations, as necessary.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-33  
(Int. No. 38)

**Establishing \$20,000 As Maximum Compensation For Professional Services Agreements For Investigative Services**

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for professional services agreements for investigative services as required by the Law Department in conjunction with claims made by or against the City. Said amount shall be funded from the 1999-2000 Budget of the Law Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-34  
Re: Bond - City School District

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$22,295,000 and appropriating the proceeds thereof to finance the costs of various improvements to school facilities. The request for such issuance was approved by the Board of Education on August 19, 1999 and modified on November 12, 1999.

The improvements include renovations in 21 elementary schools, three middle schools, five high schools and the service center at 835 Hudson Avenue and the enhancement of data processing systems. They also include the acquisition and development of properties near or adjacent to school facilities to provide parking or space for portable classrooms.

The amount of the bond issue is consistent with the revised 1999-00/2003-04 Capital Improvement Program that was previously submitted to the City Council. This revised program provides for the issuance of bonds totaling \$30,458,000 during 1999-00.

Of this amount, \$8,163,000 was previously authorized by the City Council on February 11, 1997 and January 19, 1999. The proposed legislation will authorize the remaining amount.

This latter amount is equal to the amount of debt to be redeemed during 1999-00. It therefore represents the total amount to be requested during the fiscal year.

A list of the specific projects that will be financed from the proceeds of the proposed bond issue is attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-7

Ordinance No. 2000-34  
(Int. No. 42)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$22,295,000 Bonds Of Said City To Finance The Cost Of Partial Reconstruction Of Various Public School 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 the costs of partial reconstruction of various public school buildings. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$22,295,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$22,295,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$22,295,000 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 \$22,295,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The existing buildings are of Class "A" construction as defined by Section 11.00 a.11.(a) of the Local Finance Law, and the period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are

to be issued, within the limitations of 11.00 a.12.(a)(1) of the Local Finance Law, is twenty (20) years.

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

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

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

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

Section 8. The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

Section 9. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Councilman Mains moved to discharge Introductory No. 33 from committee.

The motion was seconded by Councilwoman Santiago.

The motion was adopted by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Norwood - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-35  
Re: Agreement - Roxin and Company, Inc.  
Employee Suggestion Program

Transmitted herewith for your approval is legislation authorizing an agreement with Roxin and Company, Inc., for assistance in the establishment of an employee suggestion program. The maximum cost of this agreement will be \$35,000, which will be financed from the 1998-99 Undistributed Expense budget.

Employee suggestion programs are used by many organizations to encourage employees to continually analyze and assess operations and procedures and identify possible improvements. While at various times in the past, some City departments have operated different types of employee suggestion programs, the City has never had a standard program for the receipt and review of suggestions from the employees of all departments.

Accordingly, in 1996, an interdepartmental team was established to review the types and effectiveness of the suggestion programs operated by other organizations, to identify the components of a possible program for the City, and to determine the probable costs of such a program. The team examined programs operated by the Delphi Corporation, Eastman Kodak Company and the Town of Tonawanda and, with the assistance of the Law Department and Labor Relations Office, identified the legal requirements associated with implementation of a program by the City.

In 1998, the team recommended a program providing for both monetary and non-monetary awards for suggestions that result in cost reductions or service improvements. It estimated that an annual budget of \$30,000 for administration of the program would be required.

In September, 1999, proposals for assistance in establishing the program were solicited from 18 organizations. Roxin submitted the only proposal.

Under the proposed agreement, Roxin will:

1. Review the recommendations of the interdepartmental team;
2. Refine the eligibility requirements, schedule of

awards and evaluation procedures and criteria;

3. Assist the City in discussing the program with employee unions;
4. Develop an administrative booklet describing the procedures to be used in administering the program;
5. Develop an employee booklet explaining the program and procedures;
6. Develop a brochure and poster for promotion of the program;
7. Present the program to supervisory personnel; and
8. Develop a plan and schedule for presentation of the program to all other City personnel.

The project is expected to be completed within three months.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-35  
(Int. No. 33)

**Establishing \$35,000 As Maximum Compensation For A Professional Services Agreement For The Employee Suggestion Program**

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

Section 1. The sum of \$35,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Roxin and Company for assistance in establishing an improved Employee Suggestion Program. Said amount shall be funded from the 1998- 99 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Santiago, Stevenson, Thompson - 6.

Nays - Councilmembers Mains, Norwood - 2.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 34  
Re: Agreement - WXXI, Channel 12

Transmitted herewith for your approval is legislation authorizing a one-year agreement with WXXI Public Broadcasting, 280 State Street, for continued operation of Channel 12, the City's government access television station. The maximum cost of the agreement will be \$163,270, which will be financed from the 1999-00 budget for Undistributed Expense.

The original agreement with WXXI was authorized by the City Council on December 17, 1991. The most recent agreement was authorized by the Council on February 16, 1999 and expires on December 31. Under the agreement, WXXI provides the primary

transmission facilities and programming for Channel 12.

The purpose of the agreement is to increase the viewership of Channel 12 and to thus enhance the City's marketing and informational efforts. Through WXXI's access to and broadcast of program materials from the public broadcasting system, the amount of unprogrammed time on the channel is limited.

At present, regular programming is provided from 9:00 a.m. to 11:00 p.m. Thereafter, "bulletin boards" containing information about City job and contract opportunities, special events and community activities are shown.

WXXI is required to provide studio facilities for the City's production of up to 50 hours of programming each year. Currently, the City produces two regular half-hour shows each month about City services and events. It also produces various public service announcements that are shown between regular programs.

Under the proposed agreement, WXXI will continue to be required to operate Channel 12 for at least 14 hours each day. The City will advise WXXI of the amount of programming it will provide and WXXI will be responsible for providing sufficient programming to fill the remaining time.

The cost of the proposed agreement is equal to the cost of the current agreement (\$160,540) adjusted by the percentage increase in the consumer price index (1.7%). The agreement may be terminated within 90 days by either party.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 34

**ESTABLISHING MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT WITH WXXI PUBLIC BROADCASTING FOR CITY 12**

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

Section 1. The sum of \$163,269.18, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting for the continued operation of City 12 for a term not to exceed one year. Said amount shall be funded equally from the 1999-2000 and 2000-01 Budgets for Undistributed Expense, contingent upon approval of the latter budget.

Section 2. This ordinance shall take effect immediately.

Held in committee.

The meeting was adjourned at 8:35 P.M.

CAROLEE A. CONKLIN  
City Clerk

\*\*\*\*\*

**REGULAR MEETING**  
February 15, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Mains-1.

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

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

**APPROVAL OF THE MINUTES**  
By Councilmember Stevenson

RESOLVED, that the minutes of the Regular Meeting of January 18, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

Corporation Counsel submits Settlement of Tax Assessment Proceedings. 3629-7 and 3630-7.

**PUBLIC HEARINGS**

Pursuant to law public hearing will now be had on the following matter:

Authorizing An Amendatory 1998-99 Community Development Program Plan And An Agreement For The Community Profile Project Int. No. 47 No speaker.

Changing The Zoning Classification Of 92 And 94

Hollister Street From R-2 Two-Family Residential To C-2 Community Commercial Int. No. 51 No speaker.

Changing The Zoning Classification Of 690 St. Paul Street From M Manufacturing Industrial To M Manufacturing Industrial/O-R Overlay Residential Int. No. 52 No speaker.

Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Schools In The O-R Overlay Residential District Int. No. 53 No speaker.

\*\*Abandonment Of Portions Of Addison And Bickford Streets And Sale Of Real Estate One speaker: Joseph Catoia.

\*\*Authorizing Changes In The Pavement Width Of Jay Street No speaker.

\*\*Dedication Of Parcels To Street Purposes As A Part Of The Jay Street Improvement Project No speaker.

\*\*Acquisition Of 519, 557, 563 And 750 Brown Street, 60 Love Street, 43 Taylor Street And 17 Terry Street, Brown Street Project One speaker: John Accorso.

\*\*Hearing was recessed.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson February 15, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 43 - Authorizing An Agreement For A Tree Planting Grant And Amending The 1999-2000 Budget

Int. No. 44 - Authorizing Agreements And Amending The 1999-2000 Budget For Improvements To Genesee Valley Park Baseball Diamonds

Int. No. 45 - Establishing \$37,000 As Maximum Compensation For A Professional Services Agreement For Humboldt Street Playground Improvements

Int. No. 46 - Determination And Finding Relating To The Acquisition Of 3885 Lake Avenue As Part Of The Lake Avenue Improvement Project

Int. No. 9 - Authorizing The Acquisition By Negotiation Or Condemnation Of Parcels For The Lake Avenue Improvement Project

Int. No. 10 - Dedication Of Parcels To Street Purposes As A Part Of The Lake Avenue Improvement Project

Respectfully submitted, Robert J. Stevenson Brian F. Curran Tony M. Thompson PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, file and published.

TO THE COUNCIL: Ladies and Gentlemen:

Ordinance No. 2000-36 and Ordinance No. 2000-37

Re: Forestry and Recreation Projects

Transmitted herewith for your approval is legislation relating to two forestry and recreation projects.

This legislation will:

- 1. Authorize agreements with the following organizations: a. NYS Department of Environmental Conservation, for receipt of a grant of up to \$3,600, b. NYS Office of Children and Family Services, for the receipt of a grant of up to \$10,000, and c. Genesee Valley Little League, Inc., for use of the latter funds; and 2. Increase the 1999-00 Cash Capital allocation of the Department of Parks, Recreation and Human Services to reflect the receipt of both grants.

The first grant will be used to finance a portion of the costs of a joint effort by the City and the Lake View Park Mall Association to restore the mall to its original design by Frederick Law Olmsted. The project includes the development of educational materials, preparation of site plans, purchase and planting of trees and a ceremony on Arbor Day 2000.

The total cost of the project is about \$8,200. The State grant will be used to purchase and plant 22 trees; the remaining cost reflects services to be provided by City staff and volunteers from the neighborhood.

The second grant will be used to finance the costs of certain improvements to two baseball fields at Genesee Valley Park. Genesee Valley Little League, which is a not-for-profit organization, has used these fields for its Little League program for over 10 years.

Approximately 200 youth, ages 5-18, annually participate in the program. About 200 games are played on the fields each year.

The \$10,000 grant was included in the 1999-00 NYS Budget through the efforts of Assemblyman Gantt. It will be used to replace backstops and install new players' benches and safety fencing that complies with Little League standards.

The improvements will be constructed by volunteers; the grant will be used to purchase the required materials. After construction, which is expected to be completed before the 2000 baseball season, the improvements will become the property of the City.

The receipt and use of a similar grant, of \$20,000, was authorized by the City Council on March 17, 1998 for improvements for the Eastside Little League at Tryon Park.

Respectfully submitted, William A. Johnson, Jr. Mayor

Ordinance No. 2000-36 (Int. No. 43)

**Authorizing An Agreement For A Tree Planting Grant And Amending The 1999-2000 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Environmental Conservation for the receipt of a grant for tree plantings.

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

Section 3. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$3,600, which amount is hereby appropriated from funds to be received under the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-37  
(Int. No. 44)

**Authorizing Agreements And Amending The 1999-2000 Budget For Improvements To Genesee Valley Park Baseball Diamonds**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services for the receipt of funding for improvements to the little league baseball diamonds at Genesee Valley Park.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Genesee Valley Little League, Inc. for the construction of improvements to the little league baseball diamonds at Genesee Valley Park.

Section 3. The agreement shall obligate the City to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Cash Capital Allocation.

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

Section 5. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$10,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein to fund improvements to the little league baseball diamonds at Genesee Valley Park.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-38  
Re: Agreement - Bayer Associates,  
Humboldt Street Playground  
Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with Bayer Associates, of Hemlock, for landscape architectural and engineering design services for the Humboldt Street Playground Improvement Project. The maximum cost of this agreement will be \$37,000, which will be financed from the 1999-00 Cash Capital allocation of the Department of Parks, Recreation and Human Services.

The project will include replacement of playground equipment; replacement of the pool with a water play area; rehabilitation of the basketball court; and construction of a tennis court, shade shelter and parking area. The estimated cost of these improvements, including inspection services and contingencies, is \$418,000, which will be financed from the proceeds of a future bond issue.

Proposals for design of the project were solicited and received from three organizations. Bayer is recommended because of its proposed approach to the project, the qualifications of the personnel to be assigned to the project, and its ability to perform the required services within the time period specified by the City.

The other organizations that submitted proposals are located in Monroe County. While the cost of each of these proposals was less than the cost of the proposal submitted by Bayer, there was concern about the lack of experience in playground projects by one of the organizations and about the qualifications of a subcontractor of the other organization.

Construction of the project is scheduled to be completed in the fall.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-13

Ordinance No. 2000-38  
(Int. No. 45)

**Establishing \$37,000 As Maximum Compensation For A Professional Services Agreement For Humboldt Street Playground Improvements**

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

Section 1. The sum of \$37,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bayer Associates for landscape architectural and engineering design services for the Humboldt Street Playground Improvements. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-39  
Re: Determinations and Findings -  
3885 Lake Avenue

Transmitted herewith for your approval is legislation making the determinations and findings relating to the acquisition, by negotiation or condemnation, of 3885 Lake Avenue. Such determinations and findings are required by Article 2 of the NYS Eminent Domain Procedure Law.

A public hearing concerning the proposed acquisition was conducted on January 18. There was one speaker, who supported the acquisition.

Based upon the public hearing, the following determinations and findings are proposed:

1. Project description - that the project includes the acquisition of 573 square feet of space at 3885 Lake Avenue.
2. Project purpose - that the acquisition will permit the subsequent widening of Lake Avenue to provide a new dedicated turn lane at the Denise Road intersection.
3. Project effect - that the widening and other improvements to be constructed will enhance pedestrian and vehicular safety at the intersection.

If these determinations and findings are approved, the legislation authorizing the property acquisition and amendment of the Official Map to incorporate the additional public right-of-way (Introductorys 9 and 10) may be considered.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-39  
(Int. No. 46)

**Determination And Finding Relating To The Acquisition Of 3885 Lake Avenue As Part Of The Lake Avenue Improvement Project**

WHEREAS, the City of Rochester proposes to acquire a portion of 3885 Lake Avenue as part of the Lake Avenue Improvement Project, and

WHEREAS, the Council of the City of Rochester held a public hearing on January 18, 2000 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of this parcel.

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

Section 1. The Council hereby makes the following determination and findings concerning the acquisition of a portion of 3885 Lake Avenue as part of the Lake Avenue Improvement Project:

a. Project Location

The City proposes the public acquisition of a portion of 3885 Lake Avenue, SBL #61.29-03-05, reputed owner is Frank Messina.

The purpose of the project is to improve the existing street and utilities and to provide a safe thoroughfare within the public right-of-way. The

project includes Lake Avenue from 400' south of Burley Road to Pollard Avenue. The acquisition is necessary to install the proposed improvements with the public right-of-way.

b. Public purpose and general effect:

1. A portion of this parcel has been designated for use in conjunction with the right-of-way improvements. The acquisition will provide for street widening to accommodate a new dedicated left turn lane at the Denise Road intersection. The proposed improvements will provide enhanced pedestrian and vehicular safety through this intersection.

2. The general effect of the acquisition of a portion of 3885 Lake Avenue on the environment and the residents of the immediate area will be beneficial. The project site does not contain sensitive environmental characteristics, such as wetlands, flood hazards, significant habitat of fowl or fauna, erosive soils, steep slopes, surface or ground water resources or historic resources. The proposed action will not result in significant deterioration of air quality or water quality. Public facilities and services will be maintained during the construction of the project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 9 was introduced January 18, 2000, and appears in its original form with its transmittal letter on page 11 of the current Council Proceeding.

Attachment No. Z-8

Ordinance No. 2000-40  
(Int. No. 9)

**Authorizing The Acquisition By Negotiation Or Condemnation Of Parcels For The Lake Avenue Improvement Project**

Passed unanimously.

Introductory No. 10 was introduced January 18, 2000, and appears in its original form with its transmittal letter on page 11 of the current Council Proceeding.

Attachment No. Z-8

Ordinance No. 2000-41  
(Int. No. 10)

**Dedication Of Parcels To Street Purposes As A Part Of The Lake Avenue Improvement Project**

Passed unanimously.

By Councilmember Douglas  
February 15, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 56 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$612,000 Bonds Of Said City To Finance The Cost Of Replacing The Central Records System Of The

Police Department Within The City

Int. No. 57 - Establishing \$379,000 As Maximum Compensation For A Professional Services Agreement For The Police Records System Conversion

The Public Safety/Public Services Committee recommends for consideration the following entitled legislation:

Int. No. 47 - Authorizing An Amendatory 1998-99 Community Development Program Plan And An Agreement For The Community Profile Project

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
Gladys Santiago  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-42 and  
Ordinance No. 2000-43  
Re: Police Records System

Transmitted herewith for your approval is legislation relating to the replacement of the records system of the Police Department. This legislation will:

1. Authorize an agreement with Voyager Systems, of Bedford, New Hampshire, for installation of a new computer system, conversion of existing records and training of personnel, at a maximum cost of \$360,000; and
2. Authorize the issuance of bonds totaling \$612,000 and appropriate the proceeds thereof to finance the cost of the aforementioned agreement and various other costs relating to the project.

The present records system was installed in the early 1990's by Comprehensive Law Enforcement Systems, Inc. It utilizes Wang Laboratories equipment and programs.

The system contains approximately nine million records, with about 80,000 incidents being added each year. Approximately 450,000 transactions are processed annually.

On October 11, 1994, the City Council authorized an agreement with the IBM Consulting Group to review the CLUES and other systems of the department. Among the results of the review was a recommendation that, because of its obsolescence and unsatisfactory performance, CLUES be replaced.

Proposals for such replacement were solicited from six organizations. Voyager submitted the only proposal and is recommended because of its experience in converting Wang-based systems to the planned Oracle database management system.

Replacement of the system is expected to be completed by 2001. The total estimated cost of the project is \$612,000.

Professional services	\$379,000
Equipment	123,000
Programs	22,000
Program support (first year)	70,000
Training	18,000
Total	<u>\$612,000</u>

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-42  
(Int. No. 56)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$612,000 Bonds Of Said City To Finance The Cost Of Replacing The Central Records System Of The Police Department Within The City**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacing the central records system of the Rochester Police Department within the City, including, but not limited to, components, systems, software, conversion of existing records and all necessary training (collectively, the "Project"). The estimated maximum cost of the specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$612,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$612,000 bonds of the City, and the levy and collection of an ad valorem tax on all taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$612,000 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 \$612,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.72 of the Law, is five (5) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2000-43  
(Int. No. 57)

**Establishing \$379,000 As Maximum Compensation For A Professional Services Agreement For The Police Records System Conversion**

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

Section 1. The sum of \$379,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Voyager Systems for the conversion of records in the Police Records System. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-44  
Re: Agreement - United Way Services Corporation, Community Profile

Transmitted herewith for your approval is legislation authorizing an agreement with the United Way Services Corporation, 1 United Way, for the preparation and production of the 2000 *Greater Rochester Monroe County Community Profile: How Well Are We Doing?* The maximum cost of this agreement will be \$20,000, which will be financed from the General Community Needs allocation of the 1999-00 Community Development Block Grant.

The profile is a report of the progress of the community towards the achievement of various specified objectives in the following five "Impact Areas":

- 1. Success by 6
- 2. Kids on Track
- 3. Strengthening Families
- 4. Helping Seniors
- 5. Overcoming Disabilities

The initial report was published in July, 1999. A copy of the report is available for review in the Office of the City Clerk.

The proposed agreement will provide for payment by the City of a portion of the costs of publication of the second annual report.

The United Way Services Corporation will contract with the Center for Governmental Research for preparation of the report.

The appropriation of the CDBG funds to partially finance the costs of preparation will require amendment of the 1999-00 Consolidated Community Development Action Plan. A public hearing on this amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-9

Ordinance No. 2000-44  
(Int. No. 47)

**Authorizing An Amendatory 1998-99 Community Development Program Plan And An Agreement For The Community Profile Project**

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

Section 1. The Council hereby approves an

amendment to the 1998-99 Community Development Program Plan whereby within the General Community Needs Allocation the sum of \$20,000 shall be transferred from the YouthQuest Account to a new account for the Community Profile Project.

Section 2. The Mayor is hereby authorized to enter into an agreement with the United Way Services Corporation for the Community Profile Project.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$20,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 1998-99 Community Development Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood  
February 15, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 48 - Authorizing The Sale Of Real Estate

Int. No. 49 - Approving The Acquisition Of 9 Costar Street For The City School District

Int. No. 50 - Authorizing Agreements Relating To The Housing Opportunities For Persons With AIDS Program

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 51 - Changing The Zoning Classification Of 92 And 94 Hollister Street From R-2 Two-Family Residential To C-2 Community Commercial

Int. No. 52 - Changing The Zoning Classification Of 690 St. Paul Street From M Manufacturing Industrial To M Manufacturing Industrial/O-R Overlay Residential

Int. No. 53 - Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Schools In The O-R Overlay Residential District

Int. No. 55 - Amending The Municipal Code With Respect To Animals, As Amended

Respectfully submitted,  
Wade S. Norwood  
Benjamin L. Douglas  
Nancy K. Griswold (Voted on Introductory No. 52, 53 & 55.)  
Gladys Santiago  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-45 and  
Ordinance No. 2000-46

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of eight properties and the acquisition of one property.

The first property to be sold, 356-366 Hudson Avenue, was included in the public auction of September 29, 1999. The purchaser will be required to rehabilitate the property and obtain a Certificate of Occupancy within nine months of the conditional closing.

The next property, 89 Avenue B, was also included in the aforementioned auction but was subject to approval of the development proposal. The purchaser will rehabilitate the four-unit residential structure within three months of the conditional closing.

The next property, 1324-1328 N. Clinton Avenue, was sold through negotiation, subject to approval of the development proposal. The purchaser will rehabilitate the mixed use structure as two stores and six apartments; the development is subject to the approval of a use variance by the Zoning Board of Appeals.

The next property, 79 Jefferson Avenue, was sold at the public auction of September 29 but was subject to approval of the development proposal. The purchasers will landscape and fence the property and combine it with their adjacent property at 83 Jefferson Avenue.

The last four properties to be sold are vacant lots that will be sold to the owners of adjacent properties for \$1.00. Each of the properties is considered unbuildable because of size.

The property to be acquired, 9 Costar Street, contains a vacant two-family house. After acquisition, the house will be demolished by the City School District, which will use the resultant vacant lot for additional recreation space for Westside Early Childhood Center School #57 at 15 Costar Street.

The acquisition price was established by an independent appraiser, Kevin Bruckner. The cost of acquisition, and all associated closing costs, will be financed by the District.

The acquisition was requested by the Board of Education on December 16, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-10

Ordinance No. 2000-45  
(Int. No. 48)

**Authorizing The Sale Of Real Estate**  
BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the sale of the following parcel of real estate by public auction:

Address	Price	Legal Use
SBL#		Purchaser
356-366 Hudson Ave.	\$6,500	2 Family
106.49-1-57, 58 & 59		Church of Jesus Christ,

Inc.\*

\*Principals: Bishop Allmon Bailey, Mary Nowlin, Alan Ames

Section 2. The Council hereby further approves the sale of the following parcel of real estate by public auction with proposal:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u>
89 Avenue B. 105.28-2-16	\$4,900	Maria Fitchett

Section 3. The Council hereby further approves the negotiated sale with proposal of the following parcel of real estate:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u>
1324-1328 Clinton Ave. N. 091.70-3-23	\$2,500	Zeynel Kalkan

Section 4. The Council hereby further approves the sale of the following parcel through the vacant land with proposal auction:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u>
79 Jefferson Ave. 120.35-4-3	\$1,000	Samuel & Eula Buckner

Section 5. The Council hereby further approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u> <u>S.B.L.#</u>	<u>Sq. Ft.</u> <u>Purchaser</u>
130 Hudson Ave. 106.56-1-41	807 William Wilson Farmer, Jr.
136 Hudson Ave. 106.56-1-42	833 William Wilson Farmer, Jr.
EH 117 Iceland Pk. Pt. of 120.67-2-60	878+/- Darlene Aiken
WH 117 Iceland Pk. Pt. of 120.67-2-60	878+/- David Shepard

Section 6. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 7. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-46  
(Int. No. 49)

**Approving The Acquisition Of 9 Costar Street For The City School District**

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

Section 1. The Council hereby approves the acquisition of 9 Costar Street, SBL No. 105.510-3-55, from the current owner, Pinaki Sett, for the City School

District for the sum of \$18,000.

Section 2. The acquisition and closing costs shall obligate the City to pay an amount not to exceed \$23,000, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the City School District.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-47  
Re: Housing Opportunities for Persons With AIDS Program

Transmitted herewith for your approval is legislation relating to the Housing Opportunities for Persons With AIDS Program. This legislation will:

1. Authorize an application and agreement with the U.S. Department of Housing and Urban Development for receipt of a grant of \$542,000;
2. Authorize agreements with the following organizations for housing assistance services:
 

<u>Organization</u>	<u>Amount</u>
AIDS Rochester, Inc.	\$284,700
Catholic Charities, Inc.	183,843
Health Association, Inc.	57,197
3. Appropriate \$16,260 to finance administrative expenses.

The cost of the agreements will be financed from the HOPWA allocation included in the 1999-00 Consolidated Community Development Action Plan.

The HOPWA program was established in 1990. It is intended to provide "...states, localities and non-profit organizations with resources and incentives for meeting the housing needs of persons with AIDS and related diseases".

Prior to 1998-99, AIDS Rochester, Catholic Charities and the Health Association received HOPWA funds through a competitive grant application process. Since 1998-99, funds have been allocated to the City as part of the consolidated entitlement program.

In 1999, a review was conducted of the housing needs and available housing services for people with AIDS. This review, conducted by the University of Rochester, involved interviews with representatives of the organizations that had received HOPWA funds in the past and other agencies that serve people with AIDS.

The review resulted in the recommendation that the annual grants to the aforementioned organizations be continued. The agreements for the 1998-99 alloca-

tions were authorized by the City Council on March 16, 1999. Under the proposed agreements, these organizations will continue to provide long-term rental subsidies, emergency rental and utility assistance and transportation. It is expected that the following number of households will be assisted:

<u>Organization</u>	<u>Number of Households</u>
AIDS Rochester	63
Catholic Charities	57
Health Association	12

A copy of the 1999 report of the University of Rochester is available for review in the Office of the City Clerk. Detailed descriptions of the programs of the aforementioned organizations are included in the report.

The City's 1999-00 HOPWA allocation is \$144,000 more than its 1998-99 allocation.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-47  
(Int. No. 50)

**Authorizing Agreements Relating To The Housing Opportunities For Persons With AIDS 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 and enter into agreements with the following organizations for services under the Housing Opportunities for Persons With AIDS Grant Program:

<u>Organization</u>	<u>Amount</u>
The Health Association of Rochester	\$57,197
Catholic Charities	183,843
AIDS Rochester, Inc.	284,700

Section 2. The sum of \$542,000, or so much thereof as may be necessary, is hereby appropriated from Housing Opportunities for Persons With AIDS Grant Funds to fund the agreements authorized herein, and the sum of \$16,260 for administrative expenses.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-48  
Re: Zoning Map Amendment -  
92 and 94 Hollister Street

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 92 and 94 Hollister Street from R-2 Two-Family Residential to C-2 Community Commercial.

The properties, which are owned by the City, abut

C-2 uses to the north and east and R-2 uses to the south and west. The first property is a vacant lot while the second property contains a vacant single-family house.

The rezoning was requested by Todd Nichols, president of the Nichols Distributing Company, which owns the adjacent property at 1149 Clifford Avenue. The company is a wholesale food distributor.

The rezoning would permit the company to acquire the properties, demolish the house and construct a 5,000 square foot addition to its warehouse building. Approval of a use variance by the Zoning Board of Appeals would be required.

The Planning Commission held an informational meeting on the proposed rezoning on January 10; there were two speakers, who supported the proposal. The Commission recommended by a vote of 5-0 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the rezoning would not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-11

Ordinance No. 2000-48  
(Int. No. 51)

**Changing The Zoning Classification Of 92 And 94 Hollister Street From R-2 Two-Family Residential To C-2 Community Commercial**

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 92 and 94 Hollister Street, from R-2 Two-Family Residential to C-2 Community Commercial:

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

Commencing at the point of intersection of the centerline of Clifford Avenue and the centerline of Hollister Street southerly along the centerline of Hollister Street to the westerly extension of the southerly line of Lot 2 of the Bay State Land Company's Subdivision as filed in the Monroe County Clerk's Office in Liber 11 of maps at page 99 to the point or place of beginning.

Thence 1) Easterly along said extension and the southerly line of said Lot 2 a distance of 140 feet to the southeast corner of said Lot;

Thence 2) Northerly along the easterly line of said Lots 2 and 1 a distance of 52.66 feet to the northeast corner of said Lot 1;

Thence 3) Westerly along the northerly line of said

Lot 1 a distance of 140 feet to the centerline of Hollister Street;

Thence 4) Southerly along the centerline of Hollister Street a distance of 52.66 feet to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-49 and  
Ordinance No. 2000-50  
Re: Zoning Map and Ordinance  
Amendments - 690 St. Paul Street

Transmitted herewith for your approval is legislation relating to the proposed use of a portion of 690 St. Paul Street as a school. This legislation will amend...

1. The Zoning Map by changing the classification of the property from M Manufacturing Industrial to M Manufacturing Industrial/ O-R Overlay-Residential; and
2. The Zoning Ordinance by adding schools to the list of uses for which a special permit may be issued in an M/O-R district.

690 St. Paul Street abuts M uses to the north and west, the Upper Falls Urban Renewal District to the south, and R-2 Residential Two-Family Residential and C-1 Neighborhood Commercial uses to the east. It contains three adjoining multi-floor buildings containing a total of 500,000 square feet of space, smaller auxiliary buildings and accessory parking areas. Portions of the buildings are presently used for light manufacturing and storage.

The proposed amendments were requested by the owner of the property, Genesee Valley Real Estate Company LLC to permit one of the buildings to be leased for use as a charter school. The school, the Charter School of Science and Technology, would open in September and be operated by Edison Schools, Inc.

The school would be located in a six-floor building with approximately 160,000 square feet of space. Initially, only the first three floors would be occupied, by approximately 800 students in kindergarten through eighth grade. As additional grades are added and total enrollment increases to up to 1300 students, other floors would be occupied.

The Zoning Ordinance prohibits the establishment of schools within M districts and does not provide for a variance. The proposed legislation is designed to permit the re-use of this particular property as a school while maintaining the general prohibition for other properties with M classifications.

The property was vacated by the Bausch & Lomb Corporation in the 1970's. Since the present owner acquired the property about 15 years ago, its occupancy rate has never been more than 20%.

The proposed amendment to the Zoning Ordinance would apply to two other properties that presently have M/O-R classifications. These properties are 274 N. Goodman Street (Village Gate) and 33 Litchfield Street, which also contain large buildings that were

formerly used for manufacturing purposes.

The Planning Commission held an informational hearing on the proposed amendments on January 10; there were two speakers, who supported the proposal. The Commission recommended by a vote of 5-0 that the amendments be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the amendments will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-12

Ordinance No. 2000-49  
(Int. No. 52)

**Changing The Zoning Classification Of 690 St. Paul Street From M Manufacturing Industrial To M Manufacturing Industrial/O-R Overlay Residential**

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 690 St. Paul Street, from M Manufacturing Industrial to M Manufacturing Industrial/O-R Overlay Residential:

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

Beginning at the point of intersection of the centerline of St. Paul Street and the centerline of Lowell Street;

Thence 1) Northerly along the centerline of St. Paul Street a distance of 787 feet more or less to the centerline of Hartel Alley;

Thence 2) Easterly along the centerline of Hartel Alley a distance of 337 feet more or less to the centerline of Martin Street;

Thence 3) Southerly along the centerline of Martin Street a distance of 788.7 feet more or less to the centerline of Lowell Street;

Thence 4) Westerly along the centerline of Lowell Street a distance of 337 feet more or less to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-50  
(Int. No. 53)

**Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Schools In The O-R Overlay Residential District**

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

Section 1. Section 111-84 of the Municipal Code, O-R Overlay Residential District, as amended, is hereby further amended by adding thereto the following new subsection E(2):

- (2) Schools, including public, private and parochial elementary through secondary; and colleges, universities and theological schools.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-51  
Re: City Code Amendment - Wild Animals

Transmitted herewith for your approval is legislation amending the City Code by prohibiting the possession of certain wild animals and prohibiting most animals at municipal special events.

Increasingly, the types of animals people maintain as "pets" have become more varied and exotic. For many such animals, being in an urban environment is inappropriate, for both the well-being of the animals and the safety of residents.

The proposed legislation would prohibit the possession within the city of various types of animals that are clearly unsuitable as pets. Exceptions to the prohibition would be provided for:

1. Seneca Park Zoo
2. Animal Control Center
3. Educational institutions
4. Veterinary hospitals
5. Existing pet stores
6. Circuses and other public exhibitions
7. Animals in transit

Violation of the prohibition would result in the seizure and impoundment of the animal. Unless the owner demonstrates within five days that possession of the animal was indeed lawful, the animal would become the property of the City and be euthanized or otherwise disposed of.

The penalty for violations would be as follows:

	Initial Penalty	Penalty Upon Default
First Offense	\$25	\$ 50
Second Offense	35	70
Third and Subsequent Offense	65	130

The prohibition on animals at municipal special events would not apply to dogs or cats. The penalties for violations would be a fine, and penalty or imprisonment, as already prescribed in Chapter 30.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilman Norwood moved to amend Introductory No. 55.

The motion was seconded by Vice President Santiago.

The motion was adopted unanimously.

Ordinance No. 2000-51  
(Int. No. 55, As Amended)

**Amending The Municipal Code With Respect To Animals**

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

Section 1. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended by designating the current Sections thereof as Article I: Permitted Animals, and there is hereby added to Article I of Chapter 30 the following new Section 30-23:

Section 30-23. Limitation of Article.

This Article shall be construed to authorize the possession only of animals not defined as wild animals in Article II of this Chapter.

Section 2. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended by adding thereto a new Article II to read in its entirety as follows:

Article II. Wild Animals.

Section 30-25. Definitions.

When used in this Chapter, the following words shall have the following definitions:

WILD ANIMAL - Shall mean all types of the following animals:

- All venomous animals except fish, including rear-fang snakes.
- Antelope, bighorn sheep, gazelles, impalas, gnus, bison, buffalo, African buffalo, mountain goats, tapirs, topis, waterbucks, warthogs, wildebeests, zebra.
- Bats.
- Bears (ursidae).
- Camelidae, i.e.: camels, llamas, alpacas, vicuñas, guanacos.
- Canids (other than domestic dogs, canis lupus familiaris), i.e.: wolves, foxes, coyotes, jackals, dingos, raccoon dogs, or any mix of these animals.
- Cervidae, i.e.: deer, moose, elk, caribou, reindeer.
- [Constrictor snakes.]
- Crocadilians, i.e.: alligators, crocodiles, caimans, gavials.
- Elephants (elephantidae).
- Falconiformes, i.e.: eagles, hawks, owls, ospreys, vultures, griffons.
- Felids (other than domestic cats, felis catus), i.e.: lions, tigers, bobcats, leopards, cheetahs, jaguars, pumas, lynx, ocelots, or any mix of these animals.
- Giraffidae, i.e.: giraffes, okapis.
- Herpestidae, i.e.: mongooses, meerkats, suricats, fossas.

Hippopotamus (hippopotamidae).  
 Hyaenidae, i.e.: hyenas, aardwolf.  
 Komodo dragons (varanus komodoensis).  
 Marsupials, i.e.: opossums, [tasmanian wolf,]  
 kangaroos, wallabies, koalas, wombats.  
 Ostriches, emus, rheas.  
 Primates (non-human), i.e.: apes, monkeys,  
 baboons, chimpanzees, gibbons, gorillas,  
 lemurs, orangutans, siamangs, marmosets,  
 tamarins, mandrills, macaques.  
 Procyonids, i.e.: raccoons, coatis, kinkajous,  
 olingos, ring-tailed cats.  
 Rhinoceros (rhinocerotidae).  
 Sciuridae, i.e.: squirrels, groundhogs, marmots,  
 prairie dogs, woodchucks.  
 [Snapping turtles.]  
 Viverridae, i.e.: civets, linsangs, genets, palm  
 civets, toddy cats, binturongs, fossas.  
 Weasels, stoats, zorillas, martens, fishers,  
 skunks, tayras, wolverines, grisons, badgers,  
 rats, otters, muskrats, beavers, gophers,  
 porcupines.  
 Xenarthrans, i.e.: anteaters, tamanduas, sloths,  
 armadillos.

#### Section 30-26. Wild animals.

No person shall own, bring into, possess, harbor or keep any wild animal in the City, nor allow or permit any wild animal to run at large upon any street or public place.

#### Section 30-27. Constrictor snakes prohibited in public places.

No person shall carry, bring or possess a constrictor snake in a public place in the City, nor allow a constrictor snake to go loose or free, restrained or unrestrained, in a public place. This prohibition shall not apply to the transport of a constrictor snake on City streets provided the snake is securely maintained in a bag or other enclosure throughout the transport. "Public place" shall mean any area or building owned, operated or controlled by or on behalf of the City, or portion of such place, which is generally accessible to the public, including but not limited to streets, sidewalks, skywalks, parking garages and lots, parks, playgrounds, recreation areas, athletic fields, cemeteries, or places of employment or operations.

#### Section 30-28. Exceptions.

The provisions of this Article shall not apply to:

1. The Seneca Park Zoo and all of its activities;
2. The Animal Control Center;
3. Colleges, medical centers, schools and universities which maintain such wild animals;
4. Veterinary hospitals;
5. Licensed pet stores operating at the time of adoption of this Article which register with the Animal Control Center within thirty (30) days after adoption of this Article, provided that such stores shall maintain for a period of three (3) years for review by Animal Control Officers or police officers during normal business hours a record signed by the purchaser of any wild animal containing the full name, street address and telephone number of the purchaser and the street address of the location outside of the City where the purchaser intends to harbor the wild

animal;

6. Persons transporting a wild animal to a location excepted herein or in conjunction with an activity excepted herein, or transporting a wild animal directly through the City, provided that the wild animal is properly restrained and maintained in a vehicle throughout the transport;
7. Bona fide circuses; and
8. Housing and [P]public exhibitions of wild animals for educational or entertainment purposes, provided the same are approved by the Animal Control Center after a review for public health and safety concerns, as a result of which insurance or other appropriate protections may be required.

Section 3. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended by renumbering Section 30-4, Pounds established; Section 30-11, Interference with officer or other person; Section 30-18, Nuisances; and Section 30-22, Adoption of cats, as Sections 30-32 through 30-35, respectively, and by adding said Sections to a new Article III, General Provisions and Penalties, and by otherwise amending said sections to read in their entirety as follows:

#### Section 30-32. Animal shelter.

The City shall provide an animal shelter in which seized animals shall be maintained for periods of time as provided by law.

#### Section 30-33. Interference with Animal Control Officer or other person.

No person shall molest or interfere in any way with any Animal Control Officer or any of the staff of the Animal Control Center engaged in the performance of their duties.

#### Section 30-34. Nuisances.

No person shall permit an accumulation of animal feces on a property which results in a foul or nauseating odor or unsightly condition that makes travel or residence in the vicinity uncomfortable, or which attracts flies or other insects or animals thereby creating an unsanitary condition which may facilitate the spread of disease and endanger health, or which renders soil, water or food impure or unwholesome, or which endangers public comfort and repose.

#### Section 30-35. Adoption of cats.

The fee for adopting a cat from the Animal Control Center shall be ten dollars (\$10.), plus the fee for other services for the cat provided by the Animal Control Center. In addition, the Animal Control Center shall require a deposit of twenty dollars (\$20.) for the adoption of a cat which is not a spayed female cat or a neutered male cat. This deposit shall be refunded when the cat owner presents a certificate of spaying or neutering to the Animal Control Center. No refunds shall be made more than six (6) months after the date of adoption.

Section 4. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended by adding the following new Sections to the new Article III:

Section 30-36. Enforcement.

This Chapter may be enforced by any Animal Control Officer or police officer of the City. Animal Control Officers shall enforce any law or ordinance controlling animals in the City.

Section 30-37. Issuance of notices of violation.

Any Animal Control Officer or police officer observing a violation of this chapter or of any local law or ordinance relating to the control of animals shall issue a notice of violation therefor. A notice of violation shall be served personally upon the owner of the animal or other person charged with such violation or mailed to the person at the person's last known address by means of first class mail.

Section 30-38. Filing of depositions by citizens.

Any person who observes or has knowledge of a violation of this chapter or of any local law or ordinance relating to the control of animals may file a signed deposition, under oath, with an Animal Control Officer, specifying the objectionable conduct of the animal, the date thereof, a description of the animal and the name and address, if known, of the owner or other person harboring said animal. The Animal Control Officer shall investigate each complaint and, if the complaint is supported by substantial evidence, issue a notice of violation therefor.

Section 30-39. Seizure and redemption of animals.

- A. Any animal may be seized and impounded when found:
  - 1. in violation of this chapter;
  - 2. constituting a nuisance or danger;
  - 3. sick or injured; or
  - 4. unattended or abandoned, as in situations where the owner is deceased or has been arrested or evicted.

B. Any animal seized pursuant to this Chapter shall be held for not less than five (5) days, unless injured or diseased. Any wild animal seized for a violation of this Chapter shall become the property of the City after five (5) days and shall be euthanized or otherwise disposed of in a lawful manner. The owner of a wild animal shall have the opportunity to submit to the Director of the Animal Control Center within five (5) days of the seizure a writing stating the reasons why the wild animal was not in violation of this Chapter and should not become the property of the City. The Director may also meet with the owner. The Director shall make a final determination based on the writing or other information provided and records of the wild animal and its seizure. If the Director of the Animal Control Center determines that the wild animal was not in violation of this Chapter, the owner shall have five (5) days to reclaim the wild animal without paying the cost of seizure and impoundment, but upon payment of health costs, or it shall become the property of the City and shall be euthanized or otherwise disposed of in a lawful manner. Any other animal which is not reclaimed by its owner within five (5) days of

its seizure shall become the property of the City and shall be euthanized or otherwise disposed of in a lawful manner.

- C. The owner shall be responsible for the costs of any seizure, health care, impoundment or other services. Except as otherwise provided in the Municipal Code, fees for impoundment, adoption and other services relating to animals at the Animal Control Center shall be established by the Director of the Animal Control Center with the approval of the Mayor. No animal shall be redeemed unless the person seeking the redemption first pays all outstanding animal and dog control fines and penalties owed by that person and the animal owner, and all outstanding animal control fines and penalties relating to the animal to be redeemed.

Section 30-40. Penalties for offenses.

The Municipal Code Violations Bureau shall hear and determine charges involving violations of this Chapter. Any person who violates this Chapter shall be subject to the same penalties as those set forth in Section 31-17A of the Municipal Code relating to dogs.

Section 5. Section 30-5 of the Municipal Code, Pound records; Section 30-6, Impounding of animals; Section 30-7, Impounding fees; Section 30-8, Sale of impounded animals; Section 30-10, Quarantine; and Section 30-21, Penalties, are hereby repealed.

Section 6. Section 13A-2 of the Municipal Code, relating to the jurisdiction of the Municipal Code Violations Bureau, as amended, is hereby further amended by adding the following new Chapter to its jurisdiction where it should appear in the chart in subsection A thereof:

Code Reference	Type of Regulation
Chapter 30	Animals

Section 7. Section 13A-11 of the Municipal Code, Penalties for offenses, as amended, is hereby further amended by adding the words and numbers "and Section 30-40" after the reference to "Section 27-6" where it is contained in subsection A thereof.

Section 8. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended by adding thereto the following new Section 30-3 to read in its entirety as follows:

Section 30-3. Animals at Special Events.

No person shall bring, permit or allow any animal, whether leashed or otherwise restrained or not, to or at a special event sponsored by the City and held on municipal property. Municipal property shall mean all property owned by the City or dedicated to public use, including but not limited to parks, playgrounds, streets and City buildings. This section shall not apply to dogs or cats or to other animals that are permitted by the Commissioner of Parks, Recreation and Human Services as taking part in the special event.

Section 9. This ordinance shall take effect thirty (30) days after the date of its adoption.

Bracketed material deleted; underlined material added.

Passed unanimously.

By Councilmember Mains  
February 15, 2000

City Clerk's Office. All outstanding taxes, charges and addition to taxes from various years in the total amount of \$414,176.25 are to be canceled.

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 54 - Cancellation Of Taxes And Charges

Respectfully submitted,  
Brian F. Curran  
Nancy K. Griswold  
Lois J. Giess  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:32 P.M.

CAROLEE A. CONKLIN  
City Clerk

\*\*\*\*\*

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-52  
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$414,176.25.

The total amount relates to 48 properties transferred to the City by Monroe County following tax foreclosure, pursuant to the agreement authorized by the City Council on May 11, 1993. Under the terms of this agreement, all outstanding taxes, charges and addition to taxes are to be canceled upon transfer. A list of the properties and taxes and charges is on file in the Office of the City Clerk.

If this cancellation is approved, total cancellations during 1999-00 will be \$1,411,327.70.

	<u>Accounts</u>	<u>Amounts</u>
City Council	126	\$1,253,134.69
Administrative	<u>233</u>	—
<u>158,193.01</u>		
Total	359	\$1,411,327.70

These cancellations represent .707% of the tax receivables as of July 1, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-52  
(Int. No. 54)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- (a) On October 5, 1998, 48 properties were taken in a foreclosure action by Monroe County. Those properties have since been conveyed to the City of Rochester. A list is on file in the

**SPECIAL COUNCIL MEETING**  
February 25, 2000  
5:00 P.M.

Present - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Douglas -1.

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

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

**PUBLIC HEARINGS**

Pursuant to law public hearing will now be had on the following matter:

Approving The Acquisition Of Parcels For The Brown Street Project By Negotiation Or Condemnation Int. No. 62 No speakers.

**INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.**

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-53 and  
Ordinance No. 2000-54  
Re: Anthony Square Project

Transmitted herewith for your approval is legislation relating to the Anthony Square project. This legislation will:

- 1. Authorize the participation of the following developers in the Home Expo portion of the

project:

- a. HSBC Community Development Corporation
  - b. Imperial Rochester Development Corporation
  - c. Speedwell Construction
  - d. Urban League of Rochester Economic Development Corporation
2. Approve the sale by the Rochester Urban Renewal Agency to the City and the acquisition by the City for \$1.00 of 24 parcels within the project site;
  3. Authorize the sale, at their appraised values, of any of the parcels, except the parcel that will be used for construction of a street, to any of the above developers or to the Greater Rochester Partnership Housing Development Fund Corporation;
  4. Approve the release of a mortgage lien of \$1,500,000 against the above properties, to permit such sale;
  5. Authorize the cancellation of all City taxes and charges against the above properties;
  6. Authorize the granting or retention of any easements required for the installation of sidewalks and utilities on the above properties;
  7. Authorize the use of any previously appropriated funds for prior Home Expo programs for the 2000 Home Expo program;
  8. Authorize any necessary agreements for the 2000 Home Expo Program; and
  9. Expand the area in which the proceeds of a previously authorized bond issue may be used to finance the costs of environmental remediation.

As you are aware, the Anthony Square project involves the redevelopment by Housing Opportunities of the former West Square Manor site. The project will result in the construction of 45 rental units and 23 owner-occupant single-family houses.

The 10 apartment buildings and small commercial building that were on the site have been demolished. Environmental remediation of the site is expected to be completed in March and construction of the roadway will be completed in June.

Construction of the rental units will begin upon approval by the NYS Division of Housing and Community Renewal of an application for financing totaling \$4.8 million. Construction of the single-family houses will begin in the spring in conjunction with the 2000 Home Expo program.

Proposals for participation in the program were solicited from 34 developers. Six proposals were received.

These proposals were evaluated by a committee consisting of representatives of the Departments of Community Development and Environmental Services and the Greater Rochester Housing Partnership. The proposals of four developers, involving 14 different model houses, are recommended.

The proposed legislation will provide for the sale of

the parcels on which the houses are to be constructed. The mortgage lien that will be released to permit the sale of the properties relates to the Community Development Block Grant float loan that was authorized by the City Council on April 14, 1998; the lien will remain on the parcels on which the rental units are to be constructed.

The proposed budget for the 2000 Home Expo program is as follows:

Expenses:	
Home purchase subsidies	\$517,500
Closing cost subsidies	138,000
Promotion	23,000
Security and miscellaneous	50,000
Total	\$728,500
Revenues:	
NYS Affordable Housing Corporation	\$517,500
Cash Capital	73,000
HOME	138,000
Total	\$728,500

The purchase subsidies of \$22,500 will permit the houses to be sold at prices between \$57,400 and \$74,100. Prospective purchasers will have to meet the following income guidelines:

<u>Family Size</u>	<u>Maximum Income</u>
1	\$42,480
2	48,600
3	54,600
4	60,720
5	65,520
6	70,440
7	75,240
8	80,160

Purchasers with income at or below 100% of the median family income for the metropolitan statistical area will also be eligible to participate in the Homebuyer Assistance Program. Under this program, up to \$6,000 is available for down payment and closing cost assistance.

A purchaser will be required to reside in the house for a minimum of 10 years or repay the purchase subsidy. After five years of residency, the required repayment amount will decline 20% during each of the remaining years.

The Greater Rochester Housing Partnership will, if necessary, provide construction financing for the participating developers. The Home Store will provide pre-purchase counseling, home ownership training, and assistance in obtaining mortgages.

The Home Store will also provide nominal marketing assistance to the developers and maintain a listing of available lots and house styles. Each developer may independently retain the services of a real estate broker to market their houses.

Finally, on April 13, 1999, the Council authorized the issuance of bonds totaling \$189,000 to finance the costs of environmental remediation of the original project area, which was coterminous with the former West Square Manor site. Subsequently, on August 10, the Council authorized the acquisition of seven neighboring parcels to expand the project area.

One of the parcels was formerly used as an auto repair facility. Environmental remediation of this parcel is

required, at an estimated cost of \$8,600.

The proposed legislation will expand the specified purpose of the aforementioned bond issue to include remediation of this parcel, as well as the other parcels that were subsequently acquired, if necessary. It will not increase the amount of the bond issue.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-14

Ordinance No. 2000-53  
(Int. No. 58)

**Approving The 2000 Home Expo Program**

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

Section 1. The Council hereby approves the participation of the following developers in the 2000 Home Expo Program:

- HSBC Community Development Corporation
- Imperial Rochester Development Corporation (Principal: Donald Laudadio)
- Speedwell Construction (Principal: Robert Spencer)
- Urban League of Rochester Economic Development Corporation

Section 2. The Council hereby approves the acquisition of the following parcels within the Anthony Square Development Project Area from the Rochester Urban Renewal Agency for the sum of \$1.00:

Address	SBL
Lot 13	120.44-02.1.15
Lot 19	120.44-02.1.26
Lot 14	120.44-02.1.16
Lot 20	120.44-02.1.25
Lot 15	120.44-02.1.17
Lot 21	120.44-02.1.24
Lot 16	120.44-02.1.18
Lot 22	120.44-02.1.23
Lot 17	120.44-02.1.19
Lot 23	120.44-02.1.22
Lot 18	120.44-02.1.20
Street parcel (276 Troup St.)	120.44-02.1.12
270 Troup Street	120.44-02-1.14
274 Troup Street	120.44-02-1.13
278 Troup Street	120.44-02-1.11
280 Troup Street	120.44-02-1.10
282 Troup Street	120.44-02-1.9
284 Troup Street	120.44-02-1.8
286 Troup Street	120.44-02-1.7
288 Troup Street	120.44-02-1.6
290 Troup Street	120.44-02-1.5
292 Troup Street	120.44-02-1.4
294 Troup Street	120.44-02-1.3
296 Troup Street	120.44-02-1.2

Section 3. The Council hereby further approves the sale of any of the parcels of real estate listed in Section 2, other than the street parcel at 276 Troup Street, and any previously approved Home Expo lots, for their appraised value, to any of the developers listed in Section 1 and/or the Greater Rochester Partnership Housing Development Fund Corporation provided that the developer shall construct and sell housing in accordance with the guidelines of the 2000 Home Expo Program.

Section 4. The Council hereby further approves the release of the lien of the mortgage securing repayment of the loan from the City to Housing Opportunities, Inc. in the amount of \$1,500,000, as originally authorized in Ordinance No. 98-136, on all of the parcels described in Section 2. The lien shall remain on the parcel slated for rental development at 501 West Main Street.

Section 5. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the first day of the month following the date of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 6. Previously appropriated local funds for the Home Expo Program are hereby further authorized for use to fund the 2000 Home Expo Program.

Section 7. The Council further authorizes the granting or retention by the City of any easements for the installation of sidewalks, utilities (including sewers), cable, and telecommunications necessary for the development of the parcels and street parcel described in Section 2.

Section 8. The Mayor or his designee is hereby authorized to enter into agreements which may be necessary to implement the 2000 Home Expo Program.

Section 9. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 11. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-54  
(Int. No. 59)

**Amending Ordinance No. 99-102 Relating To The Issuance Of Bonds For Environmental Clean-Up At The Former West Square Manor Site To Include The Entire Anthony Square Project Site**

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

Section 1. Ordinance No. 99-102, relating to the issuance of bonds of the City of Rochester in the amount of \$189,000 for environmental clean-up at the former West Square Manor Site, is hereby amended by expanding the specific object or purpose to include environmental clean-up of additional parcels of land located at 42-46 and 48-50 Prospect Street, and 281-283, 285, 287-289, 291 and 293 Troup Street. Such additional parcels, together with the former West Square Manor Site, will now be known as the Anthony Square Project Site. All other terms and conditions of said bond ordinance, including the estimated maximum cost of the specific object or purpose and the amount of bonds issued, shall remain unchanged and are hereby ratified and confirmed.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-55  
Re: Bond - Acquisition and Demolition

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$329,500 and appropriating the proceeds thereof to finance the demolition of structures.

The 1999-00 Capital Improvement Program includes a total allocation of \$1,529,500 for the emergency demolition of unsafe structures and the regular demolition of structures acquired by the City through tax foreclosure proceedings or donations or privately-owned structures that are in default of a demolition hearing.

Of the total allocation, \$1,200,000 was provided through a Cash Capital appropriation, which has been used for the four emergency demolitions and 97 regular demolitions. The proceeds of the proposed bond issue are expected to finance the costs of an additional 32 non-emergency and two emergency demolitions.

During 1998-99, \$2,165,000 was appropriated for the demolition program. It was used for 154 non-emergency and 16 emergency demolitions.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-55  
(Int. No. 60)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$329,500 Bonds Of Said City To Finance The Cost Of Planning And Implementing The Demolition Of Certain City Owned And Privately Owned Structures**

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 planning and implementing the demolition of approximately thirty-two (32) City owned and privately owned structures located in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,529,500. The plan of financing includes the issuance of \$329,500 bonds of the City, and the levy and collection of an ad valorem tax on all taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Said amount is hereby appropriated therefor. The balance of said costs (\$1,200,000) is to be funded from budgeted City funds.

Section 2. Bonds of the City in the principal amount of \$329,500 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 \$329,500. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.12-a and 11.00a.63 of the Local Finance Law, is ten (10) years.

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

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

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

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

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

of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance Nos. 2000-56,  
2000-57, 2000-58 and 2000-59  
Re: Brown Street Neighborhood  
Revitalization Project

Transmitted herewith for your approval is legislation relating to the Brown Street Revitalization Project. This legislation will:

1. Make the determinations and findings relating to the acquisition, by negotiation or condemnation, of seven vacant properties in the Brown Street neighborhood;
2. Authorize such acquisition at maximum cost of \$119,300;
3. Authorize the issuance of bonds totaling \$197,000 and appropriate the proceeds thereof to finance the costs of acquisition, including closing costs, of the above properties and nine other properties whose acquisition was previously approved by the City Council; and
4. Authorize the subsequent sale of the properties or subdivided properties at their appraised values to any of the following developers:
  - a. Providence Housing Development Corporation,
  - b. Flower City Habitat for Humanity, or
  - c. Urban League Economic Development Corporation

The Brown Street project includes the following construction of housing:

Providence Housing Development Corporation	30 rental units
Flower City Habitat for Humanity	40 houses
Urban League Economic Development Corp./Youthbuild	2 houses
Urban League Economic Development Corporation	10 houses

The City has participated in the project by acquiring and selling various parcels on which the houses or units are being constructed, authorizing tax exemptions for the rental units in consideration of payments in lieu of taxes, and providing total allocations of \$361,000. Under the proposed legislation the City will acquire and sell seven additional parcels for the project.

A public hearing concerning the proposed acquisition was held on February 15; There was one speaker, who supported the acquisition. The proposed determinations and findings are based on the testimony presented at the hearing.

The values of the additional properties to be acquired were established by an independent appraiser, Kevin Bruckner. Closing costs are not expected to exceed

\$20,700.

The proposed bond issue will finance the costs associated with the proposed acquisition and a portion of the costs of two prior acquisitions that were authorized by the Council on December 14, 1999 and August 11, 1998.

	Acquisition Costs	Closing Costs	Total
Proposed Acquisition (7 properties)			
December 14, 1999 (2)	\$119,300	\$20,700	\$140,000
August 11, 1998 (7)	11,200	5,800	17,000
	<u>114,900</u>	<u>25,100</u>	<u>140,000</u>
Total	\$245,400	\$51,600	\$297,000

The remaining portion of the cost will be financed from the \$100,000 grant to be received from Monroe County for the project.

Originally, the City's portion of the costs of the prior acquisitions were financed from Cash Capital allocations, since the amounts involved were smaller than the amount for which, by policy, bonds are typically issued. The portion of the proposed bond issued not used to finance the proposed acquisitions, \$57,000, will be used to effectively reimburse the Cash Capital accounts.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-15

Ordinance No. 2000-56  
(Int. No. 61)

**Determinations And Findings Relating To The Acquisition Of Certain Properties As Part Of The Brown Street Project**

WHEREAS, the City of Rochester proposes to acquire certain properties as part of the Brown Street Project, and

WHEREAS, the Council of the City of Rochester held a public hearing on February 15, 2000 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels.

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

Section 1. The Council hereby makes the following determination and findings concerning the acquisition of the properties listed below as part of the Brown Street Project:

- a. Project Location: The City proposes the public acquisition of the following properties:

<u>Property Address</u>	<u>SBL #</u>
519 Brown St.	120.35-3-5.2
557 Brown St.	120.35-3-60
563 Brown St.	120.35-3-61.1
750 Brown St.	120.43-1-59.4
60 Love St.	120.34-2-19
43 Taylor St.	120.34-2-75
17 Terry St.	120.35-3-57

b. Public purpose and general effect:

1. These parcels have been designated for acquisition to further the objectives of the Brown Street Project which calls for the development of new affordable owner-occupied and renter-occupied residential housing units in the Brown Street area. The City of Rochester has already acquired several other properties for this purpose and houses and rental units have already been constructed or are being constructed or planned. In order to further implement the plan, the City proposes to acquire the subject properties. When acquisition is completed, buildings on the properties will be demolished and the properties will be redeveloped as a part of the Brown Street Project. The redevelopment of the subject parcels will provide for improved affordable housing, enable the expansion of the City's tax base, eliminate blighted properties and reduce calls for police services.

2. The general effects of the acquisition of these parcels on the environment and the residents of the immediate area will be beneficial. The project will have no significant adverse environmental effects. The acquisitions will lead to creating more new owner-occupied and renter-occupied residential housing units within the neighborhood and eliminate blighted properties.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-57  
(Int. No. 62)

**Approving The Acquisition Of Parcels For The Brown Street Project By Negotiation Or Condemnation**

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

Section 1. The Council hereby approves the acquisition of the following parcels from the current owners for maximum amounts not to exceed the following as a part of the Brown Street Project:

Property Address Reputed Owner	SBL #	Type	Maximum Acquisition Value
519 Brown St. Judith A. Richardson	120.35-3-5.2	1 Family	\$18,000
557 Brown St. Matthew Alexander	120.35-3-60	V.L.	2,400
563 Brown St. Matthew Alexander	120.35-3-61.1	2 Family	14,000
750 Brown St. Jeffrey Ange & Irene Contreras	120.43-1-59.4	3 Family	50,000
750 Brown St. Jeffrey Ange & Irene Contreras	120.43-1-59.4	3 Family	50,000
60 Love St. John & Francis Tracy	120.34-2-19	1 Family	19,000
43 Taylor St. Henry E. Imes	120.34-2-75	V.L.	1,900
17 Terry St. Henry & Stanislaw Slepecki	120.35-3-57	1 Family	14,000

TOTAL \$119,300

Section 2. The acquisition and closing costs shall obligate the City to pay an amount not to exceed \$140,000, and said amount, or so much thereof as may be necessary, shall be funded from a bond ordinance for this purpose.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled.

Section 4. In the event that any or all of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcels.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-58  
(Int. No. 63)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$197,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing A Portion Of The Brown Street Revitalization Project Within The City**

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 planning and implementing a portion of the Brown Square Revitalization Project, presently consisting of the acquisition of certain blighted properties within the City, including but not limited to the following parcels: 519, 535, 557, 563, 574, 581-583, 585-589, 613, 656-662, 696-698 and 750 Brown Street; 52-54 and 60 Love Street; 43 Taylor Street; 17 Terry Street and 11 Victoria Street (collectively, the "Project"). Improvements on said properties are to be ultimately demolished by the City. The estimated maximum cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$197,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$197,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$197,000 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 \$197,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.21-a of the Law, is thirty (30) years.

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

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

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

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

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

the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2000-59  
(Int. No. 64)

**Approving The Sale Of Parcels For The Brown Street Project**

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

Section 1. The Council hereby approves the sale of the following parcels for their appraised value, upon acquisition and demolition of the buildings thereon by the City, to Flower City Habitat for Humanity, the Urban League Economic Development Corporation, Providence-Brown Street Housing Development Fund Corporation, or similar housing development organizations, for the development of housing as a part of the Brown Street Project: 519, 535, 557, 563, 574, 581-583, 585-589, 613, 656-662, 696-698 and 750 Brown Street; 52-54 and 60 Love Street; 43 Taylor Street; 17 Terry Street and 11 Victoria Street.

Section 2. Ordinance No. 99-423, relating to the acquisition of real estate for the Brown Street Revitalization Project, is hereby amended by authorizing funding in the amount of \$17,000 from a bond ordinance for this purpose to replace an equal amount of funding from the 1999-2000 Cash Capital Allocation.

Section 3. Ordinance No. 98-331, relating to the acquisition of real estate for the Brown Street Revitalization Project, is hereby amended by authorizing funding in the amount of \$40,000 from a bond ordinance for this purpose to replace an equal amount of funding from the 1998-99 Cash Capital Allocation.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 5:45 P.M.

CAROLEE A. CONKLIN  
City Clerk

\* \* \* \* \*

REGULAR MEETING  
March 21, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - None - 0.

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

Pledge of Allegiance to the Flag of the United States of America, by members from the Otetiana Council of the Boy Scouts and Girl Scouts of the Genesee Valley.

APPROVAL OF THE MINUTES  
By Councilmember Douglas

RESOLVED, that the minutes of the Regular Meeting of February 15, 2000 and the Special Council Meeting of February 25, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

The Director of Zoning submits Notices of Environmental Determination.  
202 Burrows Street. 3631-7  
1470-1490 Lake Ave., 51-67 Ridge Rd; 32-52  
Parkdale Terrace. 3632-7  
18 Petten Street. 3633-7  
242 Verona Street and 93 Jay Street. 3634-7  
451-457 West Ridge Road. 3635-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing Changes In The Pavement Width Of Jay Street Int. No. 71 No speakers.

Dedication Of Parcels To Street Purposes As A Part Of The Jay Street Improvement Project Int. No. 73 No speakers.

Local Improvement Ordinance - Care And Embellishment Of Various Neighborhood Street Malls For 2000 - \$70,102.54 Int. No. 74 No speakers.

Authorizing An Increase In The Pavement Width Of Vinewood Place Int. No. 75 No speakers.

Abandonment Of Portions Of Addison And Bickford Streets And Sale Of Real Estate Int. No. 95 No speakers.

Councilman Mains asked that the rules of the Agenda be suspended so that public input could be heard on Introductory No. 92.

Resolution For The Purpose Of A Home Rule Message Regarding State Legislation Relative To Discontinuing The Use Of Certain Lands As Park Lands Int. No. 92 Three speakers: Rev. Opah Frances, Ms. Paulisa Fisher and Ms. Betty Ford.

INTRODUCTION OF AND ACTION UPON LOCAL

LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-60

Re: Application and Agreements -Quality Communities Demonstration Program

Transmitted herewith for your approval is legislation authorizing an application and any necessary agreements for the receipt of a grant of up to \$24,000 under the NYS Quality Communities Demonstration Program.

In January, Governor Pataki established the Quality Communities Interagency Task Force and appointed Lieutenant Governor Donohue as its chair. The objective of the Task Force is "...to develop measures that will assist local communities in implementing effective land development, preservation and rehabilitation strategies".

In February, Lieutenant Governor Dionohue announced the Quality Communities Demonstration Program. Under the program, \$1.15 million will be available in 2000-01 "...to enhance opportunities and incentives for innovative planning and community development techniques that link environmental protection, economic development and community well-being.

The activities that are eligible to be funded under the program are as follows:

1. Revitalization of existing communities and promotion of liveable neighborhoods,
2. Preservation of open space and critical environmental resources,
3. Sustainable economic development
4. Improvement of intergovernmental partnerships, shared services and collaborative projects,
5. Improvement of public awareness

The proposed grant will be used to finance a portion of the costs of a coordinated marketing and promotion program for Monroe Avenue, which is one of the strategies recommended in the Monroe Avenue Corridor Study that was presented on February 29. The study was prepared jointly by the City, Towns of Brighton and Pittsford and Village of Pittsford.

The coordinated program would involve the preparation and distribution of promotional maps that identify the location of participating businesses on Monroe Avenue and a flyer that promotes the avenue as a whole. The total estimated cost of the program is \$39,000.

The proposed grant would finance 61.5% of this cost. The remaining amount is expected to be financed by the businesses participating in the coordinated program.

The lead jurisdiction for submission of the grant application will be the Town of Brighton. The proposed legislation will authorize any necessary agreements for the submission.

Sincerely,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-60  
(Int. No. 105)

**Authorizing Agreements With Respect To The Quality Communities Demonstration 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 and enter into necessary agreements jointly with the Towns of Brighton and Pittsford and the Village of Pittsford for funding under the Quality Communities Demonstration Program for marketing and promotion of Monroe Avenue. The Mayor is hereby further authorized to enter into necessary agreements, including agreements with the State of New York and intermunicipal agreements with the Towns of Brighton and Pittsford and the Village of Pittsford, for implementation of the project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

**REPORTS OF STANDING COMMITTEES AND ACTION THEREON**

By Councilmember Stevenson  
March 21, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 65 - Authorizing An Application And Agreement For Funding For Recycling Equipment

Int. No. 66 - Establishing \$2,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Parks & Recreation Maintenance Facility Relocation

Int. No. 67 - Authorizing Agreements For The Adopt-A-Lot Program

Int. No. 68 - Establishing \$60,000 As Maximum Compensation For Professional Services Agreements For Motor Vehicle Collision Repair Services, As Amended

Int. No. 69 - Authorizing Agreements For Mechanical/Electrical/Plumbing Engineering Services

Int. No. 70 - Authorizing Agreements With Respect To The Chili Avenue Improvement Project

Int. No. 89 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$510,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Reconstruction Of The Ford Street Bridge Within The City

Int. No. 90 - Establishing Maximum Compensation For Resident Project Representation Services For The Ford Street Bridge Rehabilitation Project, Appropriating Funds And Amending Ordinance No. 98-431

Int. No. 93 - Establishing \$46,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For Improvement Projects

Int. No. 98 - Authorizing Agreements For Hazardous Materials Services

Int. No. 99 - Authorizing Agreements For Environmental Site Services And Amending Ordinance No. 97-356

Int. No. 100 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,572,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Lake Avenue Public Improvement Project

Int. No. 101 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$355,500 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Lake Avenue Public Improvement Project

Int. No. 102 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$194,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Lake Avenue Public Improvement Project

Int. No. 103 - Establishing \$352,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Inspection Services For The Lake Avenue Public Improvement Project

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 71 - Authorizing Changes In The Pavement Width Of Jay Street

Int. No. 72 - Authorizing The Acquisition By Donation, Negotiation Or Condemnation Of Permanent Easements For The Jay Street Improvement Project And Granting An Easement

Int. No. 73 - Dedication Of Parcels To Street Purposes As A Part Of The Jay Street Improvement Project

Int. No. 74 - Local Improvement Ordinance - Care And Embellishment Of Various Neighborhood Street Malls For 2000 - \$70,102.54

Int. No. 75 - Authorizing An Increase In The Pavement Width Of Vinewood Place

Int. No. 88 - Establishing \$104,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Chesterfield Drive And Leroy Street Improvement Project

Respectfully submitted,  
Robert J. Stevenson  
Brian F. Curran (Voted against Introductory No. 93.)  
Tony M. Thompson  
Gladys Santiago  
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-61  
Re: Application and Agreement -  
NYS DEC, Recycling Equipment

Transmitted herewith for your approval is legislation authorizing an application to and agreement with the NYS Department of Environmental Conservation for the receipt and use of a grant of up to \$93,770 to partially finance the cost of acquisition of certain recycling equipment.

The grant is available pursuant to the NYS Environmental Protection Act of 1993 and the Clean Water/Clean Air Bond act of 1996. Under these acts, financial assistance is provided to municipalities for projects that enhance their capacity to collect, aggregate, sort and process recyclable materials.

The proposed application is for a grant to partially finance the cost of acquisition of three asphalt reclaimer/pothole patchers. This equipment permits the reclaiming and reuse of asphalt materials from pavement cuts that would otherwise have to be disposed of at a landfill at a cost of \$40 to \$45 per ton.

The equipment was acquired in 1997, 1999, and 2000 at a total cost of \$187,539, which was financed from Cash Capital allocations of the Department of Environmental Services. The proposed application and agreement will provide for reimbursement of 50% of the cost.

It is estimated that 600 tons of materials will be reclaimed and reused annually. The materials will be stored at the Street Maintenance Division at 945 Mt. Read Boulevard.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-61  
(Int. No. 65)

**Authorizing An Application And Agreement For Funding For Recycling Equipment**

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, including all understandings and assurances contained in said application, and enter into an agreement with the New York State Department of Environmental Conservation for funding for recycling equipment under both the State Environmental Protection Act of 1993 and the Clean Water/Clean Air Bond Act of 1996.

Section 2. The City agrees that it will fund its portion of the cost of the recycling equipment.

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

Section 4. The City intends to act as its own market in the use of the recycled materials.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-62  
Re: Agreement - Richard Mauser  
Architects, Parks and Recreation  
Maintenance Facility

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Richard Mauser Architects, 91 Pinnacle Road, for additional architectural and engineering services relating to the construction of new maintenance facilities for the Department of Parks, Recreation and Human Services. The maximum cost of this agreement will be \$2,000, which will be financed from the proceeds of a bond issue that was authorized by the City Council on June 15, 1999.

The original agreement with Mauser was also authorized on that date. The agreement provided for the architectural and engineering services required for renovation of part of the existing maintenance facility at 420 Dewey Avenue and the construction at the same site of a new equipment maintenance facility of approximately 6,000 square feet.

The renovation and construction is required because of the conversion of the former maintenance facility at Genesee Valley Park into a water sports center. The conversion, by Genesee Waterways, Inc., was authorized by the Council on October 13, 1998.

The amendatory agreement with Mauser is required because subsurface investigation of the site of the proposed new equipment maintenance facility revealed poor load bearing capacity. As a result, design of a more extensive foundation than normally required by this type of building was necessary.

The total project cost, including design and inspection, is estimated to be \$500,000; actual bids for construction of the project are scheduled to be received on March 9, 2000. Construction is expected to begin in May and be completed by October.

If the proposed amendatory agreement is approved, the total cost of the agreement with Mauser will increase to \$32,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-62  
(Int. No. 66)

**Establishing \$2,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Parks & Recreation Maintenance Facility Relocation**

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

Section 1. The sum of \$2,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Richard Alfred Mauser Architects for architectural and engineering services for the relocation of the Parks & Recreation Maintenance Facility. Said amount shall be funded from Bond Ordinance No. 99-176.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-63  
Re: Agreements - Adopt-A-Lot Program

Transmitted herewith for your approval is legislation authorizing agreements with three neighborhood associations for the maintenance of city vacant lots under the Adopt-A-Lot Program. The total cost of the agreements will be \$89,460, which will be financed from the 1999-00 budget of the Department of Environmental Services.

The Adopt-A-Lot Program, which began in 1983, is designed to increase the quality of vacant lot maintenance while decreasing its cost. Under the program, DES annually establishes the amount that it will pay for maintenance of each vacant lot "equivalent" (40' x 100'), prescribes maintenance standards, and solicits proposals for such maintenance from the neighborhood associations in the areas in which the lots are located.

The maintenance standard prescribed for the associations is the same as the standard used by the department. The associations are required to perform maintenance four or five times each season, with an emphasis upon maintenance during the Spring.

The following organizations will participate in the 2000 program:

Organization	Amount
Coalition of Northeast Association	\$30,660
Marketview Heights Association	16,170
Montgomery Neighborhood Center	4,620
North East block Club Alliance	18,690
South West Area Neighborhood Association	9,660
Urban League of Rochester	3,360
Group 14621	3,150
Rochester Landscape Technician Program	3,150
Program Total:	\$89,460

Three organizations, the Urban League of Rochester, Group 14621 and the Rochester Landscape Technicians Program, are participating in the program for the first time.

In total, the eight organizations will be responsible for maintaining 378 (426 lot equivalents) of the 2,085 City owned vacant lots requiring maintenance. The established price for the 2000 program for such maintenance is \$210 per lot equivalent, which is the same as last year's price.

The five organizations that participated in the 1999 program performed satisfactorily. They maintained 369 lot equivalents at a total cost of \$77,490.

Following is a summary of participation in the program since 1995.

Year	Number of Neighborhood Organizations	Number of Lots	Lot Equivalents
1995	4	384	399
1996	5	397	410
1997	5	342	365

1998	5	371	398
1999	5	359	369
Proposed 2000	8	378	426

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-63  
(Int. No. 67)

**Authorizing Agreements For The Adopt-A-Lot Program**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations under the Adopt-A-Lot Program:

Organization	Amount
Coalition of Northeast Associations (CONEA)	\$30,660
Marketview Heights Association	16,170
North East Block Club Alliance (NEBCA)	18,690

Section 2. The agreements authorized herein and additional Adopt-A-Lot agreements shall obligate the City to pay an amount not to exceed \$89,460, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the Department of Environmental Services.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-64  
Re: Agreements - Collision Repair Services

Transmitted herewith for your approval is legislation authorizing agreements with five companies for the provision of collision repair services. The total maximum annual cost of these agreements will be \$60,000, which will be financed from the 2000-01 and 2001-02 budgets of the Department of Environmental Services.

When a City vehicle is involved in a collision, the Bureau of Equipment Services determines whether to perform the required repairs or to have commercial companies instead perform them. Among the considerations involved in this determination is the type of repairs required, the availability of personnel to do the work, and the existing workload.

To provide for the performance of repairs by commercial companies, a list of qualified vendors is periodically established. Whenever a specific repair is required, these vendors are requested to provide a price quote for the work.

The current list was established by the City Council on March 17, 1998. It contains five vendors.

To be considered qualified for inclusion on the list, companies must satisfy the following criteria:

1. They must have performed collision repair work for at least five years;
2. They must be located within 10 miles from City Hall; and
3. They must have no police record.

The proposed new list of qualified companies consists of the three current qualified vendors and two other companies that expressed interest to Equipment Services, the Purchasing Bureau or the Police Department. Two of the current vendors chose not to renew their agreements.

Following is a summary of repair activity during 1999.

<u>Company</u>	<u>Number of Jobs</u>	<u>Amount</u>
Fabrication One	2	\$ 1,743
Hawk Frame and Axle	4	6,757
Vanderstye Ford (Rochester Auto Collection)	0	0
John and Son Collision	0	0
Alliance Collision	6	26,362
Total	12	\$34,862

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-64  
(Int. No. 68, As Amended)

**Establishing \$60,000 As Maximum Compensation For Professional Services Agreements For Motor Vehicle Collision Repair Services**

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

Section 1. The sum of \$60,000 or so much thereof as may be necessary, is hereby established as the total compensation to be paid for professional services agreements between the City and the following companies for motor vehicle collision repair services for a term of one year, with an option for a one-year renewal:

Hawk, Frame & Axle, Inc.  
77 O'Connor Road  
Fairport, NY 14454

Rochester Auto Collection  
4545 Ridge Road West  
Rochester, NY 14626

Alliance Collision, Inc.  
532 North Street  
Rochester, NY 14605

General Collision Service  
1168 Lyell Avenue  
Rochester, NY 14606

Rural Metro  
177 University Avenue  
Rochester, NY 14605

Of said amount, \$10,000 shall be funded from the 1999-2000 Budget of the Department of Environmental Services, \$30,000 shall be funded from the 2000-01 Budget of the Department of Environmental Services, and [~~\$30,000~~] \$20,000 shall be funded from the 2001-02 Budget of the Department of Environmental Services, contingent upon approval of said budgets.

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-65  
Re: Agreements - Engineering Services

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for mechanical, electrical and plumbing services required for building renovation projects.

<u>Organization</u>	<u>Address</u>
Bergmann Associates	28 E. Main Street
CW Engineering	128 Hogan Road
Integrated Building Concepts	3445 Winton Place
LaBella Associates	300 State Street
M/E Engineering	40 Humboldt Street
Pathfinders Engineers	300 Monroe Avenue
Q-Tech Engineering	217 W. Commercial Street

Historically, the mechanical, electrical and plumbing engineering services required for most building renovation projects have been obtained from private organizations. The most recent agreements for such services were authorized by the City Council on May 12, 1998.

The assignment or allocation of projects among the organizations is based on their special skills and expertise and their ability to perform the required work in accordance with the schedules specified by the City. Following is a summary of the expenditures made under the current agreements.

<u>Organization</u>	<u>Amount</u>
CW Engineering	\$16,600
LaBella Associates	21,192
Pathfinders Engineers	18,225

Proposals for the provision of engineering services in the future were solicited from 10 organizations; nine proposals were received. The seven aforementioned organizations are recommended by the Department of Environmental Services.

Following is a list of building renovation projects for which services are expected to be required during 2000-01.

<u>Building</u>	<u>Renovation</u>
Andrew Street Building	Fire Alarm and Security System Installation
Animal Services Center	Washdown System Re-

Cortland Street Tunnel	pairs Sprinkler System Repairs
DES Operations Center Building 100 Building 200	Compressor Replacement Generator Replacement
Fire Houses	
Dewey Avenue	Sewer Repairs
Gardiner Avenue	Sewer Repairs
Goodman Street	Sewer Repairs
Monroe Avenue	HVAC Improvements
Flint Street Rec. Center	Toilet Room ADA Renova- tions
High Falls Parking Gar.	Municipal Parking Office Relocation
Records Management Center	HVAC Improvements
Rundel Library	Tunnel Heating
Water Bureau Headquarters	Plumbing Improvements

Studies of the heating, ventilating and air conditioning systems in City Hall and the Operations Center are also expected to be required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-65  
(Int. No. 69)

**Authorizing Agreements For Mechanical/Electrical/Plumbing Engineering Services**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for mechanical/electrical/plumbing engineering services as required by the City:

Company

Address

Pathfinder Engineers, P.C.  
300 Monroe Avenue, Suite 302  
Rochester, NY 14618-4611

CW Engineering  
128 Hogan Road  
Fairport, NY 14450

Integrated Building Concepts  
3445 Winton Place, Suite 201  
Rochester, NY 14623

Q-Tech Engineering, P.C.  
217 West Commercial Street  
East Rochester, NY 14445

Bergmann Associates, P.C.  
200 First Federal Plaza  
28 East Main Street  
Rochester, NY 14614

M/E Engineering, P.C.  
40 Humboldt Street, Suite 200  
Rochester, NY 14609

LaBella Associates, P.C.  
300 State Street  
Rochester, NY 14614

Section 2. Each agreement shall have a term of one

year, with provision for renewal for an additional one year. Each agreement shall provide for a service to be performed on an as needed basis, and shall establish a unit price to be paid for a particular service. The unit price may be adjusted during the renewal year with the approval of the City Engineer. The cost of said services shall be funded from the annual budget or from project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-66  
Re: Chili Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Chili Avenue Improvement Project. This legislation will:

1. Authorize any necessary agreements with the NYS Department of Transportation for administration of the project by the City; and
2. Appropriate a total of \$631,750 in anticipated state and federal reimbursements to finance a portion of the costs of the preliminary engineering, design and property acquisition services.

NYS DOT	\$ 99,750
Federal Highway Administration	532,000
Total	\$631,750

The project will involve reconfiguration of the street; reconstruction or rehabilitation of the pavement; improvements to the water distribution and drainage systems; replacement of curbs and sidewalks; traffic and signage modifications; and landscaping. The reconfiguration of the street will require the acquisition of certain adjacent parcels.

The costs of the project will be financed primarily by the state and federal governments. However, the NYS DOT has requested that the project be administered by the City.

The estimated cost of the preliminary engineering, design and property acquisition services required for the project is \$665,000. This cost will be financed from the aforementioned appropriations and the 1999-00 Cash Capital allocations of the Department of Environmental Services.

Construction of the project is expected to begin in the spring of 2003 and be completed by the fall of 2004. The estimated cost of the project is \$7,667,000, which will be financed as follows:

Federal	\$4,864,000
State	913,000
Cash Capital	177,000
Bonds	1,713,000
Total	\$7,667,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-16

Ordinance No. 2000-66  
(Int. No. 70)**Authorizing Agreements With Respect To The Chili Avenue Improvement Project**

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

Section 1. The Mayor is hereby authorized to enter into necessary agreements with the New York State Department of Transportation to participate in and administer the Chili Avenue Improvement Project. To fund the preliminary engineering and design of this project, the sum of \$532,000 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration, \$99,750 is hereby appropriated from anticipated reimbursements from the State of New York and \$33,250 shall be funded from the 1999-2000 Cash Capital Allocation.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:Ordinance No. 2000-67 and  
Ordinance No. 2000-68Re: Ford Street Bridge Rehabilitation  
Project

Transmitted herewith for your approval is legislation relating to the Ford Street Bridge Rehabilitation Project. This legislation will:

1. Authorize the issuance of bonds totaling \$510,000 and appropriate the proceeds thereof to finance a portion of the costs of the project;
2. Appropriate \$41,000 from anticipated reimbursements from the NYS Department of Transportation to finance a portion of the costs and amend certain prior legislation to reflect this appropriation; and
3. Authorize an agreement with Bergmann Associates, 200 First Federal Plaza, for resident project representation services, at a maximum cost of \$936,000, which will be financed from the above and prior appropriation.

The costs of the project will be financed primarily by the federal and state governments. However, the project is being administered by the City under an agreement authorized by the City Council on June 17, 1997.

Design of the project, by Bergmann, was authorized by the Council on July 22, 1997 and December 15, 1998. The project will involve the widening of the bridge deck; restoration of the existing trusses; repair of the sidewalks and curbs on the approaches to the bridge; modifications to the piers and abutments; replacement of structural flooring members; improvements to the railings; painting of steel; installation of pedestrian lighting and historic period details; new pavement striping and signage; and minor repairs to the bridge over the abandoned railroad track. The

widening of the bridge deck was approved by the Council on December 15, 1998.

Bids for construction of the project were received on February 22. The work will be performed by the Pike Company at a cost of \$7,959,590, which is 5% less than the engineering estimate; an additional \$1,304,410 (16%) will be allocated for contingencies.

These costs, and the cost of the proposed agreement for inspection services, will be financed as follows:

Federal	\$ 8,160,000
State	1,510,000
City Bonds (proposed)	510,000
Total	\$10,200,000

The federal and state funds required for construction were appropriated by the Council on August 10, 1999. The proposed bond issue will finance the City's share of the project costs.

The proposed additional appropriation of state funds will reimburse the City for its pre-financing of the state's share of the amendatory design agreement with Bergmann. At the time at which the agreement was authorized, the state funding was not yet authorized.

Construction of the project is scheduled to begin in the spring and be substantially completed in the fall of 2001. Bergmann is recommended to provide inspection services because of its familiarity with the project.

Public informational meetings concerning the project were held on March 25, 1998 and February 10, 1999. Copies of the minutes of these meetings were previously forwarded to the Council.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-17

Ordinance No. 2000-67  
(Int. No. 89)**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$510,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Reconstruction Of The Ford Street Bridge Within The City**

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 planning and implementing the reconstruction of the Ford Street Bridge within the City ("Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,200,000. The plan of financing includes the issuance of \$510,000 bonds of the City, and said amount is hereby appropriated therefor, together with grants of \$8,160,000 in United States funds previously appropriated in Ordinance No. 99-277 and \$1,530,000 in New York State funds previously appropriated in Ordinance No. 99-277, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall

become due and payable.

Section 2. Bonds of the City in the principal amount of \$510,000 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 \$510,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.21-a of the Law, is forty (40) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such

validity, is commenced within twenty (20) days after the date of such publication, or

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-68  
(Int. No. 90)

**Establishing Maximum Compensation For Resident Project Representation Services For The Ford Street Bridge Rehabilitation Project, Appropriating Funds And Amending Ordinance No. 98-431**

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

Section 1. The sum of \$936,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for resident project representation services for the Ford Street Bridge Rehabilitation Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$46,800 shall be funded from a bond for this Project, \$140,400 shall be funded from State reimbursements for this Project previously appropriated in Ordinance No. 99-277 and \$748,800 shall be funded from Federal reimbursements for this Project previously appropriated in Ordinance No. 99- 277.

Section 2. The sum of \$41,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the State of New York in order to fund design services for the Ford Street Bridge Rehabilitation Project.

Section 3. Ordinance No. 98-431, relating to design services for the Ford Street Bridge Rehabilitation Project, is hereby amended by reducing the amount funded in Section 1 thereof from the 1998-99 Cash Capital Allocation by the sum of \$41,000, which amount shall now be funded from the appropriation made in Section 2 hereof.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-69  
Re: Agreement - Clough, Harbour & Associates, Traffic Calming Projects

Transmitted herewith for your approval is legislation authorizing an agreement with Clough, Harbour & Associates, 13 S. Fitzhugh Street, for engineering services relating to two neighborhood traffic calming projects. The maximum cost of the agreement will be \$46,000, which will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services.

The City's neighborhood traffic calming policy was approved by the City Council on August 19, 1997. To date, calming devices have been installed on seven streets:

Bernice Street  
Carthage Drive  
Hillside Avenue  
Merrill Street  
Springfield Avenue  
Willmont Street  
Winchester Street

Two possible additional projects have recently been requested. The projects involve Parsells Avenue, between Webster Avenue and Culver Road, and Monroe Avenue, between Goodman Street and Oxford Street.

Proposals for the engineering services required for the projects were solicited and received from three organizations. Clough Harbour is recommended because of the qualifications of the personnel to be assigned to the project.

Under the proposed agreement, Clough Harbour will evaluate traffic conditions in the two specified areas and, as necessary, recommend possible improvements. The improvements may include traffic calming measures, such as a reduction in the number of travel lanes or the widths of the travel lanes, and the use of curb extensions at intersections.

The evaluation and development of recommendations is scheduled to be completed within three months. If the improvements are determined to be needed and feasible, construction will occur as workload and funding permit.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-18

Ordinance No. 2000-69  
(Int. No. 93)

**Establishing \$46,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For Improvement Projects**  
BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$46,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Clough, Harbour & Associates, LLP for engineering services for improvement projects on Parsells Avenue and Monroe Avenue. The agreement may extend until six (6) months after completion and acceptance of the construction of the Projects. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect im-

mediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-70 and  
Ordinance No. 2000-71  
Re: Agreements - Environmental  
Remediation Services

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for various environmental remediation services.

Organization  
Address

Hazardous Materials Management  
MARCOR Remediation, Inc.  
52 Marway Circle  
OP-TECH Environmental, Inc.  
800 St. Paul Street

Environmental Site Assessment  
Day Environmental, Inc.  
2144 Brighton-Henrietta Town Line Rd.  
Camp, Dresser & McKee  
660 Reynolds Arcade

The cost of the first two agreements will be financed from the annual budgets of the Department of Environmental Services, other departments using the services or from capital funds appropriated for specific projects. The cost of last two agreements will be financed from the grant received in 1996 under the U.S. Environmental Protection Agency Brownfield Redevelopment Initiative.

Hazardous Materials Management

The City routinely has a need for various services relating to the identification and disposal of hazardous materials. These services include:

1. Testing and characterization of wastes,
2. Removal of wastes routinely generated at City facilities, discovered on properties and right-of-ways owned by the City or identified by the Haz-Mat Team of the Fire Department,
3. Removal of underground storage tanks from development parcels,
4. Investigation and remediation of sites contaminated with hazardous substances, and
5. Emergency clean-up of spills.

These services have been provided by various environmental contractors since 1992 under periodic agreements. The most recent agreements, with MARCOR and Royal Environmental, Inc., were authorized by the City Council on October 14, 1997 and January 19, 1999.

The amounts allocated for these agreements, \$130,000 and \$20,000, respectively, have been completely expended or committed. Accordingly, in January, proposals for services in the future were solicited from five organizations.

Four proposals were received. MARCOR and OP-TECH are recommended based upon their qualifications and comparative costs and, for MARCOR, its past performance.

The services will be provided at specified unit prices. For any project, the selection of the specific organization will be based upon the type of environmental services required and the ability of the organization to perform the services within the time period specified by the City.

Environmental Site Assessment Program

The environmental site assessment program will be provided as a demonstration program under the Brownfield Redevelopment Initiative. The objective is to encourage environmental investigation and testing of privately owned properties and facilitate their reuse.

All potentially contaminated industrial and commercial sites will be eligible for participation in the program if...

- 1. An environmental investigation has not been performed on the site within the past two years, and
- 2. The potential redevelopment project is consistent with the City's economic development goals.

However, priority will be given to potential projects located in areas where significant public investment has occurred and in areas where significant revitalization is planned.

Applications for participation in the program will be reviewed by the Economic Development Department, which will determine which projects have the most potential economic benefit. Any project site selected by EDD for participation in the program will have to be approved by the EPA.

DES will manage the actual assessments, which will be performed by either Day or Camp Dresser & McKee under the proposed agreements. The selection of the specific company will depend on the type of investigations required and the ability of the organization to perform the work within the time period specified by the City.

The assessments will be performed under voluntary investigation agreements between the City and the NYS Department of Environmental Conservation. The assessments will include:

- 1. Phase I services
  - a. Review of title and historical records;
  - b. Examination of other public records, including aerial photos, that may contain relevant environmental information;
  - c. Inspection of the site; and
  - d. Preparation of a report with recommendations based on the findings.
- 2. Phase II services, if requested by the City

- a. Performance of subsurface and ground water tests;
- b. Collection and analysis of waste materials, soil and ground water samples;
- c. Identification of remediation alternatives; and
- d. Preparation of a report containing the results of the tests and analyses and recommendations.

The cost of the services will be based on the unit prices specified in the proposal of each organization. Total payments to both organizations will not exceed \$125,000.

Each developer will be responsible for paying one-third of the cost of the assessment. If, as a result of the findings of the assessment, the developer notifies the City within a prescribed time period that the project is being terminated, the required payment will be waived with all assessment information becoming the property of the City.

The number of assessments undertaken will, of course, will be determined by their costs. The effectiveness of the program will be evaluated after two years.

All of the proposed agreements will have an initial term of one year with provision for renewal for additional one-year period upon mutual consent. Adjustments to the specific unit prices during the second year will be permitted, subject to the City's approval.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-19

Ordinance No. 2000-70  
(Int. No. 98)

**Authorizing Agreements For Hazardous Materials Services**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for hazardous materials services as required by the City:

<u>Company</u>	<u>Address</u>
MARCOR Remediation, Inc.	52 Marway Circle
OP-TECH Environmental, Inc.	800 St. Paul Street

Section 2. Each agreement shall have a term of one year, with provision for renewal for an additional one year. Each agreement shall provide for services to be performed on an as needed basis, and shall establish a unit price to be paid for a particular service. The unit price may be adjusted during the renewal year with the approval of the Manager of Environmental Quality. The cost of said services shall be funded from the annual budget or from project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-71  
(Int. No. 99)

**Authorizing Agreements For Environmental Site Services And Amending Ordinance No. 97-356**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for environmental site assessments, investigations and analyses as a part of the Brownfields Demonstration Pilot Project:

Company  
Address

Day Environmental, Inc.  
2144 Brighton-Henrietta Town Line Road  
Camp, Dresser & McKee  
660 Reynolds Arcade

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$125,000, and said amount, or so much thereof as may be necessary, shall be funded from the reappropriation made herein.

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

Section 4. Ordinance No. 97-356, relating to the Brownfields Pilot Program, is hereby amended by reducing the amount authorized and appropriated therein by the sum of \$125,000, which amount is hereby reappropriated to fund the agreements authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-72, 2000-73,  
2000-74 and 2000-75  
Re: Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Lake Avenue Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$2,121,500 and appropriate the proceeds thereof to finance the costs of construction of the project;
 

Street	\$1,572,000
Water	355,500
Sewer	194,000
Total	\$2,121,500
2. Authorize an agreement with Bergman Associates, 200 First Federal Plaza, for resident project representation services, at a maximum cost of \$352,000.

The project extends from the north limit of the Stutson Street Bridge Replacement Project to a point west of the intersection of Lake and Beach Avenues. The project was designed by Bergmann under agreements authorized by the City Council on October 10, 1998

and March 25, 1999.

The project includes various changes in pavement width, the realignment of the Beach Avenue intersection and installation of a raised pedestrian median at the intersection; reconstruction or rehabilitation of the pavement; installation of a new water main north of the CSX bridge and new water services and hydrants; replacement of curbs and driveway aprons; increases in the width of sidewalks and the installation of curb extensions at crosswalks and recessed parking areas; the installation of special street lights with decorative poles with banners fixtures; and landscaping. The changes in pavement width were approved by the Council on June 24, 1999.

Bids for construction of the project were received on February 29. The work will be performed by Sealand Contractors at a cost of \$3,108,300, which is .8% more than the engineering estimate; an additional \$434,700 will be allocated for contingencies and the installation of street lights and trees, which is not included in the construction contract.

The total cost of construction, including contingencies and inspection, is \$397,000 higher than the previous estimate. The additional costs relate primarily to the need to install the new water main (\$295,500) and additional signalization and interconnect system improvements (\$95,500).

Improvement	Construction	Contingencies
	Inspection	Total
Street	\$2,277,500	\$350,700
	\$257,800	\$2,886,000
Water	292,200	30,200
	33,100	355,500
Sewer	160,000	15,800
	18,200	194,000
Traffic	378,600	38,000
	42,900	459,500
Total	\$3,108,300	\$434,700
	\$352,000	\$3,895,000

These costs will be financed as follows:

Bond Issues (proposed)	\$2,121,500
Cash Capital	614,000
Monroe County	459,500
NYS Multi-Modal Grant	700,000
Total	\$3,895,000

Construction of the project will begin in the spring and be substantially completed by the end of the year. Bergmann is recommended to provide inspection services because of its familiarity with the project.

Public informational meetings concerning the project were held on May 26 and November 10 and 16, 1999. A copy of the minutes of the first meeting were previously forwarded to the Council; copies of the minutes of the last two meetings are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-20

Ordinance No. 2000-72  
(Int. No. 100)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$1,572,000**

**Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Lake Avenue Public Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the Lake Avenue Public Improvement Project within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,069,000. The plan of financing includes the issuance of \$1,572,000 bonds of the City and said amount is hereby appropriated therefor, in addition to current funds in the amount of \$497,000, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,572,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,572,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City

Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-73  
(Int. No. 101)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$355,500 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Lake Avenue Public Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the Lake Avenue Public Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$355,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$355,500 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due

and payable.

Section 2. Bonds of the City in the principal amount of \$355,500 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$355,500. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such

validity, is commenced within twenty (20) days after the date of such publication, or

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-74  
(Int. No. 102)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$194,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Lake Avenue Public Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain sewer improvements related to the Lake Avenue Public Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$194,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$194,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$194,000 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 \$194,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued,

within the limitations of Section 11.00 a.4 of the Law, is forty (40) years.

Ordinance No. 2000-75  
(Int. No. 103)

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

**Establishing \$352,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Inspection Services For The Lake Avenue Public Improvement Project**

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

Section 1. The sum of \$352,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for resident project inspection services for the Lake Avenue Public Improvement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$232,800 shall be funded from a bond for street improvements for this project, \$33,100 shall be funded from a bond for water improvements for this project, \$18,200 shall be funded from a bond for sewer improvements for this project, \$42,900 shall be funded from reimbursements from the County of Monroe, and \$25,000 shall be funded from the 1998-99 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-76, 2000-77  
and 2000-78

Re: Jay Street Improvement Project

Transmitted herewith for your approval is legislation relating to the Jay Street Improvement Project. This legislation will:

1. Authorize the following changes in pavement width:
  - a. An increase of 1', from 29' to 30', from Ames Street to a point 150' west of Colvin Street,
  - b. An increase of 3', from 29' to 32', from the latter point to Colvin Street, and
  - c. An increase of 9', from Lisbon Street to a point 90' east of Lisbon Street.
2. Authorize the acceptance of an easement relating to the last increase;
3. Authorize the acquisition, by condemnation or negotiation, of three other easements;
4. Amend the Official Map by dedicating the above easement areas and a portion of the City property at 870 Jay Street as additional right-of-way; and
5. Authorize a permanent easement for Monroe County at the above property.

The project, which has been designed by Goodkind & O'Dea, Inc. under an agreement authorized by the City Council on September 15, 1998, extends from the railroad crossing to Colvin Street. Besides the aforementioned changes in pavement width, it in-

volves the reconstruction of the pavement; installation of new water services and hydrants and water main improvements on side streets; replacement of curbs, catch basins, driveway aprons and sidewalks; traffic modifications; and landscaping.

The proposed 1' increase in pavement width will provide consistent 15' wide travel lanes. The 3' increase will improve the accessibility of trucks to the meat processing facility at 774 Jay Street.

The 9' increase will provide a recessed drop-off/pick-up lane for the Holy Family School. The School will provide a permanent easement to the City to permit relocation of the sidewalk.

The three other easements are required for the installation of sidewalk access ramps. Each of the easements is considered *de minimis* since they contain less than 2,000 square feet.

The prices of the easements were established by an independent appraiser, Robert Pogel. The costs will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services.

The expansion of the right-of-way involves the permanent easement to be donated by the Holy Family School, the other three easements and a portion of 870 Jay Street. The Planning Commission will hold an informational meeting on the dedication of the additional right-of-way area on March 6; the minutes of the meeting and a record of the vote of the Commission will be forwarded to the Council soon thereafter.

The easement to be provided to Monroe County is outside the right-of-way. It is required for the maintenance of traffic utilities.

The present estimated cost of the project is \$1,422,000, which is \$235,000 more than the previous estimate.

<u>Improvement</u>	<u>Prior Estimate</u>	<u>Present Estimate</u>
Street	\$ 834,000	\$ 998,000
Water	217,000	199,000
Sewer	63,000	128,000
Traffic	73,000	97,000
Total	\$1,187,000	\$1,422,000

The increase in the estimated costs of the street and sewer improvements reflects expansion of the project limits on side streets. The expansion is intended to facilitate the transition to existing elevations.

The costs of the street, water and sewer improvements will be financed from the proceeds of future bond issues. The cost of the traffic improvements will be financed from anticipated reimbursements from Monroe County.

Construction of the improvements is scheduled to begin in the summer and be completed by the fall. The planned bond issues will require a revision of the Capital Improvement Program, since provision for the Jay Street project is included in the 2000-01 allocation. The revision will include the deferral until 2000-01 of the Lake Avenue (Burley Road to Lake Ontario State Parkway) project, because all approvals for this project have not been obtained from the NYS Department of Transportation. Since the allocations for the latter project exceed the allocations for the former project, the revision will result in a reduction in the planned amount of debt to be issued during 1999-00.

Public informational meetings concerning the Jay Street project were held on September 29 and Decem-

ber 6, 1999. Copies of the minutes of these meetings are attached.

The Traffic Control Board endorsed the proposed increases in pavement width on October 5, 1999 and January 4, 2000.

Public hearings on the increases and the dedication of the additional right-of-way are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-21

Ordinance No. 2000-76  
(Int. No. 71)

**Authorizing Changes In The Pavement Width Of Jay Street**

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

Section 1. The Council hereby approves the following changes in pavement width of Jay Street:

- a. An increase of 1', from 29' to 30' from Ames Street to 150' west of Colvin Street, a distance of 550 feet;
- b. An increase of 3', from 29' to 32' from the latter point to Colvin Street, a distance of 150 feet;
- c. An increase of 9' along the south side of Jay Street from Lisbon Street, to 90 feet east of Lisbon Street, a distance of 90 feet.

The Council hereby further approves the reconstruction of pavement; installation of a drop-off lane; new granite curbs, catch basins and sidewalks; water main improvements, water services and hydrants; driveway aprons, pavement markings and traffic system improvements; landscaping, and other improvements as a part of the Jay Street Improvement Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-77  
(Int. No. 72)

**Authorizing The Acquisition By Donation, Negotiation Or Condemnation Of Permanent Easements For The Jay Street Improvement Project And Granting An Easement**

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

Section 1. The Council hereby approves the acquisition of permanent easements over the following parcels for the construction and maintenance of municipal improvements as a part of the Jay Street Improvement Project:

<u>SBL#</u>	<u>Owner</u>	<u>Appraised Value</u>
<u>Address</u>	<u>Sq. Ft.</u>	

105.80-01-76	Joseph Kuntz	\$150
	995 Jay St. 30	
105.81-01-33	Church of the Holy Family	\$150
	425 Ames St. 144	
105.81-02-09	Frank & Antoinette Maggio	\$150
	858 Jay St. 57	

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed \$450, and said amount, plus necessary closing costs, shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. In the event that any or all of said easements cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said easements.

Section 4. The Council hereby approves the acceptance of a permanent easement over the parcel at 425 Ames Street from the current owner, the Church of the Holy Family, for the construction and maintenance of municipal improvements as a part of the Jay Street Improvement Project.

Section 5. The Council hereby approves the granting of a permanent easement over the parcel at 870 Jay Street to the County of Monroe for the construction and maintenance of traffic features.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-78  
(Int. No. 73)

**Dedication Of Parcels To Street Purposes As A Part Of The Jay Street Improvement Project**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcels to street purposes and adding said parcels to Jay Street:

425 Ames Street

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

Beginning at the point of intersection of the southerly line of Jay Street (49.5' R.O.W.) with the common property line between Church of the Holy Family, reputed owner on the east, and, Keomany Insixieng-may, reputed owner, on the west;

Thence (1) Southerly, along the aforementioned common property line a distance of 7.25 feet to a point;

Thence (2) Easterly, through the property of the Church of the Holy Family, reputed owner, forming an interior angle of 91° 08' 22" with the aforementioned course, a distance of 127.31 feet to a point;

Thence (3) Easterly, through the property of Church of the Holy Family, reputed owner, forming an interior angle of 152° 50' 00" with

the aforementioned course, a distance of 15.88 feet to a point on the southerly line of Jay Street;

Thence (4) Westerly, along the southerly line of Jay Street, a distance of 141.58 feet to the point of beginning.

995 Jay Street

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

Beginning at the point of intersection of the southerly line of Jay Street (49.5 R.O.W.) with the westerly line of Marlow Street (36' R.O.W.)

Thence (1) Southerly, along the westerly line of Marlow Street, a distance of 9.51 feet to a point;

Thence (2) Northwesterly, through the property of Joseph Kuntz, reputed owner, forming an interior angle of 33° 56' 16" with the aforementioned course, a distance of 11.50 feet to a point on the southerly line of Jay Street;

Thence (3) Easterly, along the southerly line of Jay Street, a distance of 6.42 feet to the point of beginning.

425 Ames Street

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

Beginning at the point of intersection of the southerly line of Jay Street (49.5' R.O.W.) with the westerly line of Ames Street (49.5' R.O.W.)

Thence (1) Southerly, along the westerly line of Ames Street, a distance of 14.28 feet to a point;

Thence (2) Northwesterly, through the property of Church of the Holy Family, reputed owner, forming an interior angle of 54° 28' 00" with the aforementioned course, a distance of 24.79 feet to a point on the southerly line of Jay Street;

Thence (3) Easterly, along the southerly line of Jay Street, a distance of 20.18 feet to the point of beginning.

858 Jay Street

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

Beginning at the point of intersection of the northerly line of Jay Street (49.5' R.O.W.) with the easterly line of Ames Street (50' R.O.W.);

Thence (1) Northerly, along the easterly line of Ames Street, a distance of 9.75 feet to a point;

Thence (2) Southeasterly, through the property of Frank J. Maggio and Antoinette Maggio,

reputed owners, forming an interior angle of 50° 20' 00" with the aforementioned course, a distance of 15.28 feet to a point on the northerly line of Jay Street;

Thence (3) Westerly, along the northerly line of Jay Street, a distance of 11.76 feet to the point of beginning.

870 Jay Street

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

Beginning at the point of intersection of the northerly line of Jay Street (49.5' R.O.W.) with the westerly line of Ames Street (50' R.O.W.);

Thence (1) Northerly, along the westerly line of Ames Street, a distance of 6.16 feet to a point;

Thence (2) Southwesterly, through the property of City of Rochester, reputed owner, forming an interior angle of 48° 57' 00" with the aforementioned course, a distance of 9.38 feet to a point on the northerly street line of Jay Street;

Thence (3) Easterly, along the northerly line of Jay Street, a distance of 7.07 feet to the point of beginning.

Section 2. The changes authorized herein shall take effect upon acquisition of easements over said parcels by the City or upon City ownership of the parcels.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1452

Re: Care and Embellishment of Malls

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2000 and apportioning the associated costs of \$70,102.54 among the benefited properties.

The annual care and embellishment program provides for the maintenance of 26 street malls, by either the Department of Parks, Recreation and Human Services or street or neighborhood associations. Minimum standards of maintenance are established by the department and the appropriate street associations are asked whether they wish to assume responsibility for this maintenance.

If an association accepts responsibility, it may augment or enhance the level of care, subject to the willingness of the property owners on the affected street to pay the additional costs. All maintenance, however, is monitored by the department.

The costs of the maintenance are apportioned among the benefited properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Until these payments are received, the department advances the

necessary funds to the street associations.

In 1999, 12 malls were maintained by the department and 14 malls were maintained by street or neighborhood associations. The total authorized costs were \$31,117.00 and \$41,463.49, respectively.

In 2000, the department again will be responsible for the maintenance of 12 malls, at a total cost of \$31,700.00. Street associations again will be responsible for the maintenance of 14 malls, at a total cost of \$38,402.54.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Local Improvement Ordinance No. 1452  
(Int. No. 74)

**Local Improvement Ordinance - Care And Embellishment Of Various Neighborhood Street Malls For 2000 - \$70,102.54**

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

Section 1. It is hereby determined that the following improvements and work are necessary, required and shall be made:

a. The care and embellishment of the following streets hereinafter referred to as "Group I", during the calendar year 2000:

Burke Terrace	\$
416.00	
Carthage Drive	
435.00	
Central Park Mall (City Costs)	
1,854.00	
Boulevard Parkway	
1,707.00	
Elmwood Mall	
2,659.00	
Glendale Park	
3,329.00	
Knickerbocker Avenue	
2,038.00	
Nye Park	
1,509.00	
Portsmouth Terrace	
1,561.00	
Raines Park	
1,561.00	
Seneca Parkway	
10,362.00	
Summer Park	
2,497.00	
Werner Park	
<u>1,772.00</u>	
\$31,700.00	

b. The care and embellishment of the following streets hereinafter referred to as "Group II", during the calendar year 2000:

Arnold Park	\$
3,800.00	
Central Park Mall (NEBCA)	
2,500.00	
Hazelwood Terrace	
1,798.00	

Highland Parkway	
1,118.00	
Hillside Avenue	
1,696.88	
Huntington Park	
2,497.03	
Lafayette Park	
4,120.30	
Lakeview Park	
567.98	
Nunda Boulevard	
5,563.35	
Oxford Street	
9,000.00	
Rundel Park	
2,741.00	
Sibley Place	-
<u>3,000.00</u>	
\$38,402.54	

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2000.

Section 4. The total cost of such improvements and work, estimated at \$70,102.54, shall be charged as heretofore described in this ordinance and paid from the General Fund, and said sum, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. The work described for Group I shall be performed by or at the direction of the Bureau of Parks and Recreation.

Section 6. It is hereby determined that it is impracticable to have the work described herein for Group II done by competitive contract. Therefore, contracts for the work described herein for Group II may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-79  
Re: Pavement Width Change -Vinewood Place

Transmitted herewith for your approval is legislation authorizing an increase of four feet, from 20' to 24', in the pavement width of Vinewood Place.

The proposed increase will be included in the Vinewood Place Improvement Project, which has been designed by the Bureau of Architectural and Engineering Services. In addition to the change in pavement width, the project will include the rehabilitation of the pavement; replacement of curbs, driveway aprons, sidewalks and street lights; and landscaping.

The increase in pavement width is intended to upgrade the street to the minimum standards for a residential street with alternate side parking. The parking regulations themselves will not change.

The estimated cost of the project is \$55,000, which will be financed from Cash Capital allocation of the Department of Environmental Services. Construction is scheduled to begin in the spring and be completed in the summer.

A public meeting concerning the project was held on December 20, 1999. A copy of the minutes of the meeting is attached.

The Traffic Control Board endorsed the increase in pavement width on January 18. A public hearing on the increase is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment Z-22

Ordinance No. 2000-79  
(Int. No. 75)

**Authorizing An Increase In The Pavement Width Of Vinewood Place**

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

Section 1. The Council hereby approves an increase in the pavement width of Vinewood Place of four feet, from twenty feet to twenty-four feet, from Bronson Avenue to the North End. The Council hereby further approves the installation of new granite curbs, concrete sidewalks, street lighting, driveway aprons, landscaping and other improvements as a part of the Vinewood Place Improvement Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-80  
Re: Agreement - SEA Consultants, Chesterfield Drive/Leroy Street Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with SEA Consultants, 3495 Winton Place, for resident project representation ser-

vices for the Chesterfield Drive/Leroy Street Improvement Project. The maximum cost of this agreement will be \$104,000, which will be financed from the proceeds of a bond issue previously authorized by the City Council and the 1996-97 Cash Capital allocation of the Department of Environmental Services.

The project, which was designed by the Bureau of Architecture and Engineering, will involve the widening and reconstruction of the pavement; installation of a new water main, water services and hydrants; installation of new curbs, catch basins and sidewalks; installation of new street lights on Chesterfield Drive; and landscaping. The City Council approved the widening of the streets on December 15, 1998 and September 15, 1999.

The estimated cost of construction of the project, including inspection and contingencies, is \$1,033,350. Actual bids will be received on March 28.

Construction of the project is scheduled to begin in the spring and be completed in the summer. The cost of the improvements will be financed from the proceeds of bond issues previously authorized by the Council and Cash Capital allocations of the Water Fund.

Proposals for the inspection services required for the project were solicited and received from three organizations. SEA is recommended because of the qualifications of the personnel to be assigned to the project, its past performance and its ability to provide the required services within the time period specified by the City.

Public informational meetings concerning the project will held on November 9, 1998 and August 3, 1999. Copies of the minutes of these meetings were previously forwarded to the Council.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-23

Ordinance No. 2000-80  
(Int. No. 88)

**Establishing \$104,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Chesterfield Drive And Leroy Street Improvement Project**

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

Section 1. The sum of \$104,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and SEA Consultants LLC for resident project inspection services for the Chesterfield Drive and Leroy Street Improvement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$88,740 shall be funded from Bond Ordinance No. 98-69 and \$15,260 shall be funded from the 1996-97 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
March 21, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 76 - Approving Applications, Agreements And The 2000 Administrative And Program Budgets Of The Rochester-Monroe County Youth Bureau

Int. No. 92 - Resolution For The Purpose Of A Home Rule Message Regarding State Legislation Relative To Discontinuing The Use Of Certain Lands As Park Lands

Int. No. 96 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$13,300,000 Bonds Of Said City In Addition To \$1,195,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Constructing A New Public Safety Building Within The City

Int. No. 97 - Establishing Maximum Compensation For Professional Services Agreements For The New Public Safety Building Project

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
Gladys Santiago  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-81  
Re: 2000 Rochester-Monroe County  
Youth Bureau

Transmitted herewith for your approval is legislation relating to the Rochester-Monroe County Youth Bureau. This legislation will:

- 1. Approve the 2000 administrative and program budgets of the Bureau; and
- 2. Authorize any necessary agreements to implement these budgets.

The Youth Bureau is a joint agency that was established by the City and the County "...to encourage and administer a county-wide comprehensive planning and service delivery system that is devoted in whole or in part to the welfare and positive development of children and youth." It is supervised by a citizen/youth board, administered by the County and supported financially by the City, the County and the NYS Office of Children and Family Services (formerly the Division for Youth).

Under the bylaws of the Board, which were approved by City Council on June 8, 1982, the annual budget of the Bureau is subject to the approval of the City and County. Upon approval, the City is required to submit the related applications for state aid to the Office of Children and Family Services through the Bureau and, to the extent that matching funds are available, to reimburse the County for up to a maximum of 34% of its total administrative budget.

The budget proposed for the Youth Bureau for 2000 provides for administrative costs of \$709,660 which is a 6.7% increase from the 1999 budget. Based upon the proposed budget, the 2000 contribution requested from the City is \$103,448 or 14.5%.

A reimbursement of 50.2% of this amount will subsequently be received from the Office of Children and Family Services. The City's net cost for administration will therefore be \$51,507. In 1999, its net cost was \$52,232.

The proposed 2000 budget also provides for the operation or administration of the following programs by the City:

<u>Program</u>	<u>2000</u>	<u>1999</u>	<u>Change</u>
Department of Parks, Recreation & Human Services:			
Youth Recreation	\$345,291	\$345,114	\$ 177
Family Violence	177,043	168,467	8,576
Project Base	59,570	59,569	1
Project Odyssey	140,521	141,377	(856)
Police Department:			
Family & Victim Assistance	126,862	124,426	2,436
Sub Total	849,287	838,953	10,334
Related Revenue:			
State Aid	165,913	162,306	3,607
Other Revenue	310,011	303,734	6,277
Sub Total	475,924	466,040	9,884
City Contribution	\$373,363	\$372,913	\$ 450

After consideration of state aid and other grants, the net cost to the City of all programs will be \$373,363 or \$450 more than the 1999 amount.

The following agreements are expected to be required to implement the program budget:

1. NYS Office of Children and Family Services, for partial financing of the programs and projects;
2. Rochester-Monroe County Youth Bureau, for the administration of the program;
3. Society for the Protection and Care of Children, for operation of the Family Violence Program; and
4. Baden Street Settlement, for operation of Project Base;
5. Baden Street Settlement, for operation of Project Odyssey.

The County Legislature approved the 2000 Youth Bureau budget on December 14, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-24

Ordinance No. 2000-81  
(Int. No. 76)

**Approving Applications, Agreements And The 2000 Administrative And Program Budgets Of The Rochester-Monroe County Youth Bureau**

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

Section 1. The Council hereby approves the 2000 Administrative and Program Budgets of the Rochester-Monroe County Youth Bureau and the City's participation in the 2000 Comprehensive Youth

Services Plan. The Mayor is authorized to execute such agreements and make such applications as may be necessary to effectuate the 2000 Comprehensive Youth Services Plan. The City's required contribution to the 2000 Youth Bureau Budget shall be financed equally from the 1999-2000 and 2000-2001 Budgets of the Department of Parks, Recreation and Human Services, contingent upon approval of the 2000-2001 Budget.

Section 2. The Mayor is further authorized to enter into an agreement with the Society for the Protection and Care of Children for the operation of the Family Violence Program. Said agreement shall obligate the City to prefinance an amount not to exceed \$21,122, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

Section 3. The Mayor is further authorized to enter into an agreement with the Baden Street Settlement, Inc. for the operation of Project Base. Said agreement shall obligate the City to pay an amount not to exceed \$13,706, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

Section 4. The Mayor is further authorized to enter into an agreement with the Baden Street Settlement, Inc. for the operation of Project Odyssey. Said agreement shall obligate the City to pay an amount not to exceed \$5,771, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

Section 5. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-10  
Re: Home Rule Message - Carter  
Street Parkland Alienation

Transmitted herewith for your approval is a home rule resolution relating to legislation that currently is being considered by the Senate and Assembly of the State of New York. The legislation would authorize the alienation as park land of a portion of the Carter Street Recreation Center site.

The alienation will involve 10,500 square feet of the site, which consists of a total of 4.414 acres. It will include a portion of the existing recreation building, which contains 9,350 square feet and certain surrounding areas.

In a collaborative effort with the Genesee Settlement House, the existing building will be enlarged to approximately 20,550 square feet. Of the total amount of space, about 12,419 square feet will be available for recreational use by both the Bureau of Recreation and the Genesee Settlement House.

The alienation is required for the building addition, which will be constructed by the Genesee Settlement

House using a grant of \$2.6 million from the United Neighborhood Centers of Greater Rochester. The addition will not reduce the amount of land that is currently utilized for ball fields or courts or play areas.

The appraised value of the land to be alienated is \$2,400. As compensation for the alienation, the City will expend at least this amount for improvements to the recreation center.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-25

Resolution No. 2000-10  
(Int. No. 92)

**Resolution For the Purpose Of A Home Rule Message Regarding State Legislation Relative To Discontinuing The Use Of Certain Lands As Park Lands**

Concurring in the request by the Mayor of the City of Rochester to the Senate and Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to discontinuing the use of certain lands as park lands.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council hereby concurs in the request of William A. Johnson, Jr., Mayor of the City of Rochester, to the Senate and Assembly of the State of New York, constituting the New York State Legislature, that said Legislature enact the legislation set forth in the following bill entitled:

AN ACT to authorize the City of Rochester to discontinue the use of certain lands as park lands

Being Senate Bill No. S.6541 and Assembly Bill No. A.9535

This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-82 and  
Ordinance No. 2000-83

Re: Public Safety Building Project

Transmitted herewith for your approval is legislation relating to the Public Safety Building Project. This legislation will:

1. Authorize the issuance of bonds totaling \$13,300,000 and appropriate the proceeds thereof to finance a portion of the costs of construction of the project;
2. Appropriate \$2,200,000 from the proceeds of the sale of the existing Public Safety Building to Monroe County to finance a portion of the costs;

3. Authorize an amendatory agreement with Bergmann Associates, 200 First Federal Plaza, for additional architectural and engineering services during construction, at a maximum cost of \$200,000; and

4. Authorize an amendatory agreement with LeChase Construction Services, 300 Trolley Boulevard, for construction management services, at a maximum cost of \$880,000.

The costs of the agreements will be financed from the 1999-00 Cash Capital allocations.

The Public Safety Building Project, which was designed by Bergmann under agreements authorized by the City Council on February 16, 1999 and January 18, 2000, involves the construction of a new six-story building of 150,760 square feet on Exchange Boulevard. The building will contain the units of the Police and Fire Departments that occupy the present Public Safety Building and the Bureau of Data Processing, which occupies space in the Test Lab building of the Civic Center.

Bids for construction of the project were received on March 8. The work will be performed by the following companies:

<u>Description of Work</u> <u>Company</u>	<u>Amount</u>
General	
Hornung Construction Company	\$ 7,363,200
Structural Steel	
Amthor Steel, Inc.	1,592,000
Roofing	
Spring Sheet Metal & Roofing Co., Inc.	462,540
Spray Fireproofing	
Northeastern Insulation	165,500
Aluminum Assemblies	
Ajay Glass & Mirror Company	1,176,000
Elevators	
Thyssen Elevator Company	501,850
Fire Protection	
Monroe Piping & Sheet Metal, Inc.	309,200
Plumbing	
Postler & Jaeckle Corporation	857,000
Heating, Ventilating, Air Conditioning	
Ancoma, Inc.	2,295,000
Electric	
Billitier Electric, Inc.	1,699,900
Subtotal	16,422,190
Contingencies (6.2%)	1,077,810
Total	\$17,500,000

Of the total cost, \$13,300,000 will be financed from the proceeds of the proposed bond issue. Since provision for the issuance of these bonds is not included in the proposed 1999-00 Debt Authorization Limit (Introductory 91), an exception to the limit for the project is requested.

Of the remaining amount, \$2,200,000 will be financed from the proceeds of the sale of the existing Public Safety Building, which was authorized by the City Council on October 12, 1999, and \$2,000,000 will be financed from the 1999-00 Cash Capital allocation for the project. The following other costs will also be financed from the latter allocation:

Materials testing	\$ 40,000
Steam line testing	3,000
RG&E electrical service	180,000
Drawings reproduction	20,000

Insurance	20,000
Total	<u>\$263,000</u>

Construction is scheduled to begin in the spring and be completed late in the summer of 2001. Relocation of the computer rooms is expected to be completed before the winter.

Under the first proposed agreement, Bergmann will provide additional architectural and engineering services during construction, as required. Under the second proposed agreement LeChase will provide construction management services; it has provided pre-construction management services under an agreement authorized by the Council on February 16, 1999.

The following additional costs are expected in the future:

Telecommunications installation	\$ 600,000
Closed circuit television installation	50,000
Furniture and equipment	1,500,000
Computer room migration	1,368,000
Other relocation	400,000
Total	<u>\$3,918,000</u>

In summary, the total cost of the project is expected to be \$24,144,500.

Building design	\$ 1,477,500
Workstation design	11,000
SEQR preparation	45,000
Construction	17,500,000
Testing, electrical service and insurance, etc.	263,000
Construction management	930,000
Telecommunications, furniture and relocation	3,918,000
Total	<u>\$24,144,500</u>

These costs have or will be financed as follows:

Prior bond issues	
February 16, 1999	\$ 1,150,000
May 11, 1999	45,000
Proposed bond issue	13,300,000
Proceeds from building sale	2,200,000
1999-00 Cash Capital allocation	3,531,500
2000-01 Bond Issue	3,918,000
Total	<u>\$24,144,500</u>

In comparison, the allocations included in the past and present Capital Improvement Programs for the project total \$24,175,000.

Bonds	
1998-99	\$ 2,500,000
2000-01	
Public Safety Building	15,438,000
Data Processing Facility	2,675,000
1999-00 Cash Capital	
Public Safety Building	3,412,000
Data Processing Facility	150,000
Total	<u>\$24,175,000</u>

The original estimated cost of the project, which did not include relocation expenses, was \$22,537,486.

Public Safety Building (MRA Report, 5/98)	\$19,712,486
Data Processing Facility (CIP)	2,825,000
Subtotal	22,537,486
Add: Relocation	1,768,000
Total	<u>\$24,395,486</u>

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-82  
(Int. No. 96)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$13,300,000 Bonds Of Said City In Addition to \$1,195,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Constructing A New Public Safety Building Within The City**

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 constructing a new public safety building within the City ("Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$20,226,500. The plan of financing includes the issuance of \$13,300,000 bonds of the City and said amount and the sum of \$2,200,000 from the proceeds of the sale of the existing Public Safety Building to the County of Monroe are hereby appropriated therefor, in addition to \$1,195,000 Bonds previously authorized in Ordinances Nos. 99-44 and 99-143 and current funds in the amount of \$3,531,500, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$13,300,000 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 \$13,300,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.11(a) of the Law, is thirty (30) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-83  
(Int. No. 97)

**Establishing Maximum Compensation For Professional Services Agreements For The New Public Safety Building Project**

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

Section 1. The sum of \$200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for architectural and engineering construction phase services for the New Public

Safety Building Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. The sum of \$880,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LeChase Construction Services, LLC for construction management services for the New Public Safety Building Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood  
March 21, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 77 - Authorizing The Sale Of Real Estate And Authorizing An Agreement For The Development Of Affordable Housing, As Amended

Int. No. 78 - Accepting Donations Of Real Estate

Int. No. 79 - Granting An Easement At The Public Safety Training Facility

Int. No. 80 - Authorizing The Lease Of Space At 250 South Avenue

Int. No. 81 - Resolution Approving An Appointment To The Electrical Examining Board

Int. No. 87 - Resolution Approving Appointment To The Board Of Trustees Of The Rochester Public Library

Int. No. 94 - Approving The Acquisition Of 110-118 Stout Street, As Amended

Int. No. 94A - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$55,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing A Portion Of The Parsells Avenue Redevelopment Plan Within The City  
The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 95 - Abandonment Of Portions Of Addison And Bickford Streets And Sale Of Real Estate

Respectfully submitted,

Wade S. Norwood  
Benjamin L. Douglas  
Nancy K. Griswold  
Lois J. Giess  
Gladys Santiago  
HOUSING AND COMMUNITY DEVELOPMENT  
COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-84, 2000-85,  
2000-86 and 2000-87

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of four properties,
2. Acceptance of the donation of two properties
3. Provision of a permanent easement, and
4. Lease of a portion of the roof of a City property

Real Estate Sales

The first property to be sold, 172-190 Jefferson Terrace, was included in the public auction of July 30, 1999. The purchaser will be required to rehabilitate the structure within nine months of the conditional closing.

The next two properties to be sold are the east and west halves of 5 Melville Street, which is considered to be unbuildable because of its size. They will be sold to the owners of the adjacent properties for \$1.00 and combined with those properties.

The final property, 65 Bay Street, will be sold to its former owner. The purchase price includes all delinquent taxes, interest and penalties.

The delinquent taxes relate to the period prior to the original acquisition of the property by the church in 1998. Because no adjustment for the taxes was made at the time of the closing and no payments were made by the church after the closing, the City acquired the property through tax foreclosure on October 19, 1999.

After it was originally acquired by the church, the property had a tax-exempt status. After the property is reacquired by the church, it will once again be tax exempt.

Donations

The first property to be donated to the City, 70 Kingston Street, contains a vacant single family house. The present owners have been unable to sell the property in the past and want to concentrate on their commercial properties in the future. Following acquisition, the City will include the property in an owner-occupant sale.

The second property, 47 Rialto Street, contains a single-family house that has been damaged by fire. Following acquisition, the house will be demolished, at an estimated cost of \$7,500. The resultant vacant lot will contain 4,313 square feet and will be reserved for future residential development.

Easement

The area for which an easement will be provided is part of a roadway at the Public Safety Training Facility at 1190 Scottsville Road. The area contains 12,826 square feet and is intended to provide an alternate means of access to the property at 1150 Scottsville Road.

The latter property is occupied by J. Kozel & Sons, Inc., a supplier of steel tools and fasteners. In con-

sideration of the easement, the company will close its present driveway, as requested, to improve the safety of access to the training facility along the roadway.

Roof Lease

The lease involves the east half of the roof of the building at 250 South Avenue, which is used by the Department of Environmental Services for the storage of equipment and supplies used in providing service to the Downtown Enhancement District. The lease agreement, with Key Bank of New York, will provide for the continued use of this part of the roof for an electronic message billboard.

The current agreement for such use was authorized by the City Council on January 17, 1995 and expires on March 31, 2000. The proposed agreement will have a similar five year term, with provision for cancellation by either the City or Key Bank after a 90 day notice.

The agreement will provide for an annual lease payment of \$3,600, which was established by an independent appraiser, Robert Pogel. The agreement also will continue to require that at least 50% of the messages on the electronic billboard consist of public service or non-profit event information; the City will continue to be given preference in the display of its messages.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-26

Ordinance No. 2000-84  
(Int. No. 77, As Amended)

**Authorizing The Sale Of Real Estate And Authorizing An Agreement For The Development Of Affordable Housing**

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

Section 1. The Council hereby approves the sale of the following parcel of real estate by public auction:

Address	Price	L e g a l
Use		Purchaser
SBL#		
172-190 Jefferson Ter 120.51-3-56 & 59.1	\$3,000	1 Family Deborah Rainey

Section 2. The Council hereby further approves the sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	Sq. Ft.	Purchaser
S.B.L.#		
EH 5 Melville St. Pt. of 107.53-3-6	1795+/-	Edith Hugyecy & Thomas Madden
WH 5 Melville St. Pt. of 107.53-3-6	1795+/-	Cynthia Allen

Section 3. The Council hereby further approves the sale of the following parcel of real estate to the former owner:

Address	Price
---------	-------

S.B.L.#	Purchaser
65 Bay St.	\$1,143
106.50-1-23.2	Faith Deliverance Church*

\*Trustees: Nathaniel Williams, Timothy Brooks, Sinder Dunbar, Kenny McKinon

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

Section 5. The Mayor is hereby authorized to enter into an agreement with Flower City Habitat for Humanity for the development of affordable housing in the Brown Street neighborhood.

Section 6. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$56,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from 1999 HOME Program funds.

Section 7. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2000-85  
(Int. No. 78)

**Accepting Donations Of Real Estate**

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

Section 1. The Council hereby approves the acceptance of the donation of 70 Kingston Street, SBL #107.710-0001-077, from the current owners, Laurence C. Glazer, Debra Ellyn Samloff and Linda Gayle Samloff. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled. Said parcel shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 2. The Council hereby further approves the acceptance of the donation of 47 Rialto Street, SBL #091.780-0002-057, from the current owner, Helen E. Gibbs. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled. Said parcel shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect im-

mediately.

Passed unanimously.

Ordinance No. 2000-86  
(Int. No. 79)

**Granting An Easement At The Public Safety Training Facility**

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

Section 1. The Council hereby approves the granting of a permanent easement over a roadway at the Public Safety Training Facility at 1160 Scottsville Road to Burton M. Kozel, or the current owner, for access to the adjacent parcel at 1150 Scottsville Road.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-87  
(Int. No. 80)

**Authorizing The Lease Of Space At 250 South Avenue**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Key Bank National Association for the lease of the east half of the roof at 250 South Avenue for an electronic message billboard for a term of five years, at a rental of \$300 per month. The lease shall provide that either party may elect to cancel with 90 days written notice. 50% of the electronic billboard messages shall be used to promote not-for-profit/public service messages. The City shall also be given priority in placing electronic messages on the billboard.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:  
Resolution No. 2000-11  
Re: Appointment - Electrical Examining Board

Transmitted herewith for your approval is legislation confirming the appointment of Joseph D. Armstrong, 30 Cheshire Lane, to the Electrical Examining Board.

Mr. Armstrong will replace Carl Dayes, who is deceased. His term will extend through March 31, 2003.

A copy of Mr. Armstrong's resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-11  
(Int. No. 81)

**Resolution Approving An Appointment To The Electrical Examining Board**

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

Section 1. The Council hereby approves the appointment of Joseph D. Armstrong, 30 Cheshire Lane, to the Electrical Examining Board for a term which shall expire on March 31, 2003. Mr. Armstrong will replace Carl Dayes, who is deceased.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-12  
Re: Appointment - RPL Board of Trustees

Transmitted herewith for your approval is legislation confirming the appointment of Lydia Boddie-Neal, of 35 Crosman Terrace, to the Board of Trustees of the Rochester Public Library.

Ms. Boddie-Neal will replace Thomas Richards, whose second term has expired. Her term will extend through December 31, 2004.

A copy of Ms. Boddie-Neal's resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-12  
(Int. No. 87)

**Resolution Approving Appointment To The Board of Trustees Of The Rochester Public Library**

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

Section 1. The Council hereby approves the appointment of Lydia Boddie-Neal, 35 Crosman Terrace, to the Board of Trustees of the Rochester Public Library for a term which shall expire on December 31, 2004. Ms. Boddie-Neal shall replace Thomas Richards, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-88 and  
Ordinance No. 2000-89  
Re: Real Estate Acquisition - 110-118  
Stout  
Street

Transmitted herewith for your approval is legislation authorizing the acquisition of 110-118 Stout Street.

The property, which consists of 3600 square feet,

contains a vacant structure that was originally built as a three-family residence but was subsequently converted to six-family residence. The property contains no yard space or off-street parking spaces.

Because of these deficiencies and the general condition of the structure, the property is considered to adversely affect the neighborhood and impede redevelopment of the neighborhood. Acquisition of the property and demolition of the structure has been proposed as part of the Parsells Avenue Redevelopment Plan, a copy of which is available for review in the Office of the City Clerk.

The purchase price for the property is \$50,000, which was established by an independent appraiser, Kevin Bruckner. The owner of the property, Kevin Boden, has agreed to the sale.

The estimated cost of demolition of the structure is \$20,000. Following acquisition, the resultant vacant lot will be landscaped to complement the planned community garden across the street.

The total estimated cost of the project is \$75,000.

Acquisition	\$50,000
Closing cost	5,000
Demolition	<u>20,000</u>
Total	\$75,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-27

Ordinance No. 2000-88  
(Int. No. 94, As Amended)

**Approving The Acquisition Of 110-118 Stout Street**

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

Section 1. The Council hereby approves the acquisition of 110-118 Stout Street, SBL No. 107.540-3-84, from the current owner, Kevin Boden, for the sum of \$50,000.

Section 2. The acquisition, closing and demolition costs shall obligate the City to pay an amount not to exceed \$75,000, and of said amount, or so much thereof as may be necessary, \$55,000 shall be funded from a bond ordinance for acquisition, and \$20,000 shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas,

Griswold, Mains, Norwood, Santiago, Stevenson,  
Thompson - 8.

Nays - Councilman Curran - 1.

Ordinance No. 2000-89  
(Int. No. 94A)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$55,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing A Portion Of The Parsells Avenue Redevelopment Plan Within The City**

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 planning and implementing a portion of the Parsells Avenue Redevelopment Plan, presently consisting of the acquisition of certain blighted properties within the City, including but not limited to the parcel at 110-118 Stout Street (the "Project"). Improvements on said property are to be ultimately demolished by the City. The estimated maximum cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$55,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$55,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$55,000 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 \$55,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.21-a of the Law, is thirty (30) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-90  
Re: Addison and Bickford Streets

Transmitted herewith for your approval is legislation amending the Official Map by abandoning portions of Addison and Bickford Streets and authorizing the sale of the abandoned areas to Gateway Business Center LLC.

The area to be abandoned contains 20,916 square feet. Gateway owns all of the adjacent properties.

If the abandonment is approved, the former right-of-way areas will revert to the City, which will subsequently sell the areas to Gateway for \$10,500. The sale price was established by an independent appraiser, Robert Pogel.

Gateway will incorporate the abandoned areas into the parking lot that serves the center, which is a 561,000 square foot multi-tenant facility.

The Planning Commission held an informational meeting concerning the proposed abandonment on January 10; there were three speakers, two of whom supported and one of whom opposed the proposal. The Commission recommended that the abandonment be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposal will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-28

Ordinance No. 2000-90  
(Int. No. 95)

**Abandonment Of Portions Of Addison And Bickford Streets And Sale Of Real Estate**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following parcel, heretofore dedicated to street purposes and constituting portions of Addison Street and Bickford Street:

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

Beginning on the northerly right-of-way of Bickford Street, (60' R.O.W.), at the westerly terminus point;

Thence (1) Easterly, along said northerly right-of-way, a distance of 173.60 feet to a point;

Thence (2) Southerly, forming an interior angle of 90° 35' 25", a distance of 309.49 feet to a point;

Thence (3) Westerly, forming an interior angle of 90°, a distance of 50.00 feet to a point;

Thence (4) Northerly, forming an interior angle of 90°, a distance of 250.00 feet to a point;

Thence (5) Westerly, forming an interior angle of 269° 24' 35", a distance of 123.40 feet to a point;

Thence (6) Northerly, forming an interior angle of 90° 46' 25", a distance of 60.00 feet to the point of beginning, encompassing 22,910 square feet of land, more or less.

Section 2. The abandonments authorized herein shall take effect upon compliance by the applicant with the provisions established by the City Planning Commission in its recommendations of January 10, 2000.

Section 3. Upon abandonment of said streets, the Council hereby approves the sale of the City-owned abandonment area to Gateway Center, LLC for the sum of \$10,500.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains  
March 21, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 82 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The Restoration Of The Proceedings Of City Council For The Years 1921-1967

Int. No. 83 - Establishing \$161,400 As Maximum Compensation For A Professional Services Agreement With Independent Title Agency, LLC, For Continued Provision Of Real Estate Title Services

Int. No. 84 - Authorizing Amendatory Parking Lot Agreements

Int. No. 85 - Authorizing An Agreement With Frontier Communications Of Rochester, Inc. For Continuation Of Centrex Services

Int. No. 86 - Establishing \$48,000 As Maximum Compensation For A Professional Services Agreement For Assessment And Instructional Services

Int. No. 91 - 1999-2000 Debt Resolution

Int. No. 104 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$396,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Street Improvements In Connection With The Outer Loop Industrial Park Subdivision Project

Respectfully submitted,  
Tim O. Mains  
Brian F. Curran  
Nancy K. Griswold  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-91  
Re: City Council Proceedings

Transmitted herewith for your approval is legislation authorizing an agreement with Brown's River Record Preservation Services to repair, de-acidify, and rebind the official copies of the Proceedings of City Council for the years 1921-1967. The maximum amount

of this agreement is \$30,000 to be funded from the budget of the City Council/City Clerk.

Among the principal responsibilities of the City Clerk is the maintenance of the Proceedings of Council. Each year, the prior year's Proceedings are indexed, bound and published. Copies of Proceedings for recent years are available in libraries and in many offices throughout City Hall. The "official" copy, however, resides with the City Clerk. Long-term preservation of these records is an ongoing concern. Many of the volumes from the years to be covered by this agreement have begun to exhibit signs of damage from age and usage. Spines have cracked, pages are yellowing, and bindings are deteriorating.

In 1988, Council funded a similar restoration project for the volumes representing the years 1834-1920. After reviewing proposals from several restoration companies, staff from the offices of City Clerk, City Council, and Records Management recommended the Brown's River firm as the best proposal.

The proposed agreement will address the deterioration of these volumes and enable the Clerk to fulfill her ongoing responsibility for the preservation of our vital historical records.

Respectfully submitted,  
Lois J. Giess  
President

Ordinance No. 2000-91  
(Int. No. 82)

**Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The Restoration Of The Proceedings Of City Council For The Years 1921-1967**

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement with Brown's River Record Preservation Services to repair, de-acidify, and rebind the official copies of the Proceedings of City Council for the years 1921-1967. Said amount shall be funded from the 1999-2000 Budget of the City Council/City Clerk.

Section 2. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-92  
Re: Agreement - Independent Title  
Agency, LLC - Real Estate Title  
Services

Transmitted herewith for your approval is legislation authorizing an agreement with Independent Title Agency, LLC, 99 Ridgeland Road, for the continued provision of real estate title services. The maximum cost of the agreement will be \$161,400, which will be financed from the 1999-00 Budget for Undistributed Expense.

Each year, the City requires title services for properties that are involved in tax foreclosure proceedings and real estate sales. Currently, these services are provided by Independent under an agreement authorized by the

City Council on February 16, 1999.

To date, Independent has provided 1,663 foreclosure searches and 195 sale or acquisition searches. During 2000-01, it is expected that 1,500 to 1,800 foreclosure searches and 150 to 250 sale or acquisition searches will be required.

In December, 1999, proposals to provide these services were solicited from 22 organizations. Two proposals were received. Independent is recommended because its proposed prices are considerably lower and because it has demonstrated through past performance its ability to provide reliable services in a timely manner.

Under the proposed agreement, Independent Title will provide title services, as well as prepare creditor notification letters for properties in foreclosure, for the following fees per parcel:

<u>Service</u>	<u>Proposed Fee</u>	<u>Current Fee</u>
Preliminary (10-year) report	\$ 95	\$ 95
Update of prior preliminary report	70	70
Full (60-year) report with prior preliminary search	175	175
Full search without prior preliminary search	235	235

These fees and the total authorized cost of the proposed agreement are the same as the current agreement. The agreement will extend through June 30, 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-92  
(Int. No. 83)

**Establishing \$161,400 As Maximum Compensation For A Professional Services Agreement With Independent Title Agency, LLC, For Continued Provision Of Real Estate Title Services**

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

Section 1. The sum of \$161,400, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Independent Title Agency, LLC, for continued provision of real estate title services through June 30, 2001. Said amount shall be funded from the 1999-2000 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-93  
Re: Agreements - Parking Lot Operation

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following companies for operation of two parking lots.

Company

Lot

Ogden Entertainment Court  
 Street and Exchange Boulevard (#10)  
 Donatelli, Inc. (Ralph Parking Company)  
 N. Plymouth Avenue and W. Main Street

Both amendatory agreements will reduce the amount required to be remitted monthly to the City.

The original agreement with Ogden was authorized by the City Council on June 25, 1998, while the original agreement with Donatelli was authorized by the Council on September 13, 1995. The required remittance specified in each agreement was based upon the number of spaces that existed in the respective parking lots on those dates.

The subsequent implementation of two improvement projects has reduced the number of spaces in the lots. The extension of the riverfront trail, which was authorized by the City Council on June 25, 1998, reduced the size of the Court Street lot, while the Cascade Historic District improvement project, which was authorized by the Council on February 16, 1999, reduced the size of the Plymouth Avenue lot.

Under the proposed amendatory agreements, the required monthly remittances will be reduced proportionally, retroactive to the time of reduction.

<u>Original Agreement</u>		
<u>Required Remittance</u>	<u>Number of Spaces</u>	<u>Remittance Per Space</u>
\$16,065	239	\$67.21
11,519	250	46.08
<u>Amendatory Agreement</u>		
<u>Reduction In Spaces</u>	<u>Reduction In Remittance</u>	<u>Revised Remittance</u>
26	\$1,748	\$14,317
16	737	10,782

All other terms and conditions of the agreements will remain the same. The agreements extend through December and September, 2000, respectively.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Attachment No. Z-29

Ordinance No. 2000-93  
 (Int. No. 84)

**Authorizing Amendatory Parking Lot Agreements**

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 Donatelli, Inc., D/B/A Ralph Parking Company, for the operation of the Plymouth Avenue Parking Lot, reducing the monthly rent to \$10,782, retroactive to December 1, 1999, due to a reduction in the number of parking spaces.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Ogden Entertain-

ment, for the operation of Municipal Lot No. 10, reducing the monthly rent to \$14,317, retroactive to September 1, 1999, due to a reduction in the number of parking spaces.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-94  
 Re: Agreement - Frontier Communications  
 of Rochester, Centrex Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Frontier Communications of Rochester, 180 S. Clinton Avenue, for the continued lease of the Centrex system.

The system provides telephone and data transmission to City facilities located within Rochester. At present, it includes approximately 1,750 separate transmission lines.

The original agreement for lease of these lines was authorized by the City Council on September 16, 1997. An amendatory agreement for extension of the term of the lease was authorized by the Council on February 16, 1999; the latter agreement expired on February 4.

At the time at which the latter agreement was authorized, it was thought that the study of the City's telecommunications needs by RC Hawaii, which was authorized by the Council on February 11, 1997, would be completed by the time the extension expired.

However, completion of the study has continued to be delayed by prolonged negotiations concerning the use by the City of Frontier conduits for fiber optic cabling. An additional extension of the agreement is therefore necessary.

Under the proposed amendatory agreement, the monthly cost will be \$9.00 per line. In comparison, following are the line costs under the current agreement.

First 300 lines	\$7.65
Next 300 lines	7.31
Next 400 lines	7.04
Over 1,000 lines	6.75

The increase in line costs will be offset by a 30% reduction in the rates for local measured service. In addition, features for which the City is presently paying separate charges - such as call forwarding - will be included in the new line cost.

The monthly costs will continue to be financed from the budgets of the appropriate City departments.

The amendatory agreement will have a term of 18 months.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-94

(Int. No. 85)

**Authorizing An Agreement With Frontier Communications Of Rochester, Inc. For Continuation Of Centrex Services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Frontier Communications of Rochester, Inc. for the continued provision of Centrex telephone services to the City for a period not to exceed eighteen months. The monthly cost per line shall be \$9.00, including charges for certain features, with reductions in rates for local measured service charges. The cost of said agreement shall be funded through appropriations made in the annual budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-95  
Re: Agreement - MCC, Project Provisional

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe Community College for assessment and instructional services for provisional employees of the City. The maximum cost of this agreement will be \$48,000, which will be financed from the 1999-00 budget for Undistributed Expense.

The City presently has 3,045 full-time employees. Approximately seven percent of these employees are hired on a provisional basis, are subject in the future to a civil service examination, and are required to pass the exam and rank within the first three people on the exam list for permanent appointment.

At times, the period between when a person is appointed provisionally and when the applicable exam is conducted may be extended. During this period, a significant amount of resources are devoted to orientation and training of the employee and the employee develops a significant amount of experience and expertise.

The termination of an employee after this period for poor performance on a civil service exam represents a waste of City resources and, if the employee work performance has been satisfactory, an inequity for the employee. Under the proposed agreement with MCC, assessment services and instruction will be provided to provisional employees in an attempt to enhance their exam performance and reduce the need for termination. The services and instruction will be provided at the Damon Center by MCC's Division of Workforce Development through its Academic Support and Enrichment Program. The program will consist of the presentation of 14 credit courses.

The assessment will include an evaluation of the skill levels of a provisional employee in reading comprehension, communications and math. The results of the evaluation will be used to determine to which courses the employee will be referred.

Civil service exam preparation will be among the credit courses provided. The course content will include test-taking skills, time management, learning styles and resource (e.g. library) utilization.

A 15 hour test-taking seminar will be provided to employees for whom the regular credit courses are not applicable. A mentoring course also will be available for supervisors and other persons identified as mentors.

The instruction will be provided during off-duty hours, except for the mentoring course for supervisors. All classes are subject to a minimum enrollment of 15 persons.

The following fees will be charged for the instruction and other services:

General Assessment	\$105 per person
Test-Taking Seminar	100
Mentoring Course	120
Credit Courses	105 per credit hour

A student association fee of \$12.50 or \$25 will also be charged, depending on the number of credit hours the employee is enrolled.

Enrollment in the program will be voluntary.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-30

Ordinance No. 2000-95  
(Int. No. 86)

**Establishing \$48,000 As Maximum Compensation For A Professional Services Agreement For Assessment And Instructional Services**

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

Section 1. The sum of \$48,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Monroe Community College for assessment and instructional services for provisional employees of the City. Said amount shall be funded from the 1999-2000 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-13  
Re: 1999-00 Debt Authorization Plan

Transmitted herewith for your approval is legislation establishing the following limits for the amount of direct or tax-supported debt that may be issued by the City for general municipal and school purposes during 1999-00.

General Municipal	\$16,479,915
School	<u>22,295,000</u>
Total	\$38,774,915

The limits are equivalent to the amount of direct debt that will be redeemed during 1999-00. Thus adherence to the limit will ensure that the total amount of direct indebtedness will not increase during the year.

For general municipal debt, the amount of direct debt authorizations originally provided for in the 1999-00/2003-04 Capital Improvement Program exceeded the proposed limit by \$5,004,085. The appropriation by the City Council on October 12, 1999 of unanticipated state aid totaling \$3,912,600 reduced the excess to \$1,091,485.

Capital Improvement Program	
Total Debt	\$26,504,000
Add: Unreimbursed Sewer	
Capital Costs	853,000
Subtotal	27,357,000
Less: Self-Supporting Debt	5,873,000
Direct Debt	21,484,000
Appropriation of State Aid for	
Capital Projects	3,912,600
Revised Direct Debt Authorizations	17,571,400
Debt Limit	16,479,915
Excess	\$ 1,091,485

However, because the schedule of certain projects typically change, the actual amount of debt authorization requests is expected to be within the limit. For example, the acceleration of the Jay Street Improvement Project and simultaneous deferral of the Lake Avenue Improvement Project (Burley Road to Lake Ontario State Parkway), which is proposed in Introductorics 71-73, will reduce the amount of debt actually requested during 1999-00 by \$240,000.

The expected debt authorization requests for projects "carried over" from the two preceding fiscal years are as follows:

	<u>1997-98</u>	<u>1998-99</u>	<u>Total</u>
Projected Debt Carried-Over			
\$1,348,900	\$9,116,100	\$10,465,000	
Remaining Limit			
838,700	8,157,800	8,996,500	
Excess	\$ 510,200	\$ 958,300	\$ 1,468,500

Again, however, not all projects are expected to actually occur as presently scheduled.

For school debt, the amount of debt authorizations approved by the Council on January 18 equals the proposed limit.

A summary of all projects included in the proposed 1999-00 limit is attached, along with listings of the projects that will be carried-over and the projects that will not be carried-over. As in the past, status reports concerning actual debt issuance will be submitted to the Council whenever a bond authorization is requested.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-31

Resolution No. 2000-13  
(Int. No. 91)

**1999-2000 Debt Resolution**

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

WHEREAS, an important component of the City and City School District's expense budget and tax levy is debt service; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 1999-2000 for general municipal purposes to \$16,479,915 of tax-supported debt and \$5,873,000 of self-supporting debt, and for City School District purposes to \$22,295,000.

BE IT FURTHER RESOLVED, that for all bonds authorized for the City School District, the following language shall be inserted into the bond ordinance:

The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-96  
Re: Bond - Western Gateway Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$396,000 and appropriating the proceeds thereof to finance a portion of the costs of construction of a new street for the Western Gateway Project.

The Western Gateway Project involves the devel-

opment of 32.747 acres of land in the Outer Loop Industrial Park. Most of the land was purchased from the Empire State Development Corporation (22.269 acres) or donated by the Eastman Kodak Company (9.833 acres) pursuant to agreements authorized by the City Council on July 2, 1997.

The sale of the initial development parcel, of 7.67 acres, to Jada Precision Plastics was also authorized by the Council on that date. The company constructed a 77,000 square foot manufacturing and assembly facility at a cost of approximately \$6.4 million.

Development of the other parcels within the site requires the construction of an access road and installation of utilities. Design of these improvements, by The Sear-Brown Group, was authorized by the Council on October 28, 1999.

Bids for construction of the improvements were received on March 15. The work will be performed by Intra-State Contracting Corporation at a cost of \$878,329; an additional \$111,671 (12%) will be allocated for contingencies.

The cost of the work will be financed from the proceeds of the proposed bond issue and the anticipated reimbursements to be received from the U.S. Economic Development Agency. The latter funds were appropriated by the Council on October 28, 1999.

Construction is scheduled to begin in the spring and be completed by the fall. Sear-Brown will provide inspection services.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-32

Ordinance No. 2000-96  
(Int. No. 104)

Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$396,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Street Improvements In Connection With The Outer Loop Industrial Park Subdivision Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of planning and implementing street improvements in connection with the Outer Loop Industrial Park Subdivision Project within the City ("Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$990,000. The plan of financing includes the issuance of \$396,000 bonds of the City and said amount is hereby appropriated therefor, in addition to \$594,000 from the United States Department of Commerce Economic Development Administration previously appropriated in Ordinance No. 99-386, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$396,000 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 \$396,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

The meeting was adjourned at 9:12 P.M.

CAROLEE A. CONKLIN  
City Clerk

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REGULAR MEETING  
April 18, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Norwood - 1.

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

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

APPROVAL OF THE MINUTES  
By Councilmember Mains

RESOLVED, that the minutes of the Regular Meeting of March 21, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

The Mayor submits the following:  
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3636-7  
Regular Public Auction - May 18, 2000. 3637-

Quarterly Reports. 3638-7

The Director of Zoning submits Notices of Environmental Determination.

Genesee Valley Park (149 Elmwood Avenue). 3639-7

291 Alexander Street. 3640-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Approving Change In Traffic Flow On Seward Street Between Reynolds Street And Magnolia Street From Two-Way To One-Way Southbound Int. No. 117  
One speaker: Eugene Moore.

Approving Change In Traffic Flow On Murray Street Between Otis Street And Lyell Avenue From One-Way Northbound To One-Way Southbound Int. No. 119  
One speaker: Emilio Savina.

Approving Change In Traffic Flow On Hecla Alley Between Comfort Street And Alexander Street From Two-Way To One-Way Southbound Int. No. 120  
No speakers.

Local Improvement Ordinance - Upgrading Of Sidewalks As A Part Of The Dartmouth Street Improvement Project Int. No. 121 No speakers.

Local Improvement Ordinance - Snow Removal At The Public Market Int. No. 125 No speakers.

Local Improvement Ordinance - Security At The Public Market Int. No. 126 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-97

Re: City Code Amendment - Taxicab Fares

Transmitted herewith for your approval is legislation amending the City Code by increasing the maximum authorized fares and charges for taxicabs.

The present fares and charges were authorized by the City Council on February 15, 1994. Since that time, the consumer price index has increased by about 15.1%.

The proposed increases in fares and charges reflect

the increase in costs associated with the operation of a taxicab.

	<u>Present</u>	<u>Proposed</u>
First one-sixth mile	\$1.85	\$2.20
Each additional one-sixth mile	.25	.30
Waiting time	18.00	21.00
Airport Minimum	7.75	8.75
Senior Citizen Discount	.00	.50

For the average trip of two miles, the proposed fare increases will result in an increase of \$.90, from \$4.60 to \$5.50. For senior citizens (persons 65 years of age or older), the increase will be partially offset by the introduction of a mandated senior citizen discount of \$.50.

The proposed increases were endorsed by the Taxicab Advisory Committee on April 12.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-33

Ordinance No. 2000-97  
(Int. No. 132)

**Amending The Municipal Code With Respect To Taxicab Fares**

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

Section 1. Section 108-12 of the Municipal Code, Rates of fare, as amended, is hereby further amended by amending subsections A(1) and (2) thereof to read in their entirety as follows:

- (1) As an initial charge: two dollars and twenty cents (\$2.20) for the first passenger.
- (2) For each one-sixth (1/6) mile or fraction thereof thereafter: thirty cents (\$0.30).

Section 2. Section 108-12 of the Municipal Code, Rates of fare, as amended, is hereby further amended by amending subsection C thereof relating to airport rates by deleting the words and numbers "seven dollars and seventy-five cents (\$7.75)" in both places that they appear therein and by inserting in their place the words and numbers "eight dollars and seventy-five cents (\$8.75)".

Section 3. Section 108-12 of the Municipal Code, Rates of fare, as amended, is hereby further amended by amending subsection D thereof relating to waiting time by deleting the words and numbers "eighteen dollars (\$18.)" where they appear therein and by inserting in their place the words and numbers "twenty-one dollars (\$21.)".

Section 4. Section 108-12 of the Municipal Code, Rates of fare, as amended, is hereby further amended by adding the following new sentence to the end of subsection I thereof:

A senior citizen discount of fifty cents (0.50) per person sixty-five (65) years of age or older shall apply for each trip.

Section 5. This ordinance shall take effect on May 1, 2000.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-98  
Re: Firearms Suppression Task Force

Transmitted herewith for your approval is legislation relating to the joint Fire Suppression Task Force. This legislation will:

- 1. Authorize agreements with the following agencies for expense reimbursement.

<u>Organization</u>	<u>Amount</u>
U.S. Dept. of Housing & Urban Development	\$116,000
U.S. Bureau of Alcohol, Tobacco & Firearms	52,330
U.S. Department of Justice	9,230

- 2. Amend the 1999-00 budget of the Police Department to reflect the reimbursements to be received during the current fiscal year.

The joint task force consists of personnel from the Police Department, the Federal Bureau of Investigation, the federal Immigration and Naturalization Service, Bureau of Alcohol, Tobacco and Firearms and the NY State Police. Among the objectives of the task force are to...

- 1. Cooperate in a comprehensive law enforcement effort to disrupt illicit gun trafficking in the area;
- 2. Conduct appropriate law enforcement operations and engage in traditional methods of investigation that result in effective prosecutions;
- 3. Gather intelligence relating to trafficking in illegal weapons;
- 4. Trace all firearms purchased, seized or recovered through the Bureau of Alcohol, Tobacco and Firearms;
- 5. Participate in Operation Exile.

The proposed grants will extend through December 31, 2000. The budget amendment will provide the funds expected to be required through June 30. The remaining reimbursement amounts will be included in the 2000-01 budget.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-98  
(Int. No. 139)

**Authorizing Agreements With The United States Government For Funding For Police Services And Amending The Budget**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the United States Department of Housing and Urban Development and the United States Treasury Department, Bureau of Alcohol,

Tobacco and Firearms, for reimbursement of costs of the Special Investigation Section of the Rochester Police Department.

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

Section 3. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$80,200, which amount is hereby appropriated from funding to be received under the agreements authorized herein and from the United States Attorney's Office.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-99  
Re: 3-1-1 Non-Emergency Call System

Transmitted herewith for your approval is legislation relating to the installation of a 3-1-1 non-emergency call system. This legislation will:

1. Authorize agreements or amendatory agreements with the following organizations:

<u>Organization</u> <u>Address</u>	<u>Amount</u>
Williams Communications Solutions Houston, Texas	\$222,361
NXi Communications Salt Lake City, Utah	16,500
RC Hawaii Pittsford, New York	20,000

2. Amend the 1999-00 budget of the Police Department to reflect the appropriation of the proceeds of Forfeited Assets to finance the cost of the latter agreement.

As you are aware, the City has received a grant of \$383,900 under the federal COPS 311 program to finance the costs of a one-year demonstration project to determine the effectiveness of use of a 3-1-1 telephone number for non-emergency calls for police service. The City Council approved the acceptance of this grant on October 28, 1999.

In March, proposals for design and installation of a 3-1-1 system were solicited from 11 companies. Six proposals were received.

The proposals were evaluated by representatives of the Police Department and RC Hawaii, which is providing general telecommunications services to the City under an agreement originally authorized by the City Council on February 11, 1997.

Williams is recommended based on comparative costs. Under its proposal, a Nortel Symposium Call Center Server will be used to manage the system. The system will provide for automatic call distribution, automatic call location and the automatic retrieval of records of

prior calls from that location. TTY capabilities will be incorporated into the system. The NXi Communications programs to be purchased are presently used by the National Technical Institute for the Deaf and the Rochester Institute of Technology.

The 3-1-1 call center will initially be installed in the present Public Safety Building. If the demonstration project is determined to be effective, the call center will be able to be relocated to the new facility without any interruption of service.

Installation is expected to be completed within six months. The budget for the project is as follows:

Professional services	\$ 43,000
Equipment	136,201
Programs	49,660
Support services	<u>10,000</u>
Total	\$238,861

Under the proposed amendatory agreement, RC Hawaii will provide technical assistance and guidance in the testing and acceptance of equipment and programs. If the proposed agreement is approved, the total cost of the agreement with RC Hawaii will increase to \$255,770.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilman Mains moved to amend Introductory No. 140.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2000-99  
(Int. No. 140, As Amended)

**Establishing Maximum Compensation For Professional Services Agreements For 311 Services And Amending The 1999-2000 Budget**

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

Section 1. The sum of \$222,361, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Williams Communications Solutions, LLC for hardware, software and consulting services relating to the 311 non-emergency public safety reporting system. Said amount shall be funded from the 1999-2000 [Budget of the Rochester Police Department] Cash Capital Allocation.

Section 2. The sum of \$16,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and NXi Communications Inc. for software to provide TTY capabilities for the 311 non-emergency public safety reporting system. Said amount shall be funded from the 1999-2000 [Budget of the Rochester Police Department] Cash Capital Allocation.

Section 3. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and RC Hawaii Ltd. for consulting services relating to the 311 non-emergency public safety reporting system. Said amount shall be

funded from the 1999-2000 Budget of the Rochester Police Department.

Section 4. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$20,000, which amount is hereby appropriated from funds realized from the forfeiture of property, to fund the agreement authorized in Section 3.

Section 5. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-14  
Re: Appointment - Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of Roseanne Hennessey, 214 Croydon Road, to the Zoning Board of Appeals.

Ms. Hennessey will replace Michael Copeland, who resigned. Her term will extend through April 30, 2003.

A copy of Ms. Hennessey's resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-14  
(Int. No. 141)

**Resolution Approving An 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 of Roseanne Hennessey, 214 Croydon Road, to the Zoning Board of Appeals for a term, which shall expire on April 30, 2003. Ms. Hennessey will replace Michael Copeland, who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-100  
Re: Agreements - Exchange Boulevard Parking Lots

Transmitted herewith for your approval is legislation relating to the public parking lots on Exchange Boulevard. This legislation will:

- 1. Amend the present lease agreements with Laughton Enterprises for operation of the lot

at 200 Exchange Boulevard and subsequently terminate that agreement and the agreement with Ogden Entertainment, Inc. for operation of the lot at 132 Exchange Street/ 25 Court Street; and

- 2. Authorize a new lease agreement with Ogden for operation of a consolidated lot.

The agreement with Laughton was transferred to the City when it acquired the Attica Branch rail line right-of-way from the Consolidated Rail Corporation. Such acquisition was authorized by the City Council on September 15, 1984. The agreement with Ogden, the operator of the Blue Cross Arena at the War Memorial, was authorized by the Council on June 25, 1998.

On October 29, 1999, the Council approved the Corn Hill Landing Project. As approved, the project will extend onto 200 Exchange Boulevard.

The extension will result in the elimination of 187 of the 403 parking spaces in the lot. The proposed amendatory agreement with Laughton will reflect the loss of these spaces, from January 20, when the Corn Hill Landing Project began, through the date of termination.

Under the original agreement, the required monthly remittance was \$5,250, or \$13.02 per space. Under the proposed amendatory agreement the required monthly remittance would be \$4,307 for January and \$2,814 thereafter until termination.

The termination relates to the acquisition of 180-182 Exchange Boulevard from Monroe County, as part of the Civic Center Redevelopment Project, as authorized by the Council on October 12, 1999. The properties contain a parking lot operated by A-M Parking.

To provide for efficient operations, the parking lots on the above properties will be consolidated into one lot. Under the proposed new agreement, Ogden will:

- 1. Be responsible for the cost of all necessary improvements and the costs of operation and maintenance of the lot;
- 2. Pay to the City 90% of the net revenues derived from the lot;
- 3. Allocate for use by the City up to 83 spaces, or more if so requested;
- 4. Provide access to the City for construction of the river trail; and
- 5. Maintain all existing parking commitments with the owners of the Court-Exchange Building.

It is expected that Ogden will subcontract with A-M Parking for actual operation of the lot. The rates charged for parking by the public will be subject to the approval of the City.

The new agreement will have a term of 10 years. However, the City will be able to terminate the agreement if the parking lot land is required for development, upon 90 days notice.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-34

Ordinance No. 2000-100  
(Int. No. 142)

**Authorizing, Amending And Terminating Agreements Relating To Parking Along Exchange Boulevard And Court Street**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Ogden Entertainment, Inc. for the lease of the parcels at 25 Court Street and 132, 156, 168, 170, 180, 182 and a portion of 200 Exchange Boulevard for public parking purposes for a term of 10 years. Ogden shall be responsible for all operating and maintenance costs relating to the parking lot and shall make necessary improvements to the lot. Ogden shall pay to the City in annual rent 90% of the net revenues of the parking lot, after deducting Ogden's annual operating expenses and debt service relating to the parking lot. The City shall be allowed to use at no cost up to 83 spaces for use by Public Safety Building employees. The City shall also have the right to use additional spaces at no cost as needed. The lease shall provide for access to the Riverfront Trail Project and for Rochester Gas and Electric access to its facility along the Genesee River. The City shall have approval of the parking rates, which shall be comparable to rates at other City parking lots. The City may terminate all or any part of the lease if the City determines the parcels are needed for development purposes, upon ninety days written notice to Ogden. In the event of early termination, the City shall reimburse Ogden for the unamortized cost of the capital improvements made to the lot or portion thereof.

Section 2. The Mayor is hereby authorized to terminate the agreement with Ogden Entertainment, Inc. for the operation of the parking lot designated as Lot #10 located at the corner of Exchange Boulevard and Court Street.

Section 3. The Mayor is hereby authorized to terminate the agreement with Laughton Enterprises for the lease of the parking lot at 200 Exchange Boulevard and to amend the agreement to reduce the amount due under the lease since January 20, 2000 to account for the reduction of 187 parking spaces in the lot.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

**REPORTS OF STANDING COMMITTEES AND ACTION THEREON**

By Councilmember Stevenson  
April 18, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 106 - Authorizing Agreements For The Adopt-A-Block Program And Amending Ordinances

Int. No. 107 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$140,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Environmental Clean-Up At The Rochester Public Market Located Within The City

Int. No. 108 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$100,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Environmental Clean-Up At The Police Outdoor Range Located Within The City

Int. No. 109 - Establishing \$10,500 As Maximum Compensation For An Amendatory Professional Services Agreement With The Environmental Health Laboratory For Drinking Water Testing

Int. No. 110 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$888,500 Bonds Of Said City To Finance The Construction Of Water System Improvements To City Water Conduit Crossover In The Towns Of Lima And West Bloomfield

Int. No. 111 - Establishing Maximum Compensation For Amendatory Professional Services Agreements For The Conduit Modernization Project

Int. No. 112 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$960,000 Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Jay Street Improvement Project

Int. No. 113 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$175,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Jay Street Improvement Project

Int. No. 114 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$110,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Jay Street Improvement Project

Int. No. 115 - Establishing \$135,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Jay Street Improvement Project And Appropriating Funds

Int. No. 116 - Establishing \$1,343,600 As Maximum Compensation For A Professional Services Agreement For Preliminary Engineering And Design Services For The West Ridge Road Reconstruction Project And Appropriating Funds

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 117 - Approving Change In Traffic Flow On Seward Street Between Reynolds Street And Magnolia Street From Two-Way To One-Way Southbound

Int. No. 118 - Appropriating Funds For Improvements To The Intersection Of Seward Street And Magnolia Street

Int. No. 119 - Approving Change In Traffic Flow

On Murray Street Between Otis Street And Lyell Avenue From One-Way Northbound To One-Way Southbound

Int. No. 120 - Approving Change In Traffic Flow On Hecla Alley Between Comfort Street And Alexander Street From Two-Way To One-Way Southbound

Int. No. 121 - Local Improvement Ordinance - Upgrading Of Sidewalks As A Part Of The Dartmouth Street Improvement Project

Respectfully submitted,  
 Robert J. Stevenson  
 Brian F. Curran  
 Tony M. Thompson  
 Gladys Santiago  
**PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE**

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-101  
 Re: CDBG Appropriation - 2000-01  
 Adopt-A-Block Program

Transmitted herewith for your approval is legislation authorizing agreements with various community organizations for participation in the 2000-01 Adopt-A-Block Program. The total maximum cost of these agreements will be \$206,900, which will be financed from the Improve the Housing Stock and General Property Conditions allocations of the 1995-96, 1996-97, 1997-98, and 1999-00 Community Development Block Grant Programs.

The Adopt-A-Block Program was initiated in 1988 to improve the cleanliness of highly visible areas of the city by increasing litter removal services. Under the program, neighborhood or community organizations contract with the City to supplement its regular cleaning services. Following is a summary of participation during the past 10 years:

<u>Year</u>	<u>No. of Organizations</u>	<u>Areas</u>
1990	9	9
1991	11	15
1992	14	18
1993	14	18
1994	13	19
1995	12	22
1996	14	23
1997	14	26
1998	16	26
1999	16	26
2000 (proposed)	17	27

Proposals for participation in the 2000-01 program were solicited from 42 organizations. Seventeen organizations submitted proposals for the maintenance of 27 areas totaling 30.56 miles. All of these proposals are recommended for approval.

Each organization will provide a minimum of two workers to perform special hand sweeping and litter removal services for at least seven hours each day, two days per week between May and October, 2000, and for up to 160 hours on "fair-weather" days between November and April. Sidewalk, tree-lawn areas, and curb lanes will be cleaned.

The organizations will provide all necessary equipment. The City will provide additional refuse collection service as required.

The fee to be paid for all 27 areas consists of the following:

Administrative services	\$ 1,500
Sweeping and litter removal services (June - November)	5,200
Sweeping and litter removal services - \$6.00 per worker hour up to 160 hours (November - May)	960
Total	<u>\$7,660</u>

The amount of the fee is the same as last year's amount.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Attachment No. Z-35

Councilman Stevenson moved to amend Introductory No. 106.

The motion was seconded by Councilwoman Santiago.

The motion was adopted unanimously.

Ordinance No. 2000-101  
 (Int. No. 106, As Amended)

**Authorizing Agreements For The Adopt-A-Block Program And Amending Ordinances**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations under the Adopt-A-Block Program:

Organization	Amount
Coalition of Northeast Associations (CONEA)	\$15,320
ISLA	15,320
North East Area Development (NEAD)	15,320
North East Block Club Alliance (NEBCA)	15,320
South East Area Coalition (SEAC)	15,320
South Wedge Planning Committee	15,320
Lyell Area Revitalization Committee (LARC)	15,320
Nineteenth Ward Community Association	15,320
Southwest Area Neighborhood Association (SWAN)	15,320
West Main Business Association	15,320

Section 2. The agreements authorized herein and additional Adopt-A-Block agreements shall obligate the City to pay an amount not to exceed \$206,900, and of said amount, or so much thereof as may be necessary, \$183,700 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program, \$5,021 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1997-98 Community Development Program, \$17,405 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1996-97 Community Development Program, and \$774 is hereby appropriated from the Improving

the Housing Stock and General Property Conditions Allocation of the 1995-96 Community Development Program.

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

Section 4. Ordinance No. 98-109, relating to the Adopt-A-Block Program, is hereby amended by reducing the amount authorized and appropriated therein from the 1997-98 Community Development Program by the sum of \$5,021, which amount is reappropriated in Section 2 hereof.

Section 5. Ordinance No. 99-63, relating to the Adopt-A-Block Program, is hereby amended by reducing the amount authorized and appropriated therein from the 1996-97 Community Development Program by the sum of \$1,600, which amount is reappropriated in Section 2 hereof.

Section 6. Ordinance No. 97-156, relating to the Adopt-A-Block Program, is hereby amended by reducing the amount authorized and appropriated therein from the 1996-97 Community Development Program by the sum of \$15,805, which amount is reappropriated in Section 2 hereof.

Section 7. Ordinance No. 97-156, relating to the Adopt-A-Block Program, is hereby amended by reducing the amount authorized and appropriated therein from the 1995-96 Community Development Program by the sum of \$774, which amount is reappropriated in Section 2 hereof.

Section 8. Ordinance No. 2000-63, relating to the Adopt-A-Lot Program, is hereby amended by amending the amounts of the agreements authorized in Section 1 thereof to read as follows:

<u>Organization</u>	<u>Amount</u>
<u>Coalition of Northeast Associations</u> (CONEA)	<u>\$30,557</u>
<u>Marketview Heights Association</u>	<u>16,363</u>
<u>North East Block Club Alliance</u> (NEBCA)	<u>18,960</u>

Section 9. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-102 and  
Ordinance No. 2000-103  
Re: Bond - Environmental Remediation

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$240,000 and appropriating the proceeds thereof to finance certain additional costs of two environmental remediation projects.

Public Market	\$140,000
Outdoor Firing Range	100,000
Total	\$240,000

Public Market

As you are aware, the Public Market Improvement

Program provides for a series of improvements at the Public Market and the surrounding area over a multi-year period. A total of \$2,531,000 has been allocated for the program.

Phase I of the project involved the repair or replacement of the roofs of Sheds A and C; construction of a wall at the end of Shed A; and the installation of external directional signage, at a total cost of about \$253,300. Phase II involved the remediation of contaminated soils on several properties that were acquired for construction of a new parking lot; construction of the lot; rehabilitation of an existing lot; sidewalk and drainage improvements; and reconstruction of the portion of Railroad Street that is adjacent to the Public Market, at a budgeted cost of \$545,000.

The extent of the soil contamination and need for remediation were greater than originally expected. The proposed bond issue will finance the costs that were not included in the original project budget.

To avoid the need to revise the scope of Phase III of the Public Market project, the hazardous waste investigation and remediation allocation of the 1999-00/2000-03 Capital Improvement Program will be used to finance the additional costs. Phase III will involve improvements to the "gateways" at N. Union Street, Railroad Street, Pennsylvania Avenue, Peck Street and Hayward Avenue and access improvements to Market Master House and restroom building, at an estimated cost of \$1,233,000. Construction is scheduled to occur this summer.

Outdoor Firing Range

The original plan for the Outdoor Firing Range project provided for the installation of fencing and increases in the height and length of the earth berms at the Public Safety Training Facility at 1190 Scottsville Road. Upon review, it has been determined that additional work is required to ensure safety at the range.

This additional work includes the removal of lead from discharged ammunition embedded in the berm; installation of a bullet entrapment structure to de-energize bullets and enable routine recycling of metal; and installation of ground water monitoring wells. As a result of the additional work, the estimated cost of the project has increased from \$222,000 to \$486,000.

The proposed bond issue will finance a portion of the additional cost. The remaining portion will be financed from the 1996-97 Cash Capital allocation of the Department of Environmental Services.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-36

Ordinance No. 2000-102  
(Int. No. 107)

**Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$140,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Environmental Clean-Up At The Rochester Public Market Located Within The City**

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 the "City"), is hereby authorized to finance the cost of planning and implementing clean-up of certain hazardous substances and hazardous waste sites at the Rochester Public Market located within the City (the "Project"). The estimated maximum cost of said specific object or purpose described herein, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$140,000. The plan of financing includes the issuance of \$140,000 bonds of the City and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$140,000 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 improvement 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 \$140,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation of (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 Section 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes,

as well as to executing agreements for credit enhancement, are hereby delegated to the director of Finance, as the Chief Fiscal officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2000-103  
(Int. No. 108)

**Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$100,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Environmental Clean-Up At The Police Outdoor Range Located Within The City**

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 the "City"), is hereby authorized to finance the cost of planning and implementing clean-up of certain hazardous substances and hazardous waste sites at the Police Outdoor Range located within the City (the "Project"). The estimated maximum cost of said specific object or purpose described herein, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$100,000. The plan of financing includes the issuance of \$100,000 bonds of the City and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$100,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the

Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvement for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$100,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation of (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 Section 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the director of Finance, as the Chief Fiscal officer of the City.

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

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

Section 8. This ordinance shall take effect immediately, and the City Clerk is hereby authorized

and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-104  
Re: Agreement - Environmental Health Laboratory, Drinking Water Testing

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Environmental Health Laboratory, of South Bend, Indiana, for the continued testing of drinking water. The maximum cost of this agreement will be \$10,500, which will be financed from the 1999-00 budget of the Department of Environmental Services (Water Fund).

Historically, the City has contracted with commercial laboratories for mandated water testing that requires sophisticated and expensive instruments such as a gas chromatograph mass spectrometer. Environmental has performed this testing for the City since October, 1995; the most recent agreement was executed in November, 1998 at a maximum cost of \$9,500.

Until July, 1997, annual expenditures under the agreement with EHL totaled about \$5,000. At that time, though, the U.S. Environmental Protection Agency instituted the Information Collection Rule, a more rigorous 18-month data collection initiative.

The ICR resulted in a significant increase in testing requirements. It is expected that, with the conclusion of the period, annual expenditures will once again be about \$5,000.

If the proposed amendatory agreement is approved, the total cost of the agreement with Environmental will increase to \$20,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-104  
(Int. No. 109)

**Establishing \$10,500 As Maximum Compensation For An Amendatory Professional Services Agreement With The Environmental Health Laboratory For Drinking Water Testing**

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

Section 1. The sum of \$10,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and the Environmental Health Laboratory for laboratory testing of drinking water through November, 2001. Said

amount shall be funded from the 1999-2000 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-105 and  
Ordinance No. 2000-106

Re: Bond - Conduit Modernization Project

Transmitted herewith for your approval is legislation relating to the Conduit Modernization Project. This legislation will:

1. Authorize the issuance of bonds totaling \$888,500 and appropriate the proceeds thereof to finance the costs of the project; and
2. Authorize the amendatory agreements with the following organizations:

<u>Organization</u> <u>Address</u>	<u>Service</u>
Costich Engineering 217 Lake Avenue	Surveying
GZA Geotechnical of NY 3699 W. Henrietta Rd.	Geotechnical Engineering

The cost of each of the agreements will be \$5,000, which will be financed from the proceeds of the proposed bond issue.

The project involves the replacement of the conduit crossover, which consists of 4,200' of 24" diameter pipe between conduits one and two in the Towns of Lima and West Bloomfield. The existing pipe has experienced significant external corrosion and is in generally poor condition. It will be replaced with a slightly larger pipe with corrosion protection.

Design of the project was performed by Water Bureau personnel, who will also perform the construction work and provide inspection services. Construction is expected to begin in the summer and be completed in the fall.

The original agreements with Costich Engineering and GZA Geotechnical for the provision of the aforementioned services were authorized by the City Council on October 12, 1999. If the proposed amendatory agreements are approved the total cost of the agreements will increase to \$25,000 and \$20,000, respectively.

It is estimated that use of City personnel for the project will reduce costs by about \$326,000. The Monroe County Water Authority is expected to reimburse the City for 54% of the cost of the project, in accordance with the agreement authorized by the City Council on April 25, 1978.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-37

Ordinance No. 2000-105  
(Int. No. 110)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$888,500 Bonds Of Said City To Finance The Construction Of Water System Improvements To City Water Conduit Crossover In The Towns Of Lima And West Bloomfield**

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 construction of water system improvements to the City water conduit crossover in the Towns of Lima and West Bloomfield (the "Project"). The total estimated cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$888,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$888,500 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$888,500 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 \$888,500. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City

Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2000-106  
(Int. No. 111)

**Establishing Maximum Compensation For Amendatory Professional Services Agreements For The Conduit Modernization Project**

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

Section 1. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Costich Engineering for surveying services for the Conduit Modernization Project. Said amount shall be funded from a bond ordinance for this Project.

Section 2. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and GZA GeoEnvironmental of NY for geotechnical engineering services for the Conduit Modernization Project. Said amount shall be funded from a bond ordinance for this Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-107, 2000-108,  
2000-109 and 2000-110

Re: Jay Street Improvement Project

Transmitted herewith for your approval is legislation relating to the Jay Street Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,245,000 and appropriate the proceeds thereof to partially finance the costs of the project

Street	\$ 960,000
Water	175,000
Sewer	110,000
Total	\$1,245,000

2. Appropriate \$62,000 in anticipated reimbursements from Monroe County to finance the remaining costs of the project; and
3. Authorize an agreement with Goodkind & O'Dea, Inc., 183 E. Main Street, for resident project representation services, at a maximum cost of \$135,000.

The project, which was designed by Goodkind & O'Dea under an agreement authorized by the City Council on September 15, 1998, extends from the railroad crossing to Colvin Street. It involves changes in pavement width; reconstruction of the pavement; installation of new water services and hydrants and water main improvements on side streets; replacement of curbs, catch basins, driveway aprons and sidewalks; traffic modifications; and landscaping. The changes in pavement width were approved by the Council on March 21, 2000.

Bids for construction of the project were received on March 22. The work will be performed by Villager Construction, Inc. at a cost of \$1,046,247, which is 5% less than the engineering estimate; an additional \$125,753 will be included for contingencies and the installation of street lights and trees, which is not included in the construction contract.

<u>Improvement</u>				
	<u>Construc-</u>	<u>Inspec-</u>	<u>Contin-</u>	
	<u>tion</u>	<u>tion</u>	<u>gencies</u>	
			<u>Total</u>	
Street	\$ 750,045	\$108,230	\$101,725	\$ 960,000
Water	145,843	18,550	10,607	175,000
Sewer	100,793	0	9,207	110,000
Traffic	49,566	8,220	4,214	62,000
Total	\$1,046,247	\$135,000	\$125,753	\$1,307,000

The cost of the improvements will be financed from the proceeds of the proposed bond issues and the proposed appropriation.

Construction is scheduled to begin in the spring and be substantially complete in the fall. Goodkind &

O'Dea is recommended to provide inspection services because of its familiarity with the project.

Public informational meetings concerning the project were conducted on September 29 and December 6, 1999. Copies of the minutes of these meetings were previously forwarded to the Council.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-107  
(Int. No. 112)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$960,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Jay Street Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the Jay Street Improvement Project within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$960,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$960,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$960,000 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 \$960,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes -President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays -None - 0.

Ordinance No. 2000-108  
(Int. No. 113)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$175,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Jay Street Improvement Project**

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

Section 1. The City of Rochester, in the County of

Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the Jay Street Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$175,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$175,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$175,000 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 \$175,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2000-109  
(Int. No. 114)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$110,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Jay Street Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain sewer improvements related to the Jay Street Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$110,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$110,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$110,000 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 \$110,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.4 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 im-

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2000-110  
(Int. No. 115)

**Establishing \$135,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Jay Street Improvement Project And Appropriating Funds**

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

Section 1. The sum of \$135,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Goodkind & O'Dea, Inc. for resident project representation services for the Jay Street Improvement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$108,230 shall be funded from a bond for street improvements for this project, \$18,550 shall be funded from a bond for water improvements for this project, and \$8,220 shall be funded from reimbursements from the County of Monroe.

Section 2. The sum of \$62,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the County of Monroe in order to fund traffic improvements for the Jay Street Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-111  
Re: W. Ridge Road Improvement Project

Transmitted herewith for your approval is legislation relating to the West Ridge Road Improvement Project. This legislation will:

1. Appropriate a total of \$1,545,000 in anticipated federal and state reimbursements to finance the costs of preliminary engineering and design and property acquisition services for the project;

Federal	\$1,236,000
State	309,000
Total	\$1,545,000

2. Authorize an agreement with Bergmann Associates, 200 First Federal Plaza, for preliminary engineering and design services, at a maximum

cost of \$1,343,600.

The cost of the agreement will be financed from the aforementioned appropriations.

The project, which extends from the Veterans Memorial Bridge to Hanford Landing Road, is one of three reconstruction projects that are planned by the NYS Department of Transportation for West Ridge Road, extending from the bridge to North Greece Road in Greece. The projects are designed to improve traffic safety and capacity, as well as to improve the condition of the pavement.

The costs of the project will be financed primarily by the federal and state governments. However, the project is being administered by the City under an agreement authorized by the City Council on August 10, 1999.

The project will include reconstruction of the pavement; construction of loading and drop-off areas in front of the buildings at Kodak Park; construction of a limited access road on the south side of Ridge Road east of Lake Avenue; relocation of certain utilities; replacement of curbs, driveway aprons and sidewalks; traffic modifications; and special landscaping. The improvements may require the acquisition of adjacent properties on the south side of Ridge Road west of Lake Avenue and the north side of Ridge Road east of Lake Avenue.

The estimated cost of the project is \$16,466,000, which will be financed as follows:

Federal	\$10,654,000
State	2,664,000
City	3,148,000
Total	<u>\$16,466,000</u>

The City's estimated cost reflects the inclusion in the project of certain improvements proposed by the City as an alternative to the original project plan of NYS DOT.

Proposals for design of the project were solicited through public advertisement; five proposals were received. Bergmann is recommended because of its previous involvement in the project.

Design of the project is expected to be completed in 2002. Construction is expected to begin in 2004 and be completed in 2005.

A public informational meeting concerning the project was conducted on May 28, 1999. A copy of the minutes of this meeting were previously forwarded to the Council.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-111  
(Int. No. 116)

**Establishing \$1,343,600 As Maximum Compensation For A Professional Services Agreement For Preliminary Engineering And Design Services For The West Ridge Road Reconstruction Project And Appropriating Funds**

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

Section 1. The sum of \$1,343,600, or so much

thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for preliminary engineering and design services for the West Ridge Road Reconstruction Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$1,074,880 shall be funded from the appropriations made in Section 2 hereof and \$268,720 shall be funded from the appropriations made in Section 3 hereof.

Section 2. The sum of \$1,236,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Federal Highway Administration in order to fund preliminary engineering and design services and property acquisition for the West Ridge Road Reconstruction Project.

Section 3. The sum of \$309,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the State of New York in order to fund preliminary engineering and design services and property acquisition for the West Ridge Road Reconstruction Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-112,  
Introductory No. 117,  
Introductory No. 118 and  
Introductory No. 119

Re: Traffic Direction Changes

Transmitted herewith for your approval is legislation approving the following changes in traffic direction:

1. Seward Street, between Reynolds and Magnolia Streets, from two-way to one-way southbound;
2. Murray Street, from one-way northbound to one-way southbound; and
3. Hecla Alley, from two-way to one-way southbound.

The legislation also will appropriate \$15,000 in anticipated reimbursements from the City School District to finance the costs of implementation of the first traffic change.

The District requested the first change to eliminate two-way traffic in the portion of Seward Street that is adjacent to Dr. Charles T. Lunsford School No. 19, which is confusing to many motorists. The traffic direction in other portions of the street is one-way southbound.

In conjunction with the change the slip ramp at the intersection of Seward and Magnolia Streets will be removed. The aforementioned reimbursement will finance the costs of removal.

The second and third changes were requested by neighborhood residents and the Area B and D NET Offices, respectively, to reduce drug sales on the streets. The changes will prevent access from the intersecting streets that have the greater traffic volumes.

The first change was endorsed by the Traffic Control Board on February 1, while the second and third changes were endorsed by the Board on March 21. Public hearings on the changes are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-38

Ordinance No. 2000-112  
(Int. No. 120)

**Approving Change In Traffic Flow On Hecla Alley Between Comfort Street And Alexander Street From Two-Way To One-Way Southbound**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Hecla Alley between Comfort Street and Alexander Street from two-way to one-way southbound.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Thompson moved to return Introductory No. 117 to committee.

The motion was seconded by Councilman Stevenson.

The motion was adopted unanimously.

Introductory No. 117

**APPROVING CHANGE IN TRAFFIC FLOW ON SEWARD STREET BETWEEN REYNOLDS STREET AND MAGNOLIA STREET FROM TWO-WAY TO ONE-WAY SOUTHBOUND**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Seward Street between Reynolds Street and Magnolia Street from two-way to one-way southbound.

Section 2. This ordinance shall take effect immediately.

Returned to committee.

Councilman Thompson moved to return Introductory No. 118 to committee.

The motion was seconded by Councilman Stevenson.

The motion was adopted unanimously.

Introductory No. 118

**APPROPRIATING FUNDS FOR IMPROVEMENTS TO THE INTERSECTION OF SEWARD STREET AND MAGNOLIA STREET**

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Rochester City School District in order to fund street improvements at the intersection of Seward Street and Magnolia Street.

Section 2. This ordinance shall take effect immediately.

Returned to committee.

Councilman Stevenson moved to return Introductory No. 119 to committee.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Introductory No. 119

**APPROVING CHANGE IN TRAFFIC FLOW ON MURRAY STREET BETWEEN OTIS STREET AND LYELL AVENUE FROM ONE-WAY NORTHBOUND TO ONE-WAY SOUTHBOUND**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Murray Street between Otis Street and Lyell Avenue from one-way northbound to one-way southbound.

Section 2. This ordinance shall take effect immediately.

Returned to committee.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1453  
Re: Local Improvement Ordinance -  
Dartmouth Street

Transmitted herewith for your approval is legislation appropriating \$8,600 from the local improvement fund and authorizing the subsequent assessment of this amount against five properties.

The appropriation will finance the costs of installation of a special brick inlay in the new sidewalks included in the Dartmouth Street Improvement Project. The inlay was requested by the owners of four of the five properties that are located on the street between Thayer Street and Park Avenue; the four properties contain 81% of the frontage of this portion of the street.

The improvement project, which extends from Monroe Avenue to Park Avenue, was designed by the Bureau of Architecture and Engineering Services. Besides the brick inlay, the project will involve the reconstruction or rehabilitation of the pavement; installation of a new water main, water services and hydrants; replacement of curbs, catch basins and sidewalks; and landscaping.

Bids for construction of the project were received on October 26, 1999. The work, which began in March and will be completed in the summer, is being performed by Gordon J. Phillips, Inc. at a cost of \$748,509; an additional \$47,542 (6%) has been allocated for contingencies. Inspection services will be provided by the Bureau of Architecture and Engineering Services.

Improve- ment	Construc- tion	Contin- gency	Total
Street	\$495,009	\$34,762	\$529,771
Water	200,455	10,025	210,480
Sewer	52,355	2,645	55,000
Traffic	690	110	800
Brick Inlay	8,600	0	8,600
Total	\$757,109	\$47,542	\$804,651

The cost of the street improvements are being financed from the 1998-99 and 1999-00 Cash Capital allocations of the Department of Environmental Services and the proceeds of a bond issue authorized by the City Council on March 17, 1998. The cost of the water improvements are being financed from the proceeds of bond issues authorized by the Council on April 16, 1996 and March 18, 1997, while the cost of the sewer improvements are being financed from the proceeds of a bond issue authorized by the Council on March 18, 1997.

The cost of the brick inlay will be financed from the proposed local improvement authorization. The cost is to be apportioned among the five properties based upon front footage. Repayment will occur over 15 years at an interest rate of 1% above the City's borrowing rate.

Public informational meetings concerning the project were held on July 27, 1999 and March 1, 2000. Copies of the minutes of these meetings are attached.

A public hearing on the local improvement authorization is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-39

Local Improvement Ordinance No. 1453  
(Int. No. 121)

**Local Improvement Ordinance - Upgrading Of Sidewalks As A Part Of The Dartmouth Street Improvement Project**

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

Section 1. The Council hereby authorizes the upgrading of sidewalks as a part of the Dartmouth Street Improvement Project, from Thayer Street to Park Avenue.

Section 2. The Council hereby finds that the upgrading of said sidewalks will benefit the parcels of property within the district described in proportion to each parcel's front footage along Dartmouth Street within the District, as follows:

Property Address	Front Footage	SBL No.
20 Dartmouth Street	52.00'	121.52-01-91
14 Thayer Street	106.40'	121.51-02-10
18 Thayer Street	107.34'	121.52-01-90
435 Park Avenue	157.81'	121.51-02-09
451 Park Avenue	149.08'	121.52-01-01

Section 3. Such district is hereby defined to be the Special Assessment District for the payment of

additional costs relating to the upgrading of the sidewalks. The Council hereby finds that the upgrading of the sidewalks benefits each parcel of property within the district on the basis of each parcel's front footage within the District, and the costs of such upgrading shall be allocated among the parcels in the district on that basis.

Section 4. The cost of improvements and work described in Section 1, including the cost of any necessary professional design and engineering work, not to exceed \$8,600, plus interest at a rate 1% above the City's "latest borrowing rate" on the unpaid balance, shall be assessed on the property within the limits of the district of assessment described above, in the amounts set forth above. The Council hereby deems such property to be benefited by such improvements and proper to be assessed therefor. The City's "latest borrowing rate" shall be the most recent rate at which the City shall have sold long-term bonds prior to the date of initial billing of the assessments.

Section 5. The assessments shall be billed after the completion of the improvements and work described, and shall be due in 15 equal annual installments. Any assessment not paid by May 15 after its due date may be added to the upcoming annual tax bill for the property.

Section 6. The total cost of said improvements and work, up to \$8,600, shall be charged as described in this ordinance and paid from the local improvement fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

By Councilmember Douglas  
April 18, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 122 - Authorizing An Application And Agreements For The 2000 Summer Food Service Program For Children

Int. No. 123 - Establishing Maximum Compensation For An Agreement For The 2000 MusicFest

Int. No. 124 - Authorizing Agreements With The County Of Monroe For Funding For Police Services

Int. No. 138 - Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement With Finger Lakes Health Systems Agency For A Study Of The Medically Uninsured

The Public Safety/Public Services Committee recommends for consideration the following entitled legislation:

Int. No. 125 - Local Improvement Ordinance - Snow Removal At The Public Market

Int. No. 126 - Local Improvement Ordinance - Security At The Public Market

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
Gladys Santiago  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-113  
Re: Agreements - 2000 Summer Food Service Program

Transmitted herewith for your approval is legislation relating to the 2000 Summer Food Service Program for children. This legislation will authorize agreements with:

1. The NYS Department of Education for the receipt and use of such funds as may be allocated to the City for the 2000 program; and
2. The City School District for preparation and delivery of the breakfasts and lunches to be provided under the program.

The Summer Food Service Program is designed to provide free meals during the summer to children 18 years of age and younger. Persons over age 18 who are determined by a state or local educational agency to be mentally and physically disabled, and who participate in a public or private non-profit program for children with disabilities during the school year, are also eligible to participate in the meal program. The City School District has certified that more than 50% of its total enrollment is eligible for free or reduced price school meals. As a result, all areas of the city are eligible for the program.

Since 1976, the program has been administered by the Department of Parks, Recreation and Human Services. Meals have been prepared and are delivered to the program sites by the City School District.

Until 1993, the program provided only lunches. In 1993, the provision of breakfast at selected sites began. In 1994, breakfasts were extended to all sites. Following is a summary of participation in both aspects of the program during the past 10 years.

<u>Lunch</u>		
<u>Year</u>	<u>Average Daily Participation</u>	<u>Total No. of Meals Reimbursable</u>
1999	4,347	191,248
1998	4,403	193,751
1997	4,773	200,447
1996	4,300	189,221
1995	3,847	169,245
1994	3,407	149,918
1993	3,002	132,097
1992	3,330	136,661
1991	3,010	102,340
1990	3,113	99,640

Breakfast

<u>Year</u>	<u>Average Daily Participation</u>	<u>Total No. of Meals Reimbursable</u>
1999	2,169	95,412
1998	2,182	96,014
1997	2,369	99,514
1996	2,005	88,238
1995	1,510	66,457
1994	1,202	53,307
1993	560	24,837

In 2000, the program will operate at approximately 110 sites for 44 days (June 26 through August 25), the same number of days as last year's program. The selection of the specific sites will be based on their proximity to summer youth employment and other human services projects, and the past performance of the sites with the food services program.

The City School District will again prepare and deliver meals for the program, at the following unit costs:

	<u>1999 Costs</u>	<u>2000 Costs</u>	<u>USDA 2000 Guideline</u>
Breakfast	\$.96	\$.98	\$1.25
Lunch	1.90	1.93	2.18

Provision for the Summer Food Service Program will be included in the revenue estimates and appropriations of the 2000-01 budget of the Department of Parks, Recreation and Human Services. A grant of \$532,300 is anticipated, based upon a projected total of 98,000 breakfasts and 197,000 lunches. This total also includes \$43,900 for administrative costs and \$8,000 for limited refuse collection.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-113  
(Int. No. 122)

**Authorizing An Application And Agreements For The 2000 Summer Food Service Program For Children**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Department of Education for funding for the 2000 Summer Food Service Program for Children.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the City School District for the preparation and delivery of meals pursuant to the program, contingent upon receipt of such funding.

Section 3. The agreement shall obligate the City to pay an amount based on the unit cost of the meals, not to exceed \$480,400, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-2001 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget and receipt of said funding.

Section 4. The application and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-114  
Re: Agreement - Rochester Broadway  
Theatre League, 2000 Rochester  
MusicFest

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Broadway Theatre League for site logistical services for the 2000 Rochester MusicFest. The maximum cost of these services will be \$339,900, which will be financed from the 1999-00 and 2000-01 budgets of the Department of Parks, Recreation and Human Services and revenues from the MusicFest.

The 2000 MusicFest will represent the sixth annual event. RBTL has been involved with the Fest since 1997, when it assumed responsibility for site logistics. The most recent agreement for its provision of these services was authorized by the City Council on March 16, 1999.

The 1999 Fest was held on July 17 and 18 and was attended by more than 16,000 people. Revenues exceeded expenses by \$79,936.

The 2000 Fest will be held on July 15 and 16. Following is the budget for this year's Fest.

	1999 (actual)	2000 (proposed)
<u>Revenue</u>		
City	\$139,657	\$130,000
Corporate Sponsors	323,513	351,400
Ticket Sales	173,398	100,000
Vending	76,504	40,000
Other	4,740	0
Total	717,814	621,400
<u>Expense</u>		
Music Production	352,901	355,000
Site	131,763	132,000
Concessions	50,416	26,400
Finance & Administration	22,781	23,000
Advertising & Public Relations	75,345	80,000
Office	4,672	5,000
Total	637,878	621,400
Surplus (Deficit)	\$ 79,936	\$ 0

An agreement with the Johns Schreiber Group for most talent booking services for the 2000 Fest was authorized by the Council on January 18. The maximum cost of this agreement was \$281,500.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-114  
(Int. No. 123)

**Establishing Maximum Compensation For An**

**Agreement For The 2000 MusicFest**

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

Section 1. The sum of \$339,900, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Broadway Theatre League to provide site logistics, marketing and local talent booking for the 2000 Rochester MusicFest. Of said amount, \$243,400 shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services, and \$96,500 is hereby appropriated from the MusicFest Trust Fund.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-115  
Re: Agreements - Monroe County,  
Police Programs

Transmitted herewith for your approval is legislation authorizing four agreements with Monroe County for the receipt and use of funds totaling \$911,626 for police firearms instruction, patrol services and the NYS Stop Driving While Intoxicated Program.

Police Firearms Instruction

Since 1980, the County has coordinated firearms training for the members of the 12 police agencies in the county. It also has provided an ammunition allowance to each police agency whose officers participate in the training.

The firearms training is provided by two instructors from the City's Police Department. Under the first proposed agreement, the County will reimburse the City for most of the cost of these two positions.

The current cost is about \$141,000. The expected reimbursement of \$111,350 is the same as the 1999 amount and represents about 79% of the total costs.

Under the second agreement, the County will provide an ammunition allowance to the City of \$17,380, also the same as the 1999 amount. This allowance, \$25.45 per police officer, is the same as the 1999 amount.

The allowance will represent 21% of the City total budget allocation of \$87,000 for about 417,000 rounds of ammunition. Of this total, approximately 280,000 rounds are used for the following firearms training.

<u>Training</u>	<u>Number of Rounds Per Officer</u>
Basic Recruit	
Handgun	2,000
Shotgun	100
Rifle	60
<u>In-Service</u>	
Standard Handgun	150
Judgment Handgun	30
Tactical Handgun	25
Tactical Shotgun	20

This training - in terms of type and duration - significantly exceeds the standards specified by New York State.

Patrol Services

Since 1982, the County has also provided grants to the City for police patrol services. These grants reflect a recognition of the significant number of suburban residents who work, shop and recreate in the city, necessitating a higher level of police patrol services.

Under the third agreement, the City will receive a grant of \$550,000 to assist in financing the cost of these services. This amount is the same as the 1999 amount.

Stop-DWI Program

The Stop-DWI program was initiated in 1981. It is designed to enhance the ability of local law enforcement agencies to prevent or respond to DWI offenses.

Under the program, a portion of all fines levied against persons convicted for DWI are allocated to the counties in which the offenses occurred. In Monroe County, a portion of this allocation is reallocated to those municipalities that have their own police forces and, therefore, their own anti-DWI activities. This allocation is based upon relative population.

Since 1984, when the reallocation began, the City has received \$1,997,008 from the program. These funds have been used to finance anti-DWI enforcement activities, which consist of the overtime assignment of patrol section personnel, the provision of related training and the acquisition and maintenance of required equipment.

Under the fourth agreement, in 2000 the City will receive an allocation of \$232,896, which is \$29,584 more than the 1999 amount. This allocation will be used for the following purposes.

Traffic Enforcement	\$161,028
Underage Sales Enforcement	25,000
Equipment Acquisition/Repair	33,524
Supplies	800
Miscellaneous	544
Training	<u>12,000</u>
Total	\$232,896

Provision for the receipt and use of the four grants is or will be included in the 1999-00 and 2000-01 budgets of the Police Department.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-115  
(Int. No. 124)

**Authorizing Agreements With The County Of Monroe For Funding For Police Services**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the County of Monroe for funding under the New York State Stop-DWI Program, for reimbursement for the salaries and benefits of firearms instructors and ammunition for training, and for reimbursement for the costs of police services to County residents residing or working in Rochester.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-116  
Re: Uninsured Study Project

Transmitted herewith for your approval is legislation authorizing an agreement with the Finger Lakes Health Systems Agency (FLHSA) to conduct a study of the number of people in Rochester and Monroe County who lack health insurance. The study will identify the primary factors in uninsurance and under-insurance, identify populations that are at the highest risk of uninsurance and under-insurance, identify populations that are currently experiencing difficulty accessing affordable health care, and provide the community with a framework for developing interventions that will reduce barriers to health insurance. The maximum cost of this agreement is \$25,000 to be funded from the budget of the City Council/City Clerk.

FLHSA has spearheaded the formation of the Rochester Community Partnership on the Uninsured. The goal of the Partnership is "to ensure that all people in Rochester and Monroe County are continuously covered by affordable health insurance and able to access appropriate health care services when they are needed." The first phase of the project is to gather information to quantify the dimensions of the problem.

The study will include five activities:

- Conduct a statistically valid telephone survey of households county-wide, with an over sample of lower-income households in the City, to quantify the number of uninsured, along with the contributing factors to and effects of uninsurance;
- In collaboration with community-based agencies, conduct a series of five meetings to gather additional qualitative information about the nature of the problem;
- In collaboration with community-based agencies, conduct five focus groups that reach the populations who do not have telephone service to identify factors that contribute to uninsurance and inability to access health care;
- Conduct meetings and interviews with all of the Safety Net health care providers in Monroe County to determine the impact (clinical and financial) that patients without health insurance have on the facility(s), and to understand the providers' perspectives on why some people do not have adequate insurance or avail themselves of publicly subsidized services;
- Issue a report to the community to synthesize the findings of these activities and provide a framework to develop intervention to enhance/expand health insurance coverage and health care access.

The members of the Partnership, and their anticipated contributions are:

Rochester Primary Care Network	\$60,000
Blue Cross and Blue Shield	25,000
The Monroe Plan for Medical Care	25,000
City of Rochester	25,000
Monroe County	25,000
FLHSA	25,000 (in-kind)

The problems of uninsurance are very real in the City, and it is believed that the greatest number of uninsured people within Monroe County are City residents. The *Renaissance 2010 Plan* specifically includes the goal that we will "support a quality health care system that is affordable to both employees and employers, as well as the general public." Although the City is not a funder of health-care services, our participation in the Partnership will allow us to have a voice in a discussion that could have a major impact upon our citizens. The study is expected to begin in April and be completed in the fall.

Respectfully submitted,  
 Lois J. Giess Gladys Santiago Wade S. Norwood  
 President Vice President Councilmember  
 at Large

Ordinance No. 2000-116  
 (Int. No. 138)

**Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement With Finger Lakes Health Systems Agency For A Study Of The Medically Uninsured**

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement with Finger Lakes Health Systems Agency to conduct a study of the medically uninsured in Rochester. Said amount shall be funded from the 1999-2000 Budget of the City Council/City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Local Improvement Ordinance No. 1454  
 Local Improvement Ordinance No. 1455  
 Re: Public Market Snow Removal And Security

Transmitted herewith for your approval is legislation approving the appropriations and assessments for snow removal and security services at the Public Market.

The snow removal district was established by the City Council on May 22, 1990, while the security services district was established by the Council on August 13, 1991. Both districts include 18 properties that are adjacent to the Public Market.

The Department of Parks, Recreation and Human Services provides special snow removal and security services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 p.m. to 5:00 a.m. on Monday through Saturday and

all day Sunday and certain holidays.

Part of the cost of these services is apportioned among the properties within the district. These assessments include (1) a fixed fee for each property and (2) an additional fee for each front foot of each property.

The 2000-01 assessments will be the same as the 1999-00 assessments. For snow removal services, the fixed fee will be \$100 per property while the footage fee will be \$2.20 per foot. For security services, the fixed fee will be \$990 per property, while the front footage fee will be \$5.09 per foot; the total amount of the assessment will be \$26,281.31.

	Proposed Snow Removal Services 2000-01	Proposed Security Services 2000-01
Fixed Fee	\$ 100.00	\$ 990.00
Number of Properties	18	18
Fixed Fee Total	1,800.00	17,820.00
Footage Fee	2.20	5.09
Footage	1,662.34	1,662.34
Footage Fee Total	3,657.14	8,461.31
Total Assessment	\$5,457.14	\$26,281.31

A public hearing is required.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Local Improvement Ordinance No. 1454  
 (Int. No. 125)

**Local Improvement Ordinance - Snow Removal At The Public Market**

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

Section 1. The Council authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2000 to June 30, 2001.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2000-2001 year shall be \$5,457.14. The amount to be assessed against each parcel shall include a fee of one hundred dollars (\$100.) per parcel plus two dollars and twenty cents (\$2.20) per foot of frontage that receives plowing and/or salting services. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

Property Address	SBL No.	Front Footage
248 N. Union St. 558.27	106.660-0001-014	
175 Railroad St. 190.25	106.670-0001-077	
156 Public Market 126.31	106.670-0001-074	

160 Public Market	106.670-0001-075	42.58
166 Public Market	106.670-0001-076	35.62
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Ave.	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Ave.	106.580-0003-026	40
17-23 Pennsylvania Ave.	106.580-0003-027	40
15 Pennsylvania Ave.	106.580-0003-028	40
11 Pennsylvania Ave.	106.580-0003-029	19.57
9 Pennsylvania Ave.	106.580-0003-030	128.24

Section 3. The snow plowing and salting services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2000 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Local Improvement Ordinance No. 1455  
(Int. No. 126)

**Local Improvement Ordinance - Security At The Public Market**

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

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2000 to June 30, 2001.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that half the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2000-2001 year shall be \$26,281.31. The amount to be assessed against each parcel shall include a fee of nine hundred ninety dollars (\$990.) per parcel plus five dollars and nine cents (\$5.09) per foot of frontage. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

Property Address	SBL No.	Front Footage
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248 N. Union St.	106.660-0001-014	558.27
175 Railroad St.	106.670-0001-077	190.25
156 Public Market	106.670-0001-074	126.31
160 Public Market	106.670-0001-075	42.58
166 Public Market	106.670-0001-076	35.62
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Ave.	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Ave.	106.580-0003-026	40
17-23 Pennsylvania Ave.	106.580-0003-027	40
15 Pennsylvania Ave.	106.580-0003-028	40
11 Pennsylvania Ave.	106.580-0003-029	19.57
9 Pennsylvania Ave.	106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2000 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

By Councilmember Norwood  
April 18, 2000

To the Council:

The Housing and Community Development Committee recommends for adopted the following entitled legislation:

Int. No. 127 - Authorizing The Sale Of Real Estate

Int. No. 128 - Authorizing A Lease Agreement For The Maple Section Parking Lot

Int. No. 129 - Establishing \$25,000 As Maximum Annual Compensation For A Professional Services Agreement For Personal Wireless Communication Facility Consulting Services And Authorizing A New Agreement For A Transportation Study, As Amended

Int. No. 130 - Authorizing Agreements And Appropriating Funds For The Housing Development Fund

Int. No. 137 - Authorizing A Loan Agreement For The YWCA Women In Transition Project

Respectfully submitted,  
 Benjamin L. Douglas (Abstained vote on Introductory No. 137.)  
 Nancy K. Griswold  
 Lois J. Giess  
 Gladys Santiago  
 HOUSING AND COMMUNITY DEVELOPMENT  
 COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-117 and  
 Introductory No. 128  
 Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of five properties and the continued lease of a parking lot for the Maple patrol section.

The first property to be sold, 504-508 Atlantic Avenue, was included in the public auction of September 29, 1999. The property will be developed as a parking lot for use in conjunction with the purchaser's auto repair facility at 524 Atlantic Avenue.

The second and third properties, the east and west portions of 95 Flint Street, will be sold to the owners of the adjacent properties, both of whom will use the properties to accommodate driveway expansions. Sale of the latter property will eliminate the need for an existing easement on 95 Flint Street.

The last two properties, 35 Harvest Street and 125 Remington Street, will be sold to their former owners. The purchase prices will include all delinquent taxes, interest and penalties. The City has leased the parking lot at 293 Child Street for the Maple patrol section since 1992. The most recent agreement for use of the lot was authorized by the City Council on February 14, 1995.

The lot can accommodate 60 vehicles; an additional 10 vehicles can be accommodated on the property containing the section office. At present, 82 personnel and 32 vehicles are assigned to the section.

The proposed agreement will have an initial term of one year with provision for renewal for four additional one-year periods, at the option of the City. The annual cost of the agreement will be \$5,940, which will be financed from the current and future budgets of the Police Department. This cost is the same as the current cost.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Attachment No. Z-40

Ordinance No. 2000-117  
 (Int. No. 127)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcel of vacant land with proposal by public auction:

Address	Price	Purchaser
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<u>SBL#</u>		
504-508 Atlantic Ave.	\$6,000	Ronald Resnick
122.22-1-41 & 40		

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

<u>Address</u>	<u>Price</u>	<u>Sq. Ft.</u>
<u>SBL#</u>	<u>Purchaser</u>	
Pt. of 95 Flint St.	\$160.00	1580+/-
Pt. of 121.77-1-3.1		Grady E. & Lillie B. Jones
Pt. of 95 Flint St.	\$194.00	3002+/-
Pt. of 121.77-1-3.1		Viola Robinson

Section 3. The Council hereby further approves the sale of the following parcels of real estate to the former owners:

<u>Address</u>	<u>Price</u>
<u>SBL#</u>	<u>Purchaser</u>
35 Harvest St.	\$3,815.43
106.43-4-20	Curtis Davis, Donna Brown, Deborah Perdue, Denal Jackson
125 Remington St	\$5,884.41
106.23-1-70	Jose J. Santos

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Stevenson moved to have Introductory No. 128 returned to committee.

The motion was seconded by Councilman Thompson.

The motion was adopted unanimously.

Introductory No. 128

**AUTHORIZING A LEASE AGREEMENT FOR THE MAPLE SECTION PARKING LOT**

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 Paul Gramlich for the lease of a parking lot at 293 Child Street to be used for parking for the Maple Section office of the Rochester Police Department. The agreement shall extend for a term of one year, with an additional four one-year renewal options.

Section 2. The lease agreement shall obligate the City to pay \$495 per month in rent. Said amount shall be funded from the annual budgets of the Rochester Police Department.

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

Section 4. This ordinance shall take effect immediately.

Returned to committee.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-118  
Re: Agreement - William P. Johnson,  
Personal Wireless Communication  
Facility Siting Services

Transmitted herewith for your approval is legislation authorizing a three-year agreement with William P. Johnson, 30 Chili Avenue (Scottsville), for the continued provision of assistance to the City Planning Commission concerning the siting of personal wireless communication facilities. The maximum annual cost of the agreement will be \$25,000, which will be financed from the current and future budgets of the Department of Community Development.

As you are aware, under section 115-95 of the City Code, the Commission is responsible for the review of the location of all personal wireless communication facilities installed within the city. Applications by service providers for installations at certain locations are required to include the identification of alternative locations and the reasons why each alternative was not selected.

The Commission is specifically authorized to retain "...technical consultants as it deems necessary to provide assistance in the review of the site location alternatives analysis". The applicant is responsible for the cost of the consultants, which is assessed as an additional application fee. However, the maximum fee is limited to 5% of the total project cost, as estimated for the building permit.

The original agreement for the provision of technical assistance was authorized by the City Council on January 20, 1998. Under this agreement, Mr. Johnson has provided assistance on two occasions at a total cost of \$2,089.

Under the proposed agreement, Mr. Johnson will continue to provide the following services when requested by the City:

1. Analysis of alternative locations,
2. Verification and explanation of technical information,
3. Preparation and presentation of any required reports, and
4. Meetings with the Commission, City staff and service providers, as necessary.

Mr. Johnson's fees will continue to be \$125 per hour and \$35 per hour for travel time. He will be reimbursed for all expenses associated with the performance of the above services.

For the record, I have no relationship to Mr. Johnson.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-118  
(Int. No. 129, As Amended)

**Establishing \$25,000 As Maximum Annual Compensation For A Professional Services Agree-**

**ment For Personal Wireless Communication Facility Consulting Services And Authorizing A New Agreement For A Transportation Study**

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and William P. Johnson for consulting services relating to personal wireless communication facilities. The agreement may extend for three years. Said amount shall be funded from the 1999-2000, 2000-01 and 2001-02 Budgets of the Department of Community Development, contingent upon approval of future budgets.

Section 2. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Genesee Transportation Council for the Southern Corridor Development Impact Study. Said amount shall be funded from the 1999-2000 Budget of the Department of Community Development. Ordinance No. 89-389, relating to this study, is hereby repealed.

Section 3. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:  
Ordinance No. 2000-119  
Re: CDBG Appropriation - Housing  
Development Fund

Transmitted herewith for your approval is legislation appropriating \$79,100 from the Housing Stock and General Property Conditions allocation of the 1996-97 Community Development Block Grant to finance the continuation of the Housing Development Fund.

Establishment of the fund was authorized by the City Council on January 12, 1993. The fund is designed to assist not-for-profit organizations with the pre-development costs of affordable housing projects.

Loans of up to \$25,000 are provided to organizations for up to two years. To be eligible for a loan, an organization must...

1. Be a corporation established under the NYS Not-For-Profit Corporation Law or predecessor statutes;
2. Have operated for at least one year; and
3. Demonstrate that...
  - a. The project will provide affordable housing.
  - b. A suitable site for the project has been identified.
  - c. The organization currently lacks the financial resources to perform a detailed assessment of the project or develop a detailed funding proposal, but
  - d. The organization subsequently will have the

resources to repay the loan if the project is implemented.

An approved organization must use the proceeds of the loan for the following purposes:

- Feasibility and market studies
- Property appraisals
- Title reports and abstracts
- Survey maps
- Preliminary design documents and cost estimates
- Environmental audits
- Site control expenses, including options and legal fees
- Zoning approval fees
- Project funding applications

If, after completion of a detailed assessment, a project is determined to be unfeasible or if a funding proposal is rejected, the loan is forgiven.

To date, \$300,800 has been appropriated for the program. Loans totaling \$295,350 have been approved for nine organizations.

Three loans totaling \$75,000 were forgiven because the projects were determined to be unfeasible. Five loans totaling \$89,440 have been repaid. Currently, the following loans are outstanding:

Housing Opportunities, Inc.	
\$25,000	West Square Manor I
25,000	West Square Manor II
25,000	Monroe Place LP
14,000	Susan B. Anthony Area Feasibility Study

Highland Community Development Corporation	
25,000	Sr. Citizens' Housing 810 N. Goodman St.

Ibero-American Development Corporation	
25,000	Sr. Citizens' Housing 476 N. Clinton Avenue

The proposed appropriation will provide funds for at least three additional loans.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilwoman Griswold moved to amend Introductory No. 130.

The motion was seconded by Councilman Thompson.

The motion was adopted unanimously.

Ordinance No. 2000-119  
(Int. No. 130, As Amended)

**Authorizing Agreements And Appropriating Funds For The Housing Development Fund**

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 1996-97 Community Development Program the sum of \$[79,100] ~~50,000~~, or so much thereof as may be necessary, to continue the Housing Development Fund.

Section 2. The Mayor or his designee is hereby authorized to enter into such agreements as may be necessary to implement this program.

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

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-120  
Re: Loan Agreement -YWCA Housing Project

Transmitted herewith for your approval is legislation authorizing an agreement with the YWCA of Rochester and Monroe County for a loan of up to \$300,000 for a housing project. The loan amount will be financed from appropriations from the 1998 and 1999 HOME Programs.

The YWCA currently provides various types of housing for women. Its facility at 175 N. Clinton Avenue contains 11 emergency housing units, 47 single room occupancy units and 29 apartments for women with children.

Under the proposed project, the YWCA will convert space presently used as a child care center into seven additional apartments. The total estimated cost of conversion is \$523,000.

The U.S. Department of Housing and Urban Development has approved a grant of approximately \$223,000 for the project. The proposed loan would provide the remaining required funding unless alternative funding is obtained. Applications for such funding have been submitted to Monroe County, Federal Home Loan Bank and Martin Luther King Memorial Housing Fund.

The loan would have term of 15 years and an interest rate of 0%. Repayment would be deferred until the fifteenth year and would be waived if the apartments are used for their intended purpose for the duration of the term.

The conversion would begin in July and be completed in November. HUD also has approved a three-year grant of \$371,795 to finance the costs of support services for residents of the apartments. Training and instruction will be provided to increase employability and improve life and parenting skills.

A similar agreement, providing for loans totaling \$500,000, was authorized by the City Council on February 9, 1993 for construction of the existing housing units.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilwoman Griswold moved to amend Introductory No. 137.

The motion was seconded by Councilman Thompson.

The motion was adopted by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of the affiliated agency.

Ordinance No. 2000-120  
(Int. No. 137, As Amended)

**Authorizing A Loan Agreement For The YWCA Women In Transition 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 combined construction and permanent loan agreement with the YWCA of Rochester and Monroe County for the Women In Transition Project. The loan shall be without interest and payment deferred for 15 years, with payment forgiven if the project is utilized for its originally intended purpose for the entire period. The agreement shall be contingent upon the YWCA securing zoning approval for the Project.

Section 2. The loan agreement shall obligate the City of Rochester to pay an amount not to exceed \$300,000, and [of] said amount, or so much thereof as may be necessary, [\$107,700 is hereby appropriated from 1998 HOME Program Funds and \$192,300 is hereby appropriated from 1999 HOME Program Funds] shall be funded from the 1999-2000 City Development Fund (HOME Program Local Match).

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

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of the affiliated agency.

By Councilmember Mains  
April 18, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 131 - Cancellation Of Taxes And Charges

Int. No. 133 - Amending The 1999-2000 Budget Relating To The Water Fund And The Administration, As Amended

Int. No. 134 - Amending The 1999-2000 Budget With Respect To Cemetery Funding

Int. No. 136 - Establishing \$21,450 As Maximum Compensation For A Professional Services Agreement For An Index Of Municipal Records

The following entitled legislation is being held in committee:

Int. No. 135 - Approving Wage And Salary Increases For Employees Of The Rochester Housing Authority

Respectfully submitted,  
Brian F. Curran  
Nancy K. Griswold  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-121  
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of erroneous taxes and charges totaling \$42,801. Of the total, \$37,040.45 (87.3%) relates to the US Airports facility, for which a Business Investment Exemption was omitted. The remaining amount relates to three properties for which NYS Economic Development Zone, religious or senior citizen and STAR exemptions were omitted.

If these cancellations are approved, total cancellations for 1999-00 will be \$1,459,699.15.

	Accounts	Amounts
City Council	130	\$1,295,542.80
Administrative	259	164,156.35
Total	389	\$1,459,699.15

These cancellations represent .732% of the tax receivables as of July 1, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-121  
(Int. No. 131)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- a. The property is located in an Economic Development Zone and 100% of increased assessed value due to new construction is exempt from local taxation. The exemption recorded on the final 1999 assessment roll only exempted 50% of the increase in assessed value.

Tax Amount

<u>S.B.L.#</u>	<u>Class</u>	<u>Year</u>	<u>Cancelled</u>
105.840-02-042.1 \$1,960.97 2-6 Charles St.	NH	2000	

b. The property is owned by a tax exempt religious corporation. The final 1999 assessment roll did not reflect that exempt status.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
106.490-02-026 \$2,178.85 93 Portland Ave.	NH	2000	

c. The property qualified for a 50% Business Investment Exemption on the increase in assessed value as recorded in the final 1999 assessment roll. That assessment roll failed to reflect the exemption.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
135.130-01-001.2LS12 1 Airport Way	NH	2000	\$37,040.45

d. The property owner qualified for a 50% Senior Citizen's Exemption and an Enhanced STAR Exemption for the final 1999 assessment roll. That roll reflected a Basic STAR Exemption only.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
135.400-01-058 815-817 Thurston Rd.	H	2000	\$1,227.84
Grand Total			\$42,408.11

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-122 and  
Ordinance No. 2000-123  
Re: 1999-00 Budget Amendments

Transmitted herewith for your approval is legislation amending the 1999-00 Budget. This legislation will:

1. Increase the budget of the Department of Environmental Services (Water Fund) by \$17,800 to reflect the receipt of excess revenues;
2. Increase the Cash Capital allocation of DES (Water Fund) by \$35,000 for a similar reason; and

3. Decrease the Cash Capital allocation of the Department of Parks, Recreation and Human Services (Cemetery Fund) by \$148,000 to reflect a change in the financing plan for Mt. Hope Cemetery Chapel Stabilization Project.

Water Fund

As you are aware, the water distribution systems of the Bureau of Water and Lighting and the Monroe County Water Authority are interconnected. In July, 1999, MCWA purchased a 10" turbine meter from the City for \$5,302 for one of the connections.

In November, 1999, the Greater Rochester International Airport purchased a 10" fireline meter with a 2" bypass for its Crash Station. The cost of the meter and bypass was \$12,500.

Meters of large size generally are not kept in the normal inventory and instead are purchased on an "as needed" basis. Such purchases represent unusual or extraordinary expenses for which no provision is included in the regular equipment budget for the Water Fund.

The proposed increase in the budget will replenish the accounts from which these extraordinary expenses were paid by appropriating the unanticipated revenues that were received. The increase in the Cash Capital allocation will reflect the receipt of the initial reimbursement from the Livingston County Water and Sewer Authority for the cost of connection of its water distribution system to the City's water supply conduits.

This connection is being provided by the City pursuant to an agreement authorized by the City Council on July 23, 1996. Under this agreement, the City will sell the Authority up to three million gallons of water daily for distribution and resale to its customers.

The City will construct two connections to the Authority's distribution system. The Authority is required to reimburse the City a total of \$75,000 for these connections.

The first reimbursement, of \$35,000, was recently received with the Authority's notice to proceed. The remaining amount will be paid by completion of the connections, which is expected to occur in November.

Cemetery Fund

On December 14, 1999, the Council authorized the transfer of \$148,000 from the General Fund Cash Capital allocation to the Cemetery Fund Cash Capital allocation. The transfer was intended to partially finance certain additional costs of the Mt. Hope Cemetery Chapel Stabilization Project.

Upon review, it has been determined that the transfer is not necessary and that instead, the costs can be financed from prior years' Cash Capital allocations. The proposed legislation will therefore rescind the transfer.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-122  
(Int. No. 133, As Amended)

**Amending The 1999-2000 Budget Relating To The Water Fund And The Administration**

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

Section 1. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Environmental Services by the sum of \$17,800 and to the Cash Capital Allocation by the sum of \$35,000, which amounts are hereby appropriated from unanticipated revenues to fund the purchase of water meters and the construction of new connections to water supply conduits.

Section 2. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$127,100 from the Contingency Account to the Administration to fund the Special Projects Unit.

Section 3. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2000-123  
(Int. No. 134)

**Amending The 1999-2000 Budget With Respect To Cemetery Funding**

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

Section 1. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by deleting the transfer from Cash Capital to Cemetery Cash Capital in the amount of \$148,000, which amount was transferred in Ordinance No. 99-414 in order to fund the New Chapel at Mt. Hope Cemetery.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen

Ordinance No. 2000-124  
Re: Agreement - John Landro, Records  
Management Index Conversion

Transmitted herewith for your approval is legislation authorizing an agreement with John Landro, 345 Annie Lane, for conversion of the database of the Records Center. The maximum cost of the agreement will be \$21,450, which will be financed from the 1999-00 budget of the Department of Finance.

The Records Center contains over 15,000 cubic feet of records and processes about 2,000 transactions (record retention or retrieval requests) a year. At present, the database for the Center consists of both electronic (80%) and manual (20%) records. The capacity of the electronic system (DataEase) has been exhausted.

On November 9, 1999, the City Council authorized the receipt of a grant of up to \$30,000 to finance the costs of a review of the Center's information needs, evaluation of available computer programs for archive and records management, and conversion of the

database. Subsequently, proposals for the provision of these services were solicited from six persons or organizations.

Mr. Landro submitted the only complete proposal. As an employee of Song Technology, he previously was involved in planning and designing a system that would provide access to the City's record index through the Internet.

The proposed project is expected to be completed by June.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-124  
(Int. No. 136)

**Establishing \$21,450 As Maximum Compensation For A Professional Services Agreement For An Index Of Municipal Records**

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

Section 1. The sum of \$21,450, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and John Landro for electronic database software for an index for the City Archives and Records Center. Said amount shall be funded from the 1999-2000 Budget of the Department of Finance.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 135  
Re: RHA Salary Schedule

Transmitted herewith for your approval is legislation approving the salary and wage schedules for employees of the Rochester Housing Authority who are represented by American Federation of State, County and Municipal Employees Local 1635-F. This approval is required by Section 32 of the NYS Housing Law.

The schedule provides for the following salary and wage increases:

Effective Date	Percent Increase
July 1, 1999	2.5%
July 1, 2000	2.0
July 1, 2001	2.0

These increases are equal to the increases negotiated by the City for its employees who are represented by AFSCME.

The collective bargaining agreement providing for the aforementioned increases was ratified by the members of Local 1635-F on March 7. The agreement was approved by the RHA Board of Commissioners on March 23.

Respectfully submitted,  
William A. Johnson, Jr.

Mayor

REGULAR MEETING  
May 16, 2000

Introductory No. 135

**APPROVING WAGE AND SALARY INCREASES FOR EMPLOYEES OF THE ROCHESTER HOUSING AUTHORITY**

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

**Section 1. Pursuant to Section 32 of the New York State Public Housing Law, the Council hereby approves wage and salary increases for the bargaining unit employees of the Rochester Housing Authority, including certain increases retroactive to July 1, 1999, as approved by the Board of Commissioners of the Rochester Housing Authority on March 23, 2000.**

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

**Held in committee.**

**The meeting was adjourned at 8:46 P.M.**

**CAROLEE A. CONKLIN  
City Clerk**

\*\*\*\*\*

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - None - 0.

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

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

**APPROVAL OF THE MINUTES**

By Councilmember Stevenson

RESOLVED, that the minutes of the Regular Meeting April 18, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

- The Mayor submits the following:
  - Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3641-7
  - Quarterly Reports. 3642-7

**THE COUNCIL PRESIDENT - PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.**

A petition signed by 142 people was filed and formally received by Council opposing the proposed rate increase at the High Falls Garage. Petition No. 5086

**PUBLIC HEARINGS**

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Upgrading Of Landscape Features For The Cascade Historic District Int. No. 152 No speakers.

Local Improvement Ordinance - Areaway Abandonment At 4472-76 Lake Avenue As A Part Of The Lake Avenue Public Improvement Project Int. No. 153 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Joseph C. Wilson Boulevard Pedestrian Lighting District Int. No. 154 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District I Int. No. 155 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District II Int. No. 156 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District I Int. No. 157 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting And Sidewalk District II Int. No. 158 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Cascade Historic Street Lighting District Int. No. 159 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Urban Renewal District Street Lighting Upgrade Project Int. No. 160 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Main Street Improvements Int. No. 161 No speakers.

Approving Change In Traffic Flow On Breck Street Between Barnum Street And Herkimer Street From Two-Way To One-Way Eastbound Int. No. 162 Two speakers: Jonathan Leach and Theresa McWitts.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Downtown Guides And Authorizing An Agreement Int. No. 177 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Merchants/Winton Road Open Space District Int. No. 188 No speakers.

Authorizing An Amendatory Application And Agreement For The 1999-2000 Community Development Program And An Agreement For A Float Loan For The Anthony Square Project And Amending Ordinance No. 99-377 And Authorizing Environmental Indemnification, As Amended Int. No. 189 No speakers.

Authorizing An Amendatory Application And Agreement For The 1999-2000 Community Development Program For A Float Loan For The HUD Asset Control Area Partnership Program And Amending Ordinance No. 99-349 Int. No. 190 No speakers.

Continuation Of Local Improvement Ordinance No. 1298 Relating To The South Avenue Neighborhood Commercial Parking Lot Int. No. 191 No speakers.

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas Int. No. 192 No speakers.

Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Administrative Decisions And Appeals Int. No. 193 No speakers.

Changing The Zoning Classification Of 1600 South Avenue From IPD To IPD#9-A1 Sigl Center And Amending The Current Plan For IPD#9 Int. No. 194 No speakers.

Changing The Zoning Classification Of 151 Bernice Street From T-P Transitional Parking To M Manufacturing Industrial Int. No. 195 Two speakers: John Caruso and Orin Wilbur.

Approving The Consolidated Community Development Program/2000-01 Annual Action Plan Int. No.

196 One speaker: Ruhi Maker.

#### INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-125  
Re: Moratorium Extension -  
Adult Uses Special Permits

Transmitted herewith for your approval is legislation extending the moratorium on all new and pending applications for Certificates of Zoning Compliance for the establishment, extension, expansion, enlargement or increase in intensity of adult entertainment establishments and adult bookstores.

Section 115-29.E.(1)(f) of the present Zoning Ordinance requires that a special permit be obtained from the Planning Commission for the use of properties within specified zoning districts for adult entertainment or adult bookstore purposes. In February, 1999, an action challenging this requirement was brought in federal court by a person whose special permit application had been denied by the Commission.

The case was settled by a Stipulation and Order in March, 1999. The Order permanently enjoined the City from requiring a special permit for the establishment of adult uses.

As you know, a comprehensive review and revision of the Zoning Ordinance is currently being performed. It is anticipated that the revision will be completed in the fall.

However, because of the Stipulation and Order, it was recommended that review and revision of the provisions of the Zoning Ordinance relating to adult uses be accelerated. It was estimated that the accelerated revision could be completed within six months.

It was further recommended that, until the accelerated revision was completed, a moratorium on applications for adult use compliance certificates be imposed. The City Council approved such a moratorium on November 9, 1999.

The revision of the provisions of the Zoning Ordinance relating to adult uses has required more time than originally expected. An extension of the moratorium until August 31 is therefore requested.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-125  
(Int. No. 209)

#### **Continuing A Moratorium On Applications For Certificates Of Zoning Compliance For Adult Bookstores And Adult Entertainment Establishments**

WHEREAS, by Ordinance No. 99-408, a six (6) month moratorium on the acceptance of applications and action on pending applications for Certificates of Zoning Compliance for the establishment, extension, expansion, enlargement or increase in intensity of adult entertainment establishments and adult bookstores in the City was enacted in order to prevent the establishment of new adult uses while a comprehensive study of the impact of adult uses in the community

can be conducted; and

WHEREAS, the information necessary to complete the study has been substantially gathered. Adult businesses have been identified and inspected, business owners and interested groups and members of the public have had an opportunity to be heard, a survey of appraisers has been conducted, cases and studies from other municipalities have been reviewed, and City records have been reviewed. Additional time is now needed to compile the study and make appropriate recommendations.

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

Section 1. The moratorium on the acceptance of applications and action on pending applications for Certificates of Zoning Compliance for the establishment, extension, expansion, enlargement or increase in intensity of adult entertainment establishments and adult bookstores in the City, as established in Ordinance No. 99-408, shall continue through August 31, 2000. During this moratorium period, the study relating to the location and operation of such adult uses shall be completed, and proposed revisions to the Zoning Ordinance and other sections of the Municipal Code developed, in order to mitigate any secondary effects of such uses.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson  
May 16, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 143 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$254,000 Bonds Of Said City And The Application Of \$1,988,000 In Current Funds Of The City To Finance The Reconstruction Of Certain Streets Related To The Milling And Resurfacing Program

Int. No. 144 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$528,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains In The City Related To The Milling And Resurfacing Program

Int. No. 145 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$530,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Milling And Resurfacing And Residential Street Improvement Programs

Int. No. 148 - Authorizing An Agreement With The Rochester-Genesee Regional Transportation Authority For The Fueling Of City Vehicles

Int. No. 151 - Establishing \$24,000 As Maximum Compensation For A Professional Services Agreement For Forest Resource Management Services

Int. No. 202 - Resolution Approving An Appoint-

ment To The Rochester Environmental Commission

Int. No. 119 - Approving Change In Traffic Flow On Murray Street Between Otis Street And Lyell Avenue From One-Way Northbound To One-Way Southbound

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 146 - Establishing \$18,000 As Maximum Compensation For An Amendatory Professional Services Agreement With LEaD For Customer Services Training

Int. No. 147 - Establishing \$6,000 As Maximum Compensation For An Amendatory Professional Services Agreement With The Organizational Development Group For Training

Int. No. 149 - Establishing \$20,000 As Maximum Compensation For A Professional Services Agreement With Andrea Whitcomb For The Continuation Of The "Greta" Program

Int. No. 150 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement With The Greater Rochester Metro Chamber Of Commerce, Inc. For The Highway Beautification Project

Int. No. 152 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Upgrading Of Landscape Features For The Cascade Historic District

Int. No. 153 - Local Improvement Ordinance - Areaway Abandonment At 4472-76 Lake Avenue As A Part Of The Lake Avenue Public Improvement Project

Int. No. 154 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Joseph C. Wilson Boulevard Pedestrian Lighting District

Int. No. 155 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District I

Int. No. 156 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District II

Int. No. 157 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District I

Int. No. 158 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting And Sidewalk District II

Int. No. 159 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Cascade Historic Street Lighting District

Int. No. 160 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Urban Renewal District Street Lighting Upgrade Project

Int. No. 161 - Local Improvement Ordinance

- Establishing The Cost Of The Special Work And Services Related To Main Street Improvements

Int. No. 162 - Approving Change In Traffic Flow On Breck Street Between Barnum Street And Herkimer Street From Two-Way To One-Way Eastbound

Respectfully submitted,  
 Robert J. Stevenson  
 Brian F. Curran (Voted against Introductory Nos. 146, 147, 149 and 150).  
 Tony M. Thompson  
 PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance Nos. 2000-126, 2000-127 and 2000-128

Re: Bonds - Street Improvement Program

Transmitted herewith for your approval is legislation to authorize the issuance of bonds totaling \$1,312,000 and appropriate the proceeds thereof to finance the 1999-00 Street Improvement Program.

The program provides for the resurfacing of approximately one mile of streets, the rehabilitation or reconstruction of approximately one mile of streets, and replacement of approximately two miles of curbs and other related improvements including sidewalks, lighting, landscaping, water and sewer facilities. A listing of the projects included in the 1999-00 program is attached.

The following funds are required for the program.

	<u>Milling and Resurfacing</u>	<u>Residential Street Rehabilitation</u>	<u>Total</u>
Cash Capital - Street	\$1,988,000	\$2,242,000	\$4,230,000
Bonds -			
Street	254,000	0	254,000
Water	528,000	0	528,000
Sewer	316,000	214,000	530,000
Monroe County Reimbursements	<u>80,000</u>	<u>50,000</u>	<u>130,000</u>
Total	<u>\$3,166,000</u>	<u>\$2,506,000</u>	<u>\$5,672,000</u>

Provision for the cash capital allocations and County reimbursements is included in the 1999-00 budget. The proposed legislation will authorize the required bond issues.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Attachment No. Z-41

Ordinance No. 2000-126  
 (Int. No. 143)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$254,000 Bonds Of Said City And The Application Of \$1,988,000 In Current Funds Of The City To Finance The Reconstruction Of Certain Streets Related To The Milling And Resurfacing Program**

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain streets related to the 2000 Milling and Resurfacing Program in the City (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,242,000. The plan of financing includes the issuance of \$254,000 bonds of the City, and said amount is hereby appropriated therefor, and the application of \$1,988,000 in current funds of the City to finance the balance of said cost, 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 \$254,000 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 \$254,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20. of the Law, is fifteen (15) years.

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

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

to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-127  
(Int. No. 144)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$528,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains In The City Related To The Milling And Resurfacing Program**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the 2000 Milling And Resurfacing Program in the City. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$528,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$528,000 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 \$528,000 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 \$528,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the

Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-128  
(Int. No. 145)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$530,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Milling And Resurfacing And Residential Street Improvement Programs**

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 construction and reconstruction of certain sewer improvements related to the 2000 Milling and Resurfacing and Residential Street Improvement Programs in the City (the "Project"). The total estimated cost of said class of objects or purposes authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$530,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$530,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$530,000 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 \$530,000. 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 for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.4 of the Law, is forty (40) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-129  
Re: Agreement - RGRTA, Vehicle Fueling

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester-Genesee Regional Transportation Authority for the continued refueling of City vehicles at the RGRTA

facility at 1372 E. Main Street. Such an agreement is authorized by section 119-o of the NYS General Municipal Law.

The City is involved in several cooperative refueling programs. It provides refueling services to Monroe County, the U.S. Marshal and the Rochester Housing Authority under agreements authorized by the City Council on April 12 and November 9, 1994 and May 12, 1998, respectively, and receives refueling services from RGRTA under an agreement authorized by the Council on the latter date.

Under this agreement, RGRTA provides unleaded fuel to City vehicles - primarily police vehicles - operating on the east side of the city to permit the vehicles to avoid the need to travel to the Central Vehicle Maintenance Facility. During the past eight months, 55,630 gallons of fuel have been dispensed to City vehicles.

Under the proposed agreement, RGRTA will continue to provide refueling services. The City will reimburse RGRTA for the actual cost of the fuel and pay an administrative and service charge of \$.15 per gallon, which is \$.10 more than the present charge but equal to the charge imposed by the City for the refueling services it provides to other governments.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-129  
(Int. No. 148)

**Authorizing An Agreement With The Rochester-Genesee Regional Transportation Authority For The Fueling Of City Vehicles**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) whereby RGRTA shall provide fueling for City vehicles on the east side of the City for one year, with an option to renew for an additional year. The agreement shall obligate the City to reimburse RGRTA at the rate of \$.15 per gallon over RGRTA's cost of fuel, which amounts shall be funded from the annual Budgets of the user Departments.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-130  
Re: Agreement - Bruce Robinson, Inc.,  
Watershed Forest Management

Transmitted herewith for your approval is legislation authorizing an agreement with Bruce Robinson, Inc., of Jamestown, for forest management services in the City's upland watershed area. The maximum cost of this agreement will be \$24,000, which will be financed for the 2000-01 budget of the Department

of Environmental Services (Water Fund).

The watershed area for Hemlock and Canadice Lakes, the City's water supply, consists of about 39,000 acres. Of this total, approximately 7,200 acres are owned by the City and are subject to its management.

A management plan for the latter area was completed, by Robinson, in June, 1993. A copy of this plan is on file in the Office of the City Clerk.

The primary goal of the plan is to ensure a high quality of water. Secondary goals include the retention of open space, maintenance of a healthy and varied forest and stabilization or enhancement of wildlife habitat.

To achieve these goals, the City Council has periodically authorized agreements with Robinson for forest management services. The most recent agreement, which was authorized by the Council on May 11, 1999, is scheduled to expire on June 30.

Proposals for forest management services after this date were solicited from 17 organizations and individuals. Two proposals were received. Robinson is recommended based upon comparative costs and his past performance.

Under the proposed agreement, Robinson will continue to provide the following services:

1. Maintenance of property boundaries;
2. Removal of stressed trees;
3. Selection of timber for harvest, preparation of a prospectus and oversight of the harvest and clean-up;
4. Oversight of soil erosion control and trail construction;
5. Monitoring of pest infestation;
6. Periodic inspections to evaluate the general health of the forest;
7. Public presentations about the City's forest management activities; and
8. Forest management training for City personnel.

The agreement will have an initial term of one year with provision for renewal for four additional one-year periods. The cost of the proposed agreement is \$5,700 less than the cost of the current agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-130  
(Int. No. 151)

**Establishing \$24,000 As Maximum Compensation For A Professional Services Agreement For Forest Resource Management Services**

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

Section 1. The sum of \$24,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bruce E. Robinson, Inc. for forest resource management services for the

Hemlock Lake Watershed. Said amount shall be funded from the 2000-01 Budget of the Department of Environmental Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-15  
Re: Appointment - Rochester  
Environmental Commission

Transmitted herewith for your approval is legislation confirming the appointment of Cindy Gotobed, 145 Fairfax Road, to the Rochester Environmental Commission.

Ms. Gotobed will replace Patricia Callo, who relocated to California. Her term will extend through May 31, 2003.

A copy of Ms. Gotobed's resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-15  
(Int. No. 202)

**Resolution Approving An Appointment To The Rochester Environmental Commission**

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

Section 1. The Council hereby approves the appointment of Cindy Gotobed, 145 Fairfax Road, to the Rochester Environmental Commission for a term which shall expire on May 31, 2003. Ms. Gotobed will replace Patricia Callo who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Introductory No. 119 was introduced April 18, 2000, and appears in its original form with its transmittal letter on page 105 and 106 of the current Council Proceeding.

Attachment No. Z-38

Ordinance No. 2000-131  
(Int. No. 119)

**Approving Change In Traffic Flow On Murray Street Between Otis Street And Lyell Avenue From One-Way Northbound To One-Way Southbound**

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-132 and  
Ordinance No. 2000-133

Re: Agreements - DES Personnel Training

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following organizations for the provision of training services to certain personnel of the Department of Environmental Services.

<u>Organization</u>	<u>Address</u>	<u>Maximum Cost</u>
LEaD Organizational Development Group	70 Linden Oaks 51 Bonita Drive	\$18,000 6,000

The costs of the agreements will be financed from the 1999-00 budget of the Department of Environmental Services.

The original agreement with LEaD (Leadership, Education and Development) was authorized by the City Council on July 22, 1997. Amendatory agreements were authorized by the Council on June 16, 1998 and February 16, 1999.

Under the first two agreements, LEaD provided a total of 144 hours of instruction for personnel assigned to the Office of Customer Satisfaction. Under the third agreement, it provided 60 hours of instruction for certain personnel assigned to the Bureau of Architecture and Engineering.

Under the proposed additional amendatory agreement, LEaD will provide an additional 15 six-hour training sessions on the following subjects:

1. Project teams
2. Customer service culture
3. Personal empowerment
4. Effective listening
5. Professional image enhancement
6. Creativity and building strong inter-department teams

The instruction is expected to be provided to about 15 personnel of the Office of Customer Satisfaction, as well as other departmental personnel significantly involved in customer service.

The original agreement with ODG was executed in January, 1998. Amendatory agreements were authorized by the Council on April 14 and September 15, 1998.

Under the first two agreements, ODG provided 32 hours of instruction for 54 first-line supervisors. Under the third agreement, it provided an additional 32 hours of instruction.

Under the proposed additional amendatory agreement, ODG will provide an additional eight half-day workshops on the following subjects:

1. Introduction to policies and procedures
2. Focus and discussion groups
3. Departmental values
4. Coaching and self-appraisal

The instruction is expected to be provided to about 58 supervisors.

If the proposed amendatory agreements are approved, the total cost of the agreement with LEaD will increase to \$60,000, while the total cost of the agreement with ODG will increase to \$24,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-132  
(Int. No. 146)

**Establishing \$18,000 As Maximum Compensation For An Amendatory Professional Services Agreement With LEaD For Customer Services Training**

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

Section 1. The sum of \$18,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LEaD for additional customer service training for the Department of Environmental Services. Said amount shall be funded from the 1999-2000 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-133  
(Int. No. 147)

**Establishing \$6,000 As Maximum Compensation For An Amendatory Professional Services Agreement With The Organizational Development Group For Training**

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

Section 1. The sum of \$6,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and The Organizational Development Group for additional training for supervisors of the Department of Environmental Services. Said amount shall be funded from the 1999-2000 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-134  
Re: Agreement - Andrea Whitcomb,  
"Greta Program"

Transmitted herewith for your approval is legislation authorizing an agreement with Andrea Whitcomb, 91 Sunset Drive, for the continuation of the "Greta Program". The maximum cost of this agreement will be \$20,000, which will be financed from the 2000-01 budget of the Department of Environmental Services.

The "Greta Program" is an educational effort designed to increase the awareness of youth to the problems of

litter and graffiti and the benefits of refuse recycling. Its principal components are performances, workshops, school classroom visits and presentations at City recreation centers and community events.

Ms. Whitcomb, as Greta, has presented the program since 1989. The most recent agreement with Ms. Whitcomb was authorized by the City Council on June 15, 1999.

During 1999-00, the program has been presented to over 4,200 youths through 200 performances at city schools, libraries, recreation centers, and neighborhood events. In addition, over 2,000 adults and children have seen Greta at special events at High Falls, the Museum Science Fair, and the Lilac Parade.

Under the proposed agreement, during 2000-01, Ms. Whitcomb will provide 200 performances and workshops, which is the same number provided in 1999-00. The cost per performance (\$100) will remain the same.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-134  
(Int. No. 149)

**Establishing \$20,000 As Maximum Compensation For A Professional Services Agreement With Andrea Whitcomb For The Continuation Of The "Greta" Program**

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Andrea Whitcomb for the continuation of the "Greta" Program. Said amount shall be funded from the 2000-01 Budget of the Department of Environmental Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:  
Ordinance No. 2000-135  
Re: Agreement - Chamber of Commerce,  
Highway Beautification

Transmitted herewith for your approval is legislation authorizing an agreement with the Greater Rochester Metro Chamber of Commerce, Inc., 55 St. Paul Street, for the continued financial support by the City of the I490 Highway Beautification Project. The maximum cost of this agreement will be \$50,000 which will be financed from the 2000-01 budget of the Department of Environmental Services.

The beautification project was initiated in 1990 as a public/private collaborative effort to improve the appearance of the Inner Loop and the portion of route I-490 between the Erie Canal on the west and "can of worms" on the east. Since its inception, the project has been administered by the Chamber.

The project involves the cleaning, trimming, mowing and landscaping of the sides and medians of the

forementioned highways, a total distance of eight miles, between April and October 31 of each year. The work is performed by private contractors, State and City crews, inmates from the Monroe County jail, and volunteers.

The cost of the proposed agreement is the same as the cost of the prior agreement. A similar agreement, for continued financial support from the County, is expected to be approved by the Legislature at its meeting on June 13.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-135  
(Int. No. 150)

**Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement With The Greater Rochester Metro Chamber Of Commerce, Inc. For The Highway Beautification Project**

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Greater Rochester Metro Chamber of Commerce, Inc. for the Highway Beautification Project. Said amount shall be funded from the 2000-01 Budget of the Department of Environmental Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1456  
Re: Cascade Historic District

Transmitted herewith for your approval is legislation authorizing a special assessment of \$2,960 against the 29 properties located within the Cascade Historic District.

The special assessment district was established by the City Council on February 16, 1999 to finance the annual costs of maintenance of the special landscaping that was included in the Cascade Historic District Improvement Project. This landscaping included a berm on the north side of Cascade Drive and decorative tree grates and planters.

The costs will be apportioned based upon the front footage of the properties. If the proposed legislation is approved, the assessments for individual properties will be prepared and submitted to the Council for consideration. Property owners will be provided with an opportunity to review these assessments and to comment upon them at a public hearing.

A public hearing on the proposed legislation is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Local Improvement Ordinance No. 1456  
(Int. No. 152)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Upgrading Of Landscape Features For The Cascade Historic District**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the upgrading of landscape features for the Cascade Historic District is established at \$2,960.00. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1430.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1457  
Re: Local Improvement Assessment -  
Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation appropriating \$1,400 from the Local Improvement Fund to partially finance the cost of abandonment of an underground areaway at 4472-76 Lake Avenue and authorizing the subsequent assessment of this amount against the property.

The abandonment will be included in the Lake Avenue Improvement Project, which extends from the north limit of the Stutson Street Bridge Replacement Project to a point west of the intersection of Lake and Beach Avenues. The project was designed by Bergmann Associates pursuant to an agreement authorized by the City Council on October 10, 1998 and March 25, 1999.

Besides the abandonment, the project includes various changes in pavement width, the realignment of the Beach Avenue intersection and installation of a raised pedestrian median at the intersection; reconstruction of rehabilitation of the pavement; installation of a new water main north of the CSX bridge and new water services and hydrants; replacement of curbs and driveway aprons; increases in the width of sidewalks and the installation of curb extensions at crosswalks and recessed parking areas; the installation of special street lights with decorative poles and banners fixtures; and landscaping. The changes in pavement width were approved by the Council on June 24, 1999.

Bids for construction of the project were received on February 29. The estimated total cost of construction is \$3,895,000, including inspection services and contingencies.

The cost of the abandonment of the underground areaway will be financed equally by the City and the owner of the property, in accordance with the underground areaway policy adopted by the Council on March 21, 1981. The City's share of the cost

will be financed from the proceeds of the bond issue authorized by the Council on March 21 to finance the costs of the project.

The City will pre-finance the property owner's share of the cost. The owner will repay the City over two years. The interest rate will be 1% above the City's borrowing rate.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-42

Local Improvement Ordinance No. 1457  
(Int. No. 153)

**Local Improvement Ordinance - Areaway Abandonment At 4472-76 Lake Avenue As A Part Of The Lake Avenue Public Improvement Project**

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

Section 1. The Council hereby authorizes the special treatment of the areaway at 4472-76 Lake Avenue as part of the Lake Avenue Public Improvement Project in the form of the abandonment of said areaway and the construction or reconstruction of the necessary incidentals thereto in accordance with plans and specifications prepared or approved by the City Engineer.

Section 2. The improvements and work described in Section 1 shall be constructed in accordance with the provisions of Chapter 10 of the Municipal Code and shall be done by contract.

Section 3. The limits of the District of Assessment for the improvements and work described in Section 1 shall be the following property, in amounts not to exceed the following:

Address 4472-76 Lake Ave.  
SBL No. 047.620-01-32  
Owner Holy Cross Church of Rochester  
Amount \$1,400

Section 4. The cost of improvements and work described in Section 1, including the cost of any necessary professional design and engineering work, not to exceed \$1,400, plus interest at a rate 1% above the City's "latest borrowing rate" on the unpaid balance, shall be assessed on the property within the limits of the district of assessment described above, in the amounts set forth above. The Council hereby deems such property to be benefited by such improvements and proper to be assessed therefor. The City's "latest borrowing rate" shall be the most recent rate at which the City shall have sold long-term bonds prior to the date of initial billing of the assessments.

Section 5. The assessments shall be billed after the completion of the improvements and work described, and shall be due in two equal annual installments. Any assessment not paid by May 15 after its due date may be added to the upcoming annual tax bill for the property.

Section 6. The total cost of said improvements and work, up to \$1,400, shall be charged as described in this ordinance and paid from the local improvement fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance Nos.  
1458,  
1459, 1460, 1461, 1462, 1463 and 1464  
Re: Street Lighting Districts

Transmitted herewith for your approval is legislation approving the appropriations and assessments for seven street lighting districts.

District	2000-01	1999-00	Variance
Wilson Blvd. \$(1,056.45)	\$ 625.77	\$1,682.22	
Lyell Avenue I	2,148.13	2,096.57	51.56
Lyell Avenue II	2,358.37	2,352.55	5.82
Monroe Avenue I 80.14	1,392.63	1,312.49	
Monroe Avenue II	607.06	602.62	4.44
Cascade Drive/ Washington St. (8.68)	1,548.32	1,557.00	
Norton Street	1,312.02	1,310.00	2.02

The districts were established to either enhance lighting levels and thereby improve security and safety in the affected area or enhance for aesthetic appearances. The costs of the original enhancements were financed by the University of Rochester (Wilson Boulevard); Community Development Block Grants funds (Lyell Avenue); City funds (Monroe Avenue) or federal funds (Cascade/Washington).

The proposed assessments represent the costs of energy and maintenance or the amortization of capital costs. They will be apportioned among the properties within the districts on the basis of front footage.

The Wilson Boulevard district, which includes only property owned by the U. of R. was established by the City Council on May 9, 1995. The enhancements involved the installation of six additional lighting fixtures.

The first Lyell Avenue district was established by the Council on August 11, 1992. It includes 72 properties along the portion of Lyell Avenue between State and Broad Streets and at the intersections of Lyell and Saratoga Avenue, Verona Street and Amber Place.

The enhancements involved the replacement of 250-watt fixtures with 400-watt fixtures on 25 poles along the street. It also involved the replacement of 100/150-watt fixtures with 250-watt fixtures on four poles at the aforementioned intersections.

The second Lyell Avenue district was established by the Council on May 9, 1998. It includes 95 properties along the portion of Lyell Avenue between Broad and Hague Streets and at the intersections of Orchard and Whitney Streets.

The enhancements involved the replacement of 250-watt fixtures with 400-watt fixtures on 29 poles along the street. It also involved the replacement of 100/150-watt fixtures with 250-watt fixtures on two poles at the intersections.

The Monroe Avenue districts were established by the Council on March 18, 1998. The first district includes 102 properties along the portion of Monroe Avenue between the Inner Loop and Interstate 490, while the second district includes 68 properties along the portion of Monroe Avenue between Interstate 490 and Culver Road.

The enhancements on the Monroe Avenue districts included pole fluting, and the installation of pedestrian level lighting fixtures and banner brackets.

The Cascade/Washington district was established by Council on February 17, 1999. It includes 29 properties along Cascade Drive and Washington Street from W. Main Street to the north end. The enhancements include post top ornamental poles.

The Norton Street district was established by the Council on May 12, 1998. It includes nine properties within the 14621 Industrial Park. The enhancements include acorn fixtures.

The significant reduction in the proposed assessment for the Wilson Boulevard district reflects the inclusion in last year's assessment of a charge for replacement of a pole.

Public hearings are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-43

Local Improvement Ordinance No. 1458  
(Int. No. 154)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Joseph C. Wilson Boulevard Pedestrian Lighting District**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Joseph C. Wilson Boulevard Pedestrian Lighting District is established at \$625.77. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1374.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1459  
(Int. No. 155)

**Local Improvement Ordinance - Establishing**

**The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District I**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Lyell Avenue Street Lighting District I is established at \$2,148.13. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1340.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1460  
(Int. No. 156)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District II**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Lyell Avenue Street Lighting District II is established at \$2,358.37. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1377.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1461  
(Int. No. 157)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District I**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Monroe Avenue Street Lighting District I is established at \$1,392.63. Said amount, along with previously approved capital costs, shall be allocated and levied in accordance with Local Improvement Ordinance No. 1413.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran,

Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1462 (Int. No. 158)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting And Sidewalk District II**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Monroe Avenue Street Lighting and Sidewalk Upgrade District II is established at \$607.06. Said amount, along with previously approved capital costs, shall be allocated and levied in accordance with Local Improvement Ordinance No. 1412.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1463 (Int. No. 159)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Cascade Historic Street Lighting District**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Cascade Historic Street Lighting District is established at \$1,548.32. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1429.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1464 (Int. No. 160)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Urban Renewal District Street Lighting Upgrade Project**

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

Section 1. The cost of the special work and services

for the 2000-01 fiscal year for the Norton Street Urban Renewal District Street Lighting Upgrade Project is established at \$1,312.02. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1422.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL: Ladies and Gentlemen:

Local Improvement Ordinance No. 1465 Re: 2000-01 Downtown Enhancement District

Transmitted herewith for your approval is legislation approving the 2000-01 budget of the Downtown Enhancement District and apportioning the budget costs among the various properties in the District.

The District was originally authorized by the City Council on May 16, 1989 and was reauthorized on May 10, 1994 and May 11, 1999. It is designed to provide a special or enhanced level of care and maintenance in the downtown area.

In general, the District includes (1) all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad street on the south, and Plymouth Avenue on the west, as well as (2) all other properties within 1600 feet of Main Street that are included in the enclosed walkway system.

The District is administered by the Department of Environmental Services. An advisory committee, consisting of 13 representatives of property owners or tenants, oversees DES' administration. The annual costs of the special services provided within the District are restricted by formula - an amount equal to the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index - unless otherwise approved by the advisory committee. The costs are apportioned among the properties within the District in accordance with a two-factor, two-zone formula.

With respect to factors, 50% is allocated based upon the assessed valuation of a property while 50% is allocated based upon its gross area. With respect to zones, the allocation factor of properties directly on Main Street or with direct access to Main Street via the enclosed walkway system are weighted at twice the factors of all other properties. All parking lots and garages, regardless of location, are included in the latter category.

The maximum permissible budget for 2000-01, based upon the 11 year cumulative increase in the CPI (37.5%), is \$550,000. The recommended budget is \$484,600, which is \$1,400 (.3%) higher than the 1999-00 amount.

Category of Expense	Proposed 2000-01	1990-00	Variance
Salaries & Wages	\$314,500	\$300,100	\$14,400

Employee Benefits	52,700	49,300	3,400
Personal Services	367,200	349,400	17,800
Materials & Supplies	89,800	78,300	11,500
Contractual Services	32,800	55,900	(23,100)
Operational Expense	489,800	483,600	6,200
Less Operating Revenues	(15,000)	(10,000)	(5,000)
Required Assessments	474,800	473,600	1,200
Reserve for Uncollected Accounts	9,800	9,600	200
Total	\$484,600	\$483,200	\$ 1,400

The increase in the allocation for salaries and wages reflects the negotiated settlement with Local 1635 of the American Federation of State, County and Municipal Employees and 36 additional weekend cleanups. The increase in the allocation for materials and supplies reflects an increase in replacement parts for Main Street amenities, cleaning supplies, and tools. The decrease in contractual services reflects decreases in professional fees and motor equipment and water charges. At its meeting on February 16, the Enhancement District Committee voted to adopt the proposed budget by 4 to 0.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Local Improvement Ordinance No. 1465  
(Int. No. 161)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Main Street Improvements**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Downtown Enhancement District is established at \$484,600. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinance No. 1355 and Local Improvement Ordinance No. 1444.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-136  
Re: Traffic Direction Change - Breck Street

Transmitted herewith for your approval is legislation authorizing a change in traffic direction on Breck Street, between Barnum and Herkimer Streets, from two-way to one-way eastbound. The change will be temporary, for a six-month period, unless another petition is submitted by residents of the street.

A petition for the change was submitted by 60% of

the residents. It is intended to determine if the change would assist in reducing drug sales on the street.

The proposed change was endorsed by the Traffic Control Board on April 18. A public hearing on the change is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-44

Ordinance No. 2000-136  
(Int. No. 162)

**Approving Change In Traffic Flow On Breck Street Between Barnum Street And Herkimer Street From Two-Way To One-Way Eastbound**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Breck Street between Barnum Street and Herkimer Street from two-way to one-way eastbound.

Section 2. This ordinance shall take effect on June 1, 2000 and shall expire on December 1, 2000.

Passed unanimously.

By Councilmember Douglas  
May 16, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 163 - Authorizing Agreements For The Clarissa Street Reunion And Amending The 1999-2000 Budget

Int. No. 164 - Authorizing Applications And Agreements Relating To The 2000 Good Grades Pay Program, As Amended

Int. No. 165 - Authorizing Agreements For Human Services Projects

Int. No. 166 - Authorizing Agreements For The Local Law Enforcement Block Grant Program

Int. No. 167 - Authorizing An Application And Agreement For Funding From The New York State Crime Victims Board

Int. No. 199 - Authorizing An Agreement For A Terrorism Preparedness Grant And Amending The 1999-2000 Budget

Int. No. 206 - Authorizing An Agreement For Reimbursement Of The Cost Of A New Scoreboard For The Blue Cross Arena At The War Memorial

The Public Safety/Public Services Committee recommends for consideration the following entitled legislation:

Int. No. 203 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$862,000 Bonds Of Said City In Addition To Bonds Previously Authorized And Authorizing Expenditure

Of Additional Funds To Finance The Cost Of Planning And Implementing Various Infrastructure Improvements Related To The Rochester Public Market

Ordinance No. 2000-137  
(Int. No. 163)

Int. No. 204 - Establishing \$124,000 As Maximum Compensation For A Professional Services Agreement For Engineering Inspection Services For The Public Market Improvement Program

Int. No. 205 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,450,000 Bonds Of Said City To Finance The Cost Of The Purchase And Installation Of Various Electronic Equipment In The Blue Cross Arena At The War Memorial In The City

Respectfully submitted,  
Benjamin L. Douglas (Abstained vote on Introductory No. 165).  
Robert J. Stevenson  
Tony M. Thompson  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-137  
Re: Clarissa Street Reunion

Transmitted herewith for your approval is legislation relating to the Clarissa Street Reunion. This legislation will:

1. Authorize agreements with the following organizations:
  - a. NYS Office of Parks, Recreation and Historic Preservation, for receipt of a grant of up to \$10,000,
  - b. Clarissa Street Reunion Committee, for use of these funds; and
2. Amend the 1999-00 budget of the Department of Parks, Recreation and Human Services to reflect such receipt and use.

Historically, Clarissa Street was the center of the social, cultural and public life for African-Americans in the former Third Ward. However, the area lost much of its vibrancy because of the displacement that occurred with the urban renewal activities that began in the 1960s.

The Clarissa Street Reunion, which was initiated in 1995, is an attempt to recapture - at least temporarily - some of this vibrancy by encouraging former residents to return "home". The reunion includes parades, food and music on three stages along a six block area.

The 2000 Reunion is scheduled for August 19. The budget for the Reunion, which is produced by the Clarissa Street Reunion Committee (chair: Alton Owens), is \$26,500.

The proposed grant, which was included in the 1999-00 NYS Budget through the efforts of Assemblyman Gantt, will finance a portion of the Reunion costs. The remaining portion will be financed through fund-raising.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

**Authorizing Agreements For The Clarissa Street Reunion And Amending The 1999-2000 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for the Clarissa Street Reunion.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Clarissa Street Reunion Committee for the Clarissa Street Reunion.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

Section 4. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$10,000, which amount is hereby appropriated from funds to be received from the State of New York for the Clarissa Street Reunion.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-138  
Re: Agreements - Good Grades Pay!  
Program

Transmitted herewith for your approval is legislation authorizing agreements with five organizations for participation in the 2000 Good Grades Pay! Program. The total maximum cost of these agreements will be \$210,000, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services.

The program, which was initiated in 1996, provides summer jobs to city youths who maintained at least a "C" grade average during the preceding school year, who had an attendance rate of at least 90% and who had no disciplinary problems. The costs of the program are financed by the City's General Fund and private companies and contributions; previously, the costs were also financed from the Job Training Partnership Act Program.

In March, proposals for use of the City funds were solicited from 400 agencies and individuals. Eighteen proposals totaling \$804,839 were received.

These proposals were evaluated by the Bureau of Human Services. The evaluation criteria included cost effectiveness, the past performance of the agency and

the amount of available funds.

Five projects with total costs of \$210,000 were approved. It is estimated that these projects will provide employment opportunities for 163 youths.

Lists of both the proposed and approved projects are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-45

Ordinance No. 2000-138  
(Int. No. 164, As Amended)

**Authorizing Applications And Agreements Relating To The 2000 Good Grades Pay Program**

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

Section 1. The Mayor is hereby authorized to enter into agreements or amendatory agreements with the following organizations in amounts not to exceed the following for the operation of projects [under] and/or administration of projects for the 2000 Good Grades Pay Program:

Program	Total
Action for a Better Community	\$39,314
American Red Cross	32,533
Arts & Cultural Council of Greater Rochester	59,023
Bryant & Stratton	39,800
Catholic Family Center	39,330
Baden Street Settlement	98,997

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$[210,000] 308,997, and of said amount, or so much thereof as may be necessary, \$302,508 shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget, and \$6,489 shall be funded from the 1999-2000 Budget of the Department of Parks, Recreation and Human Services.

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

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because he is an employee of one of the affiliated agencies.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliated agencies.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-139  
Re: Agreements - Human Services Programs

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects.

Organization Project	Amount
Veterans Outreach Center Support Services	\$25,000
The Health Association Clinton Avenue Outreach Center	54,600
Baden Street Settlement Jobs for Youth	50,000
Genesee Settlement House Rochester Millennium Book	6,000

The cost of the agreements will be financed from the General Community Needs allocation of the 1999-00 and 2000-01 Community Development Block Grants.

The first three projects are classified as projects with matching funds. The proposed agreements represent the fourth year of CDBG funding.

The fourth project is classified as a project without matching funds. The proposed agreement represents the first year of CDBG funding.

Project descriptions, assessments and budgets are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-46

Ordinance No. 2000-139  
(Int. No. 165)

**Authorizing Agreements For Human Services Projects**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

Organization Project	Amount
The Health Association Clinton Avenue Outreach Expansion	\$54,600
Veteran's Outreach Center Veteran's Outreach Project	25,000
Baden Street Settlement Jobs for Youth	50,000
Genesee Settlement House Rochester Millennium Book	6,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$135,600, and of said amount, or so much thereof as may be necessary, \$129,600 is hereby appropriated from the

General Community Needs Allocation of the 2000-01 Community Development Program and \$6,000 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of one of the affiliated agencies.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-140  
Re: Agreement - U.S. Department of Justice,  
Law Enforcement Block Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the U.S. Department of Justice for receipt and use of a grant of \$664,345 under the Law Enforcement Block Grant program.

The LEBG program, which was initiated in 1996, allocates funds to municipalities based upon the number of Part I (serious) crimes reported in each respective jurisdiction. To date, the City has received \$1,544,996 under the program.

Monroe County also receives funds under the program. Its current allocation is \$35,575.

Because of the disproportionality of the County allocation in comparison to the City's allocation, the County is entitled to request the NYS Attorney General to certify that a funding disparity exists and that the allocations are likely to have an adverse effect upon the efficient administration of justice. Such a request and certification were made in 1996.

Accordingly, since that time, joint plans for the use of the aggregate allocations have been developed annually. The most recent plan was approved by the City Council on December 15, 1998.

The proposed joint plan provides for the following expenditures:

City	
Grants Administration	\$ 42,200
Interagency Drug Task Force	69,300
Drug Court - Spanish Interpreter	15,000
Teen Court - Program Coordination	55,000
Anti-Violence Media Campaign	68,875
Information Systems Programmer	55,500
Crime Data Entry Clerk	26,300
Training - Information Systems	7,785
Total City	339,960
County	
Operation Nightwatch	\$ 210,000
Juvenile Prosecutor	60,000
Juvenile Aftercare	54,000

Program Support	15,960
Total County	339,960
Grand Total	\$ 679,920

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-140  
(Int. No. 166)

**Authorizing Agreements For The Local Law Enforcement Block Grant Program**

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

Section 1. The Council hereby approves the acceptance of a Local Law Enforcement Block Grant and the Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for funding under the Local Law Enforcement Block Grant Program. Necessary local matching funds shall be provided through the annual budgets of the Rochester Police Department.

Section 2. The Mayor is hereby further authorized to enter into such other agreements as may be necessary for funding of approved programs under the Local Law Enforcement Block Grant Program. The agreements shall obligate the City to pay amounts not to exceed those set forth in the Program Budget.

Section 3. There is hereby appropriated from Local Law Enforcement Block Grant Program Trust Funds the sum of \$644,345, or so much thereof as may be necessary, to fund the Local Law Enforcement Block Grant Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-141  
Re: Application and Agreement -  
Family Victims Services Unit

Transmitted herewith for your approval is legislation authorizing an application to and agreement with the NYS Crime Victims Board for the receipt and use of funds totaling \$330,866. These funds will be used to partially finance the costs of the Family and Victims Services Unit of the Police Department during 2000-01 and 2001-02.

The Family and Victim Services Unit provides programs and services to juveniles who have been involved with the criminal justice system, to families that have experienced disputes or disturbances, and to victims of child abuse or other crimes. The unit has 12 full-time positions; part-time personnel provide additional services equivalent to about 3.8 employee years.

The costs of the unit are financed by grants from the Crime Victims Board and the NYS Division of Youth and by the City. The most recent agreement relating

to the grant from the Crime Victims Board was authorized by the City Council on April 13, 1999.

Under the proposed application and agreement, the Board will provide continued financial support for a 15-month period, from July 1 through September 30, 2001. The extended period is intended to ensure that future grant allocations coincide with the federal fiscal year.

The grant, if approved, will support an equivalent of 6.5 full-time positions and 7,800 hours of part-time counseling services. Following is a summary of the grant budget.

Salaries	\$327,866
Training/Conference	3,000
Total	<u>\$330,866</u>

Proportionately, the proposed grant amount is \$39,292 more than the 12-month 1999 grant.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-141  
(Int. No. 167)

**Authorizing An Application And Agreement For Funding From The New York State Crime Victims Board**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Crime Victims Board for funding for the Family and Victim Services Unit of the Rochester Police Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-142  
Re: Comprehensive Emergency Preparedness Plan

Transmitted herewith for your approval is legislation relating to the City's Comprehensive Emergency Preparedness Plan. This legislation will:

1. Authorize an agreement with the NYS Emergency Management Office for receipt and use of a grant of \$17,800; and
2. Amend the 1999-00 budget of the Fire Department to reflect this grant.

Under Article 2-B of the NYS Executive Law, municipalities are authorized to develop disaster preparedness plans. The City's Comprehensive Emergency Preparedness Plan was most recently updated in July, 1999.

The plan includes instructions for responses to the

following types of incidents:

1. Acts of nature
2. Airline
3. Barricaded gunman/hostage/sniper/terrorist act
4. Civil disorder
5. Fire
6. Hazardous materials
7. Railroad
8. Rescue
9. Transportation accident
10. Utility/services failure

A new section for the plan, relating to terrorism with weapons of mass destruction, is presently being developed. The proposed grant will reimburse the City for the costs of such development.

Following completion of development, a "tabletop" exercise will be conducted to test and evaluate the policies and procedures included in the new section. The project, which began in February, is expected to be completed by July.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-142  
(Int. No. 199)

**Authorizing An Agreement For A Terrorism Preparedness Grant And Amending The 1999-2000 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Emergency Management Office for the receipt of a FEMA Terrorism Consequence Management Preparedness Grant.

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

Section 3. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Fire Department by the sum of \$17,800, which amount is hereby appropriated from funds to be received under the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-143 and  
Ordinance No. 2000-146  
Re: Blue Cross Arena at the War Memorial

Transmitted herewith for your approval is legislation relating to the Blue Cross Arena at the War Memorial. This legislation will:

1. Authorize the issuance of bonds totaling \$1,450,000 and appropriate the proceeds thereof to finance the cost of installation of a video display system; and

- 2. Authorize an agreement with the Rochester Amerks, Inc., 1 War Memorial Square, for reimbursement of the debt service on these bonds.

The video display system will include a four-sided video scoreboard, three exterior message boards, a closed circuit television system with instant replay capability and related computer control equipment. The cost of the system will be financed through advertising revenues.

The Blue Cross Arena at the War Memorial is operated by Ogden Entertainment, Inc., under an agreement authorized by the City Council on June 25, 1998. Pursuant to an agreement with Ogden, the Amerks have exclusive rights to advertising on the scoreboard, with 40% of the revenues remitted to Ogden and 60% retained by the Amerks.

Under the proposed agreement, the Amerks will be responsible for reimbursement from its share of advertising revenues of the principal and interest on the bonds issued by the City to finance the installation of the video display system. The agreement will provide for such reimbursement over a 12 year period.

Under the NYS Local Finance Law, the maximum maturity for the bonds is 10 years. Therefore, there will be a variance between the amount of the annual debt service on the bonds and the amount of the reimbursement. This variance is estimated to be approximately \$26,000 annually over the maturity of the bonds.

Ogden will be responsible for operation and maintenance of the video display system.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-143  
(Int. No. 206)

**Authorizing An Agreement For Reimbursement Of The Cost Of A New Scoreboard 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 agreement with the Rochester Amerks, Inc. for reimbursement of the cost, including principal in the estimated amount of \$1,450,000 and interest, of the purchase and installation of a video scoreboard, exterior message boards, closed circuit television production system and related control equipment for the Blue Cross Arena at the War Memorial over a term of twelve years. The Rochester Amerks, Inc. shall repay the total cost to the City in 12 annual installments due October 1 of each year. The agreement shall be adequately secured by Amerks assets, including ticket and suite revenues, and the operator of the Blue Cross Arena at the War Memorial shall be given the right to withhold ticket and suite revenues and pay them to the City to be applied to the required payment if the payment is not made.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-146  
(Int. No. 205)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$1,450,000 Bonds Of Said City To Finance The Cost Of The Purchase And Installation Of Various Electronic Equipment In The Blue Cross Arena At The War Memorial In The City**

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 purchasing and installing various electronic equipment for the Blue Cross Arena at the War Memorial in the City, including, but not limited to, a video scoreboard, exterior message boards, closed circuit television production system and related control equipment (collectively, the "Project"). The estimated maximum cost of the specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,450,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,450,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,450,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,450,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.13 of the Law, is ten (10) years.

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

redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-144 and  
Ordinance No. 2000-145  
Re: Public Market Improvement Program

Transmitted herewith for your approval is legislation relating to the Public Market Improvement Program. This legislation will:

- 1. Authorize the issuance of bonds totaling \$862,000 and appropriate the proceeds thereof to partially finance the costs of Phase III of the project; and
- 2. Authorize an amendatory agreement with The

Sear Brown Group, 85 Metro Park, for resident project representation services at a maximum cost of \$124,000.

The improvement program provides for a series of improvements at the Public Market and in the surrounding area over a multi-year period.

Phase I of the project involved the repair or replacement of the roofs of Sheds A and C, construction of a wall at the end of Shed A and the installation of external directional signage. It was completed in 1997 at a cost of about \$253,300.

Phase II of the project involved the remediation of contaminated soils on properties acquired by the City for construction of a new parking lot; construction of the lot itself; rehabilitation of an existing parking lot; sidewalk and drainage improvements; and reconstruction of the portion of Railroad Street that is adjacent to the Public Market. It was completed in 1999 at a cost of about \$545,000.

Phase III will involve improvements to the "gateways" at N. Union Street, Railroad Street, Pennsylvania Avenue, Peck Street and Haywood Avenue and accessibility improvements to the Market Master House and restroom building.

Bids for construction of Phase III were received on April 18. The work will be performed by the following companies at a total cost of \$1,063,756, which is four percent more than the engineering estimate; an additional \$106,244 (10%) will be allocated for contingencies.

<u>Contract</u>	<u>Cost</u>
<u>Contractor</u>	
Architectural	
Battle Construction Co., Inc.	\$ 628,900
Site work	
Gordon J. Phillips, Inc.	325,047
Electrical	
East Cost Electric LLC	30,125
Plumbing	
Leo J. Roth Corp.	35,500
HVAC	
Fulmer Heating & Cooling, Inc.	8,200
Lead remediation	
Rusman Environmental Corp.	23,600
Asbestos remediation	
Environmental Products and Services, Inc.	6,899
Lead and asbestos monitoring	
Lozier Laboratories, Inc.	5,485
Subtotal	1,063,756
Contingencies	106,244
Inspections	124,000
Total	\$1,294,000

These costs will be financed from the proceeds of a prior and the proposed bond issues, an existing Cash Capital allocation, and a NYS Multi-Modal Grant obtained through the efforts of Assemblyman David Gantt.

Prior Bond Authorization November 14, 1995 (ADA Improvements)	\$ 149,200
Proposed Bond Authorization	862,000
Cash Capital	22,800
NYS Multi-Modal Grant	260,000
Total	\$1,294,000

Construction of the improvements is scheduled to be completed during the summer. Sear-Brown, which

designed the project, is recommended to provide inspection services.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-47

Ordinance No. 2000-144  
(Int. No. 203)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$862,000 Bonds Of Said City In Addition To Bonds Previously Authorized And Authorizing Expenditure Of Additional Funds To Finance The Cost Of Planning And Implementing Various Infrastructure Improvements Related To The Rochester Public Market**

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 planning and implementing various infrastructure improvements related to Phase III of the Rochester Public Market Improvement Program (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be \$1,294,000. The plan of financing includes the issuance of \$862,000 bonds of the City, and said amount is hereby appropriated therefor, in addition to \$149,200 bonds previously authorized by Ordinance No. 95-365, to finance the reconstruction of various City buildings to facilitate access for the disabled, and in addition to which \$260,000 is hereby appropriated from Multi Modal Grant Funds from the State of New York, and \$22,800 in current City funds previously appropriated from the Public Market Fund in Ordinance No. 99-233, and the levy and collection of an ad valorem tax on all taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$862,000 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 \$862,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00a.12(a)(3), 20(f), 24 and 23 of the Law, is ten (10) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-145  
(Int. No. 204)

**Establishing \$124,000 As Maximum Compensation For A Professional Services Agreement For**

**Engineering Inspection Services For The Public Market Improvement Program**

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

Section 1. The sum of \$124,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for engineering inspection services for Phase III of the Public Market Improvement Program. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$10,000 shall be funded from Bond Ordinance No. 95-365 and \$114,000 shall be funded from a bond ordinance for Phase III of the Public Market Improvement Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains  
May 16, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 168 - Cancellation Of Taxes And Charges

Int. No. 170 - Establishing \$20,000 As Maximum Compensation For Amendatory Professional Services Agreements For Engineering And Technical Services

Int. No. 171 - Amending The Municipal Code With Respect To The Designation Of Depositories

Int. No. 172 - Approving The 2000-01 Operating And Capital Budgets Of The Cultural Center Commission

Int. No. 173 - Authorizing The Lease Of Space In The High Falls Festival Site Sub-Terrace Area

Int. No. 175 - Authorizing An Agreement With All-right New York Parking, Inc. For Continued Operation Of The High Falls Parking Garage, As Amended

Int. No. 200 - Authorizing An Economic Development Initiative Grant Application For The Genesee Brewing Company Project

Int. No. 201 - Authorizing A Brownfields Economic Development Initiative Grant Application For The Rochester Midland Corporation Project

Int. No. 207 - Determining And Certifying Current Base Proportions, Current Percentages, And Base Percentages For The 2000 Assessment Roll

Int. No. 208 - Determining And Certifying Adjusted Base Proportions, Assessed Value, And Net Changes In Assessed Value For The 2000 Assessment Roll

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 169 - Approving Apportionment Of Taxes

And Charges

Int. No. 176 - Amending The 1999-2000 Budget Relating To The Downtown Guides Program, As Amended

Int. No. 177 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Downtown Guides And Authorizing An Agreement

The following entitled legislation is being held in committee:

Int. No. 174 - Amending The Municipal Code With Respect To Fees For The High Falls Garage, As Amended

Respectfully submitted,  
Tim O. Mains  
Brian F. Curran  
Nancy K. Griswold  
Lois J. Giess  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-147  
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$1,689.30. This cancellation involves an erroneous delinquent refuse charge for a property for which no service was provided.

If this cancellation is approved, total cancellations during 1999-00 will be \$1,462,566.48.

<u>Accounts</u>	<u>Amounts</u>
City Council	131
\$1,297,232.10	
Administrative	<u>272</u>
<u>165,334.38</u>	
Total	403
\$1,462,566.48	

These cancellations represent .73% of the tax receivables as of July 1, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-147  
(Int. No. 168)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- a. The property has been vacant for years and has not received refuse services. There was no use of the on-site dumpster by the owners of the

property. The dumpster has been removed.

S.B.L.# Address	Class	Tax Year	Amount Cancelled
120.360-0001-050 \$1,048.96 37 Madison St. 640.34	NH	2000 1999	—
Grand Total			\$1,689.30

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-148  
Re: Agreement - Litigation Services

Transmitted here for your approval is legislation authorizing agreements or amendatory agreements relating to certain litigation involving the City. The maximum cost of the agreements will be \$20,000, which will be financed from 1999-00 budget of the Law Department.

The Law Department often requires various professional services and assistance in conjunction with claims and litigation involving the City. For this reason, the City Council periodically authorizes agreements with private investigators, medical experts or others; the most recent agreements, for private investigative services, were authorized by the Council on January 18.

The proposed legislation will authorize agreements or amendatory agreements for services and assistance for a claim that is currently being litigated.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-148  
(Int. No. 170)

**Establishing \$20,000 As Maximum Compensation For Amendatory Professional Services Agreements For Engineering And Technical Services**

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for amendatory professional services agreements for engineering and technical consulting services as required by the Law Department in conjunction with claims made by or against the City. Said amount shall be funded from the 1999-2000 Budget of the Law Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-149  
Re: City Code Amendment - Depositories

Transmitted herewith for your approval is legislation amending the City Code provisions relating to depositories for City funds. This legislation will:

1. Delete First National Bank of Rochester and ONBANK & Trust Company as designated depositories;
2. Change the name of Marine Midland Bank, N.A. to HSBC Bank; and
3. Increase the maximum deposit amount for Chase Manhattan Bank from \$100 million to \$150 million and the maximum deposit amount for HSBC from \$75 million to \$125 million.

The designation by the City Council of depositories is required by section 6-22 of the City Charter and section 39 of the NYS General Municipal Law. The most recent designation occurred on March 17, 1998.

Since that time, First National and ONBANK were acquired by Manufacturers & Traders Trust Company and Marine Midland changed its name to HSBC Bank. The proposed legislation reflects these changes. The increases in the maximum deposit amounts for Chase and HSBC are proposed to permit the City to respond to the deposit solicitation of these banks, which frequently offer higher interest rates.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-149  
(Int. No. 171)

**Amending The Municipal Code With Respect To The Designation Of Depositories**

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

Section 1. Section 8-9 of the Municipal Code, Designation of Depositories, as amended, is hereby further amended by amending the chart therein to read in its entirety as follows:

Depository Name	Maximum Amount
Chase Manhattan Bank	\$150,000,000
HSBC Bank, USA	125,000,000
Fleet Bank	75,000,000
Citibank N.A.	50,000,000
Manufacturers & Traders Trust Company	50,000,000
KeyBank	50,000,000

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-150  
 Re: 2000-01 Budgets - Cultural Center  
 Commission

Transmitted herewith for your approval is legisla-  
 tion relating to the 2000-01 operating and capital  
 budgets of the Cultural Center Commission. This  
 legislation will:

1. Approve the budgets proposed by the Commis-  
 sion for the period from July 1, 2000 through  
 June 30, 2001.
2. Authorize the Commission to approve during  
 this period the transfer of capital budget ap-  
 propriations not exceeding \$10,000.

The proposed budgets were approved by the Commis-  
 sion on March 28. They have been reviewed by the  
 Budget Bureau of the City and the Office of Manage-  
 ment and Budget of Monroe County.

Approval of the budgets by the City Council (and  
 County Legislature) is required by Chapter 613 of the  
 Laws of 1979 of the State of New York. Delegation  
 to the Commission of the authority to subsequently  
 expend funds from the budgets was approved by the  
 Council on September 9, 1980 and the Legislature on  
 September 30, 1980.

The total amount of funds available to the Commission  
 for use during 2000-01 is \$836,915.

Revenues	
Mortgage Income	\$ 28,334
Net Property Maintenance Fund	74,941
Non-Refundable Block L Deposit	10,000
Unused Balances	
1999-00 Operating Budget	\$ 7,821
1999-00 Capital Budget	715,819
Total	\$836,915

The Commission has proposed that \$98,969 of this  
 amount be appropriated for the 2000-01 operating  
 budget and \$737,946 for the capital budget.

The proposed operating budget is \$2,006 more than  
 the 1999-00 budget.

	<u>2000-01</u>	<u>1999-00</u>	<u>Variance</u>
Salaries	\$76,831	\$75,063	\$1,768
Employee Benefits	12,688	12,446	242
Personnel Services	89,519	87,509	2,010
Supplies and			
Equipment	250	250	0
Contractual Expense	8,700	8,704	(4)
Contingency	500	500	0
Total	\$98,969	\$96,963	\$2,006

The proposed capital budget indicates the general  
 purpose for which the available funds are intended to  
 be used. It does not represent actual commitments to  
 specific projects. Any funds not utilized during 2000-  
 01 will be reappropriated for the 2001-02 budget.

<u>General Purpose</u>	<u>Amount</u>
Streets/Open Space Maintenance	\$287,336
Development	419,375
Executive Design	25,035
Annual Audit	6,200
Total	\$737,946

The authorization for the Commission to approve  
 minor capital transfers is designed to facilitate op-

erations. Similar authorization was approved by the  
 Council on June 15, 1999 for the 1999-00 budget.  
 The Commission has a comparable ability to approve  
 the transfer of operating appropriations pursuant to a  
 Council authorization of September 9, 1981.

The budgets will be considered by the Monroe County  
 Legislature on June 13.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-150  
 (Int. No. 172)

**Approving The 2000-01 Operating And Capital  
 Budgets Of The Cultural Center Commission**

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

Section 1. The Council hereby approves the 2000-  
 01 Operating and Capital Budgets of the Cultural  
 Center Commission as adopted in Cultural Center  
 Commission Resolution No. 1 of 2000. The Council  
 specifically authorizes the Cultural Center Commis-  
 sion to transfer funds within the Cultural Center Com-  
 mission Capital Account in an amount not to exceed  
 \$10,000 during the fiscal year. The Commissioner of  
 Economic Development of the City of Rochester is  
 further authorized to transfer unencumbered funds in  
 the Operating Budget from one account to another in  
 accordance with the financial and budgetary practices  
 of the City of Rochester.

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

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-151  
 Re: Agreement - High Falls Development  
 Corp., 40 Commercial Street

Transmitted herewith for your approval is legisla-  
 tion authorizing a 40-year agreement with High Falls De-  
 velopment Corp. (principal: Ben Kendig), 1 Mt. Hope  
 Avenue, for lease of approximately 15,000 square feet  
 of space at 40 Commercial Street.

The space is located on two floors beneath the terrace  
 area of the festival site at High Falls. The space is ad-  
 jacent to the High Falls (formerly Gorsline) Building  
 at 4-18 Commercial Street, which is owned by High  
 Falls Development Corp.

The City Council authorized the sale of the latter  
 building to High Falls Development Corp. on May  
 13, 1997. The corporation is presently completing  
 renovations to the building.

The building contains approximately 35,000 square  
 feet of space. The first tenant moved into the building  
 in March, a second tenant is scheduled to move into  
 the building in May and it is expected that the building  
 will be fully occupied by the end of the summer by  
 three or four high technology companies with about  
 180 employees.

These companies are expected to experience rapid  
 growth in the near future and to increase their employ-  
 ment by about 60-80 people. The proposed lease of

space at 40 Commercial Street is intended to permit High Falls Development Corp. to accommodate the growth of the companies.

Under the proposed agreement, the corporation will pay an initial annual rent of \$12,000, a value which was established by an independent appraiser, Bruckner, Tillett, Rossi, Cahill & LeGrett. Every five years, the rent amount will be adjusted by an percentage equivalent to the increase in the consumer price index during the preceding five years.

The corporation will also be responsible for the cost of all improvements to the building and all operating costs. The estimated cost of improvements is \$850,000, which is expected to be financed as follows:

Basic Improvements	
Enterprise Community Zone Loan	\$210,000
Equity	190,000
Tenant Improvements	450,000
Total	\$850,000

The basic improvements will include the repair and waterproofing of the stone walls and installation of doors, windows, utilities, elevator, and ceilings. The tenant improvements will include the construction of restrooms and interior walls, carpeting and painting and ceiling and wall and electrical and plumbing finishes.

Basic renovation of the building is expected to begin in June and be completed by December. Tenant improvements will be completed as the space is subleased.

High Falls Development Corp. was selected for lease of the space without the usual solicitation of proposals because of the following unique conditions:

1. The corporation can decrease the cost of renovation of 40 Commercial Street and increase usable space by extending the utility systems in 4-18 Commercial Street;
2. Under an agreement authorized by the Council on October 14, 1997, the corporation has exclusive use of the adjacent parking lot, except when the area is being used by the City as a festival site; and
3. To provide alternative fire exits for 40 Commercial Street, easements will be required on 4-18 Commercial Street.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-48

Ordinance No. 2000-151  
(Int. No. 173)

**Authorizing The Lease Of Space In The High Falls Festival Site Sub-Terrace Area**

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 High Falls Development Corporation for the lease of approximately 15,000 square feet of space at 40 Commercial Street in the High Falls Festival Site sub-terrace area for a term of forty years. High Falls Development Corporation shall be responsible for all improvements to the space

and may sublet the space.

Section 2. The agreement shall obligate High Falls Development Corporation to pay to the City annual rent of \$12,000, payable in monthly amounts of \$1,000. The rent shall be increased every five years to reflect any increase in the consumer price index over the five year period.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-152 and  
Ordinance No. 2000-159  
Re: High Falls Parking Garage

Transmitted herewith for your approval is legislation relating to the High Falls parking garage. This legislation will:

1. Amend the City Code to increase the fees charged for parking in the garage; and
2. Authorize an amendatory agreement with All-right New York Parking, Inc. for operation of the garage for an additional three-month period.

The High Falls garage, which was constructed in 1993 in anticipation of the development of the High Falls Historic District, contains 764 spaces. Initially, the utilization rates for the garage were quite low.

Year	Utilization Rate
1994	25%
1995	30

To increase utilization, on May 9, 1995, the City Council authorized reduced parking fees for up to 200 employees who are members of the American Federation of State, County and Municipal Employees and up to 100 employees within the Administrative, Professional and Technical or Confidential classifications. To further increase utilization, on February 20, 1996, the Council authorized reduced parking fees for the general public; the daily fee was decreased from \$3.00 to \$2.50, while the monthly fee was decreased from \$49 to \$35.

At present, 664 monthly parking passes are issued for the garage, which represents 87% of the garage's capacity. Significant additional demand for monthly passes is expected to occur in the near future because of development projects in the High Falls area.

Development Project	Projected Demand
192 Mill Street	120
4-18 Commercial Street	75
298 State Street	100
Total	295

Because of the increased utilization rates and projected additional demand, there is no justification for the continuation of reduced parking fees at the garage. The reduced fees are significantly below those charged at other parking facilities in the High Falls vicinity.

Under the proposed legislation, the fees for the garage will be increased to more properly reflect market conditions.

	<u>Current</u>	<u>Proposed</u>
Short-term (per half-hour) .40	\$ .35	\$
Daily maximum	2.50	4.95
Monthly	35.00	59.00
Evening	2.00	3.00
Special Event	2.00	3.00
Weekend	2.00	3.00

The reduced rates for certain City employees also will be eliminated. At present, 156 employees purchase monthly parking passes.

AFSCME	64
APT/Confidential	<u>92</u>
Total	156

It is estimated that the proposed increase in fees will result in incremental revenues of \$137,000. However, even with the incremental revenues, a deficit is expected to be incurred from operation of the garage.

<u>2000-01</u>	
Gross Revenue	\$ 415,000
Operating Expense	166,300
Subtotal	248,700
Debt Service	<u>682,100</u>
Deficit	\$(433,400)

The garage is currently operated by Allright under an agreement authorized by the Council on May 13, 1997. This agreement is scheduled to expire on May 31.

In anticipation of such expiration, proposals for the operation of the garage after that date were solicited from 12 organizations. Allright submitted the only proposal, which did not meet all of the specifications of the request for proposal.

The lack of response to the request is attributed to the uncertainties associated with the proposed increases in fees. Potential respondents indicated there were concerns that the projected increase in demand would not occur in sufficient time to prevent a temporary decrease in total demand, as some of the people who presently utilize the garage move to other facilities.

The proposed extension of the current agreement with Allright for three months is intended to permit actual changes in demand to be determined. All terms and conditions of the current agreement will remain the same during this period.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-49

Ordinance No. 2000-152  
(Int. No. 175, As Amended)

**Authorizing An Agreement With Allright New York Parking, Inc. For Continued Operation Of The High Falls Parking Garage**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Allright New York Parking, Inc. for continued operation of the High Falls Parking Garage for a term of [three (3)] six (6) months upon the same terms and conditions as the existing agreement.

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

President Giess moved to discharge Introductory No. 174 out of committee.

The motion was seconded by Councilman Norwood.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains - 1.

President Giess moved to amend Introductory No. 174.

The motion was seconded by Councilman Norwood.

The motion was adopted unanimously.

President Giess moved to have a second amendment made to Introductory No. 174.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Ordinance No. 2000-159  
(Int. No. 174, As Amended)

**Amending The Municipal Code With Respect To Fees For The High Falls Garage**

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

Section 1. Section 111-119 of the Municipal Code, relating to fees and hours of operation of parking garages, as amended, is hereby further amended as follows:

- a. Subsection A(1), relating to daytime rates, is hereby amended by deleting the words “, except that the rate at the High Falls Garage shall be \$0.35 for each half hour or any part thereof” where they are contained at the end thereof.
- b. [Subsection A(2)(b), relating to evening rates, is hereby amended by deleting the words “, High Falls Garage” where they are contained therein. There is hereby added the following new Subsection A(2)(e):
  - (e) High Falls Garage, from 5:30 p.m. to closing: \$3.
- c.] Subsection A(4)(c), relating to the maximum

daily charge for the High Falls Garage, is hereby deleted and Subsection A(4)(a) is hereby amended by adding the words "High Falls Garage" after the words "Sister Cities Garage" where they are contained therein.

- [d. Subsection A(5), relating to Sunday rates, is hereby amended by deleting the amount "\$2.00" where it is contained therein relating to the High Falls Garage, and by inserting in its place the amount "\$3.00".
- e.jc. Subsection A(6)(d), relating to the monthly rate at the High Falls Garage, as amended, is hereby further amended by deleting the amount "\$35." where it is contained therein, and by inserting in its place the amount "\$59.". Said subsection is hereby further amended by deleting the remainder of the subsection after said amount.
- [f. Subsection A(7), relating to special event rates, is hereby amended by deleting the words "High Falls Garage," where they are contained therein and by adding the words and numbers "and a special-events rate of \$3 shall apply at the High Falls Garage" to the end thereof.
- g. Subsection A(8), relating to Saturday rates, is hereby amended by deleting the amount "\$2." where it is contained therein relating to the High Falls Garage, and by inserting in its place the amount "\$3.".]

Section 2. The Council hereby requests that the Mayor submit a parking plan for the High Falls Area to the Council by January 1, 2001.

Section 3. This ordinance shall take effect on [the first day of the month following the adoption of this ordinance] January 1, 2001.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-153 and  
Ordinance No. 2000-154

Re: Applications and Agreements - U.S.  
Dept.  
of Housing and Urban Development

Transmitted herewith for your approval is legislation authorizing applications to and agreements with the U.S. Department of Housing and Urban Development for receipt and use of two grants totaling \$1,925,000.

<u>Grant Program</u>	<u>Amount</u>
<u>Company</u>	
Economic Development Initiative	
Genesee Brewing Company	\$1,500,000
Brownfield Economic Development Initiative	
Rochester Midland Corp.	425,000
Total	<u>\$1,925,000</u>

Genesee Brewing Company

As you are aware, Genesee - which was established in 1878 - is a producer of malt beverages. It is located

at 445 St. Paul Street.

The first grant will be used by Genesee to partially finance the costs of conversion of its production system and renovation or demolition of buildings. Both projects are important elements in the brewery's plan to improve its financial performance.

Genesee currently has a combination of two types of production systems — a Hoff Stevens system and a Sankey system. The conversion will involve the replacement of the Hoff Stevens system with a Sankey system.

Barrels from the Sankey system are easier to handle than those of the Hoff Stevens system. Thus, the conversion is expected to increase worker productivity and reduce injuries, lost work time and workers' compensation expense. It is also expected to reduce the amount of beer lost during production and parts and supplies expenses.

The building renovation will involve the conversion of an existing two-story underutilized building into a restaurant/brew pub/product display center, while the demolition will involve an adjacent building. The improvements are part of Genesee's plan to enhance product marketing.

The first floor of the renovated building will contain a historical exhibit of Genesee memorabilia, a store in which company logo merchandise will be sold and a reception center. The second floor will contain a restaurant with approximately 4,700 square feet of space and a private dining area with about 2,000 square feet of space.

The total estimated cost of the two components of the project is \$7,730,000.

<u>Production System Conversion</u>		
Cooperage	\$3,500,000	
Pallets	120,000	
Equipment	<u>110,000</u>	\$3,730,000
<u>Building Renovation/Demolition</u>		
Interior improvements	\$2,995,000	
Exterior improvements	252,000	
Building demolition	300,000	
Site improvements	188,000	
Professional services	<u>265,000</u>	4,000,000
Total		<u>\$7,730,000</u>

This cost will be financed as follows:

Proposed EDI grant	\$1,500,000
Section 108 loan	5,000,000
Equity	<u>1,230,000</u>
Total	<u>\$7,730,000</u>

The project will be completed within a year after financing is obtained. The conversion of the production system is expected to assist in the retention of 375 existing jobs, while the building renovation is expected to result in the creation of 80 new jobs.

Rochester Midland Corporation

Rochester Midland - which was established in 1888 as Rochester Germicide - manufactures and distributes chemical and personal care products. It is located on Hollenbeck Street and also has facilities in Aurora, Illinois and Oakville, Ontario.

The second grant will be used by Rochester Midland to acquire adjacent property and modernize and ex-

pand its facilities. The project is designed to reduce production costs and prevent the need to continue to transfer production to the facility in Aurora.

At present, Rochester Midland has two buildings on Hollenbeck Street. It manufactures its products in a building on one side of the street and transports the products to a building on the other side of the street for warehousing and eventual shipping.

Because of the separation of the buildings and the obsolescence of the manufacturing facility, the cost of production in Rochester is 40% higher than the cost of production in Aurora. Because of the difference in cost, production in Rochester in 1999 decreased by about 8-10% while production in Aurora increased by about 20%.

Under the proposed project, Rochester Midland will acquire abandoned rail property owned by CSX, Inc and other property owned by Ridge Lumber, demolish a portion of its current manufacturing building and add approximately 40,000 square feet of combined manufacturing and warehousing space. The estimated cost of the project is \$3,400,000.

Property acquisition	\$ 25,000
Environmental remediation	200,000
Infrastructure improvements	180,000
Demolition and construction	2,247,000
Professional services	350,000
Contingencies	<u>398,000</u>
Total	<u>\$3,400,000</u>

This cost will be financed as follows:

Proposed BEDI grant	\$ 425,000
Section 108 loan	1,700,000
Private financing/equity	<u>1,275,000</u>
Total	<u>\$3,400,000</u>

The project will be completed within 18 months after financing is obtained, assuming that acquisition of the rail property can be expedited. The project is expected to result in the retention of 241 jobs, 65% of which are held by city residents.

If the grants are approved by HUD, legislation authorizing the Section 108 loans will be submitted to the City Council for consideration.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-50

Ordinance No. 2000-153  
(Int. No. 200)

**Authorizing An Economic Development Initiative Grant Application For The Genesee Brewing Company Project**

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

Section 1. The Mayor is hereby authorized to submit an application to the United States Department of Housing and Urban Development for an Economic Development Initiative Grant for the Genesee Brewing Company Project.

Section 2. The application shall contain such ad-

ditional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-154  
(Int. No. 201)

**Authorizing A Brownfields Economic Development Initiative Grant Application For The Rochester Midland Corporation Project**

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

Section 1. The Mayor is hereby authorized to submit an application to the United States Department of Housing and Urban Development for a Brownfields Economic Development Initiative Grant for the Rochester Midland Corporation Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-155 and  
Ordinance No. 2000-156  
Re: Assessment Classes Tax  
Apportionment

Transmitted herewith for your approval is legislation certifying certain calculations relating to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves determination of the "base proportion." In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class.

This determination process involves two computations. The first is the calculation of the current base proportions using 1989 and 1999 data. The second is the calculation of the adjusted base proportions using 1999 and 2000 data. Both calculations are available for review in the Office of the City Clerk.

The current base proportions, as calculated by the formula specified by Article 19, are as follows:

Homestead	.3994569
Non-Homestead	<u>.6005431</u>
Total	1.0000000

In comparison, the new adjusted base proportions are as follows:

Homestead	.3939334
Non-Homestead	<u>.6060666</u>
Total	1.0000000

These new proportions result in the following shifts in the share of the tax levy allocated in each class:

Homestead -2.7%  
 Non-Homestead +1.8%

changes -230,348,192 -64,750,638

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Real Property Services.

Ordinance No. 2000-155  
 (Int. No. 207)

Section 3. This ordinance shall take effect immediately.

**Determining And Certifying Current Base Proportions, Current Percentages, And Base Percentages For The 2000 Assessment Roll**

Passed unanimously.

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

TO THE COUNCIL:  
 Ladies and Gentlemen:

Section 1. Under Section 1093 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2000 assessment roll as follows:

Ordinance No. 2000-157  
 Re: Apportionment of Taxes and Charges

	Homestead Class	Non-Homestead Class
Current base proportions	39.94569%	60.05431%
Current percentage	58.3863	41.6137
Base percentage	52.0355	47.9645

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 42 properties. This apportionment has been certified by the Assessor and is authorized by section 6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in 1999-00. These taxes and charges, which total \$141,609.78, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Equalization and Assessment.

If the proposed apportionment is approved, the taxes and charges will be added to the July tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May.

Section 3. This ordinance shall take effect immediately.

A list of the apportionments is on file in the Office of the City Clerk.

Passed unanimously.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-156  
 (Int. No. 208)

Ordinance No. 2000-157  
 (Int. No. 169)

**Determining And Certifying Adjusted Base Proportions, Assessed Value, And Net Changes In Assessed Value For The 2000 Assessment Roll**

**Approving Apportionment Of Taxes And Charges**

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

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2000 assessment roll as follows:

	Homestead Class	Non-Homestead Class
Adjusted base proportion	.3939334	.6060666
Taxable assessed value	\$2,823,106,936	\$1,906,996,421
Net change in assessed value from 1999 resulting from physical and quantity changes	-4,692,050	+17,638,600

Section 1. The Council hereby approves the apportionment of taxes and charges upon various parcels of land as certified by the Assessor of the City of Rochester pursuant to Section 6-78 of the Charter of the City of Rochester on April 19, 2000, in accordance with the list which is on file in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Net change in assessed value from 1999 resulting from other than physical and quantity

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-158 and  
 Local Improvement Ordinance No. 1466  
 Re: Downtown Guides Program

Transmitted herewith for your approval is legislation relating to the Downtown Guides Program. This legislation will:

1. Increase the 1999-00 budget for the program by \$43,500;
2. Approve the 2000-01 budget of the program and apportion the budget costs among the various properties within the District; and
3. Authorize an agreement with Downtown Special Services, Inc. for continued administration of the program.

The program was authorized by the City Council on March 15, 1994 and re-authorized on May 11, 1999. The guides walk regular routes within downtown or periodically ride the EZ Rider Shuttle and provide people with directions and information about downtown activities, events and attractions. They also report, via radio, any emergency situations.

The program is operated within the Inner Loop and in the High Falls, Frontier Field and Kodak office building areas. It is administered by a non-profit corporation, Downtown Special Services, Inc., which is directed by an 11-member board consisting of representatives from downtown businesses, the tourist industry and the City and County governments.

The costs of the program are apportioned among all non-homestead properties within the program or district boundaries, except those owned by the federal or state governments. The apportionment is based upon relative assessed valuation.

The 1999-00 budget for the program is presently \$276,000. Under the proposed legislation, the budget will be increased by \$43,500 to reflect the costs of establishment of an operations center at 120 E. Main Street (Sheraton Four Points Hotel); the increase will be financed from interest earnings and unused assessments.

For 2000-01, the budget for the program will be \$315,000. Of this amount, \$900 will be financed from interest earnings. After an addition of a reserve for delinquent accounts of (9%), total assessments will be \$337,707, which is \$56,583 more than the 1999-00 assessment.

If the proposed legislation is approved, the assessments for individual properties will be prepared and submitted to the Council for consideration. Property owners will be provided with an opportunity to review these assessments and to comment upon them at a public hearing.

A description of operation of the program during 1999-00, an updated program evaluation and the 2000-01 budget for the program are available for review in the Office of the City Clerk.

A public hearing on the proposed legislation is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-51

Ordinance No. 2000-158  
(Int. No. 176, As Amended)

**Amending The 1999-2000 Budget Relating To The Downtown Guides Program**

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Economic Development Department [of Environmental Services] by the sum of \$43,500, which amount is hereby appropriated from unused assessments from the Downtown Guides Program to fund said Program.

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Local Improvement Ordinance No. 1466  
(Int. No. 177)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Downtown Guides And Authorizing An Agreement**

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

Section 1. The cost of the special work and services for the 2000-01 fiscal year for the Downtown Guides is established at \$337,707, and said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1352, as continued by Local Improvement Ordinance No. 1446.

Section 2. The Mayor is further authorized to enter into an agreement with Downtown Special Services, Inc. for the operation of the Downtown Guides Program. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Councilman Mains move to discharge Introductory No. 135 out of committee.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Introductory No. 135 was introduced April 18, 2000, and appears in its original form with its transmittal letter on page 119 of the current Council Proceeding.

Ordinance No. 2000-160  
(Int. No. 135)

**Approving Wage And Salary Increases For Employees Of The Rochester Housing Authority**

Passed unanimously.

By Councilmember Norwood

May 16, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 178 - Authorizing The Sale Of Real Estate, As Amended

Int. No. 179 - Approving The Acquisition Of 90 Thurston Road

Int. No. 180 - Authorizing The Sale Of Real Estate As A Part Of The Thurston Road Housing Project

Int. No. 181 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$[128,000] 323,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing A Portion Of The Fulton Avenue Redevelopment Project And The Thurston Road Housing Project And A Portion Of The Anthony Square Project Within The City, As Amended

Int. No. 182 - Authorizing Agreements For Landlord and Tenant Services - \$196,000

Int. No. 183 - Authorizing An Agreement For The Home Purchase Assistance Program

Int. No. 184 - Authorizing An Agreement With The Greater Rochester Housing Partnership, Inc. For Housing Services - \$138,000

Int. No. 185 - Authorizing An Agreement With The Housing Council In The Monroe County Area, Inc. For The Continued Provision Of Mortgage Services - \$225,000

Int. No. 186 - Authorizing An Application And Agreements Relating To The Emergency Shelter Grant Program

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 188 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Merchants/Winton Road Open Space District

Int. No. 189 - Authorizing An Amendatory Application And Agreement For The 1999-2000 Community Development Program And An Agreement For A Float Loan For The Anthony Square Project And Amending Ordinance No. 99-377 And Authorizing Environmental Indemnification, As Amended

Int. No. 190 - Authorizing An Amendatory Application And Agreement For The 1999-2000 Community Development Program For A Float Loan For The HUD Asset Control Area Partnership Program And Amending Ordinance No. 99-349

Int. No. 191 - Continuation Of Local Improvement Ordinance No. 1298 Relating To The South Avenue Neighborhood Commercial Parking Lot

Int. No. 192 - Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas

Int. No. 193 - Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Administrative Decisions And Appeals

Int. No. 194 - Changing The Zoning Classification Of 1600 South Avenue From IPD To IPD#9-A1 Sigl Center And Amending The Current Plan For IPD#9

Int. No. 195 - Changing The Zoning Classification Of 151 Bernice Street From T-P Transitional Parking To M Manufacturing Industrial

Int. No. 196 - Approving The Consolidated Community Development Program/2000-01 Annual Action Plan

Int. No. 197 - Authorizing Submission Of The Consolidated Community Development Program/2000-01 Annual Action Plan And Execution Of The Grant Agreement With The United States Department Of Housing And Urban Development

Int. No. 198 - Appropriation Of Funds For The City Development Fund

The following entitled legislation is being held in committee:

Int. No. 187 - Authorizing An Agreement For The Central Library Cafe

Respectfully submitted,  
Wade S. Norwood  
Benjamin L. Douglas (Abstained vote on Introductory No. 186).  
Nancy K. Griswold (Abstained vote on Introductory No. 186).  
Lois J. Giess (Did not vote on Introductory No. 178 through 181).  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-161  
Re: Real Estate Sales

Transmitted herewith for your approval is legislation authorizing the sale of six properties.

The first two properties were included in the public auctions of April 29 and September 29, 1999, respectively, subject to approval of the development proposals. The first property 113 Atkinson Street, will be fenced and used as a vegetable and flower garden by the owner of 101 Atkinson Street, while the second property, 1114-1116 Hudson Avenue, will be developed as a parking lot for use in conjunction with the purchaser's adjacent florist business.

The next property, 1152 Clinton Avenue, will continue as a mixed-use property, with one store and two apartments. The sale price was established by an independent appraiser, Kevin Bruckner.

The next two properties, 612 Avenue D and 45 Beach Street, are considered to be unbuildable because of their size. They will be sold to \$1.00 to the owners of adjacent properties and combined with those properties.

The last property, 483 Tremont Street, will be sold to its former owners. The sale price includes all delinquent taxes, interest and penalties.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-52

Ordinance No. 2000-161  
(Int. No. 178, As Amended)

**Authorizing The Sale Of Real Estate**

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

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

Address SBL#	Price	Purchaser
113 Atkinson St. 121.37-2-27	\$600	Susan K. Porter
1114-1116 Hudson Ave. 091.65-3-93	50	Peter Wallace

[Section 2. The Council hereby further approves the negotiated sale through proposal of the following parcel of real estate:

Address S.B.L.#	Price	Purchaser
1152 Clinton Ave. N. 091.78-3-58	\$6,000	Gaye Parker]

Section [3] 2. The Council hereby further approves the negotiated sale of the following parcels of vacant land for the sum of \$1.00:

Address S.B.L.#	Sq. Ft.	Purchaser
612 Avenue D 091.79-3-53	2,640	Jaime Rivera
45 Beach St. 090.76-1-9	2,752	Joyce D. Cordone

Section [4] 3. The Council hereby further approves the sale of the following parcel of real estate to the former owners:

Address S.B.L.#	Price	Purchaser
438 Tremont St. 120.52-1-36	\$5,616.22	Lee Elliott & Manuel Green

Section [5] 4. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

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

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-162,  
2000-163 and 2000-164  
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation relating to two real estate transactions. This legislation will:

1. Authorize the acquisition of 90 Thurston Road at a maximum cost of \$15,000;
2. Authorize the subsequent sale of the property, following the demolition of the structure thereon, and 80 Thurston Road to the Urban League of Rochester Economic Development Corporation for \$2,400;
3. Authorize the sale of 81 Thurston Road to the ULREDC for \$900; and
4. Authorize the issuance of bonds totaling \$128,000 to finance the aforementioned acquisition and an additional property acquisition previously approved by the City Council.

90 Thurston Road contains a single-family house that has been damaged by fire. Following acquisition of the property by the City, the house will be demolished, at an estimated cost of \$8,500.

The resultant vacant lot, which will contain 6,802 square feet, will be combined with the adjacent vacant lot at 80 Thurston Road to create a parcel that contains 23,583 square feet. The combined parcel will be sold to ULREDC for construction of three two-family houses.

The houses will contain two- or three bedrooms. The first floor units of each house will be accessible to people with disabilities.

Construction of the houses is expected to begin in the summer and be completed in January, 2001. The estimated cost of construction is \$500,000, which will be financed through the Housing for Special Needs Populations Program of the U.S. Department of Housing and Urban Development.

The houses will be rented to very low income, high functioning persons with developmental disabilities who have children. The monthly rent is estimated to range from \$386 for a two-bedroom unit to \$416 for a three-bedroom unit.

ULREDC will also construct a single-family house on the vacant lot at 81 Thurston Road, for subsequent sale to an owner-occupant. Construction is expected to begin in the summer and be completed by the end of the year.

The purchase price for 90 Thurston Road was established by an independent appraiser, Kevin Bruckner. The sale prices for each of the vacant lots will be \$.10 per square foot.

The purchase of 90 Thurston Road, along with estimated closing costs of \$3,000, will be financed from the proceeds of the proposed bond issue. The proceeds also will be used to finance the costs of the acquisition of three properties on Fulton Avenue, which was authorized by the City Council on October 12, 1999.

Originally, the latter costs were to be financed from

the 1999-00 Cash Capital allocation. The proposed legislation will substitute the bond proceeds.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-53

Ordinance No. 2000-162  
(Int. No. 179)

**Approving The Acquisition Of 90 Thurston Road**

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

Section 1. The Council hereby approves the acquisition of 90 Thurston Road, SBL No. 120.640-2-78.2, from the current owner, Frank J. Frazier, for the sum of \$15,000.

Section 2. The acquisition, closing and demolition costs shall obligate the City to pay an amount not to exceed \$26,500, and of said amount, or so much thereof as may be necessary, \$18,000 shall be funded from a bond ordinance for acquisition, and \$8,500 shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-163  
(Int. No. 180)

**Authorizing The Sale Of Real Estate As A Part Of The Thurston Road Housing Project**

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

Section 1. The Council hereby approves the sale of 80 Thurston Road, SBL No. 120.640-2-78.1 and 90 Thurston Road, SBL No. 120.640-2-78.2, to the Urban League Economic Development Corporation for the sum of \$2,400 for the construction of rental housing units, contingent upon City acquisition of the parcel and demolition of the structure at 90 Thurston Road.

Section 2. The Council hereby further approves the sale of 81 Thurston Road, SBL No. 120.640-1-6, to the Urban League Economic Development Corporation for the sum of \$900 for the construction of a single family owner occupied structure.

Section 3. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-164  
(Int. No. 181, As Amended)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$[128,000] 323,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing A Portion Of The Fulton Avenue Redevelopment Project And The Thurston Road Housing Project And A Portion Of The Anthony Square Project Within The City**

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 planning and implementing a portion of the Fulton Avenue Redevelopment Project, presently consisting of the acquisition of certain blighted properties within the City, including but not limited to the following parcels: 119, 211 and 213-213.5 Fulton Avenue, in an amount not to exceed \$110,000; and a portion of the Thurston Road Housing Project, presently consisting of the acquisition of certain blighted properties within the City, including but not limited to the parcel at 90 Thurston Road, in an amount not to exceed \$18,000, and a portion of the Anthony Square Project, presently consisting of the acquisition of certain blighted properties within the City, including but not limited to the following parcels: 42-46 and 48-50 Prospect Street; and 281-283, 285, 287-289, 291 and 293 Troup Street, in an amount not to exceed \$215,000 (collectively, the "Project"). Improvements on said properties are to be ultimately demolished by the City. The estimated maximum cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$[128,000] 343,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$[128,000] 323,000 bonds of the City and the use of \$20,000 in current funds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$[128,000] 323,000 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 \$[128,000] 323,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of

said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.21-a of the Law, is thirty (30) years.

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

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

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

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

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

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran,

Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-165  
Re: Agreements - Landlord and Tenant Services

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the continued provision of various services to landlords and tenants:

<u>Organization</u>	<u>Amount</u>
Housing Council in the Monroe County Area	\$70,000
Legal Aid Society	70,000
Monroe County Legal Assistance Corporation	23,000
Spanish Action Coalition	33,000

The cost of these agreements will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

According to the 1990 census, there are approximately 96,000 occupied housing units in the city. Of this number, approximately 56% are rental units.

For several years, the City has sponsored various programs designed to enhance awareness of landlords and tenants of their respective responsibilities, encourage improved property maintenance and reduce vacancies and evictions. The aforementioned agencies have provided these programs under periodic agreements; the most recent agreements were authorized by the City Council on August 10, 1999.

A summary of the 1999-00 performance of each agency is attached. Following are their planned services for 2000-01.

<u>Organization</u>	<u>Program</u>	<u>Services</u>
Housing Council	Landlord Training	Landlord training classes One-on-one counseling Telephone hotline service
Legal Aid Society	Owner-Tenant	Housing Court advocacy Mediation services Community workshops
MCLAC	Low Income Tenant Legal Services	Housing Court representation Integrated case management Eviction counseling
Spanish Action Coalition	Tenant Education	Tenant education seminars Community outreach

Sincerely,

William A. Johnson, Jr.  
Mayor

Attachment No. Z-54

Ordinance No. 2000-165  
(Int. No. 182)

**Authorizing Agreements For Landlord And  
Tenant Services - \$196,000**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the Housing Council in the Monroe County Area, Inc. in an amount not to exceed \$70,000, the Spanish Action Coalition in an amount not to exceed \$33,000, the Monroe County Legal Assistance Corporation in an amount not to exceed \$23,000, and the Legal Aid Society in an amount not to exceed \$70,000, for Landlord and Tenant Services.

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$196,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-166  
Re: Home Purchase Assistance Program

Transmitted herewith for your approval is legislation relating to the Home Purchase Assistance Program. This legislation will:

1. Appropriate \$320,000 from the 2000-01 HOME allocation to provide funds for the program; and
2. Authorize any necessary agreements.

The Home Purchase Assistance Program, which was established by the City Council on March 19, 1996, provides financial assistance to low- and moderate-income persons who qualify for mortgages but do not have sufficient funds for a down payment or closing costs. To be eligible for assistance, a person must be a prospective owner-occupant of a one- or two-family house, satisfy the income qualifications of the HOME program and participate in home-buyer training.

The financial assistance consists of loans of up to \$5,000 for persons who intend to reside in the Enterprise Community Zone and loans of up to \$3,000 for persons who live in other areas of the city. A loan is forgiven if the recipient continues to reside in the house and the property is not sold for five years.

To date, \$1,423,800 has been appropriated for the program. \$1,192,400 of this amount has been expended or committed for 345 home buyers; an additional \$79,910 was used to finance administra-

tive expenses.

It is projected that the proposed appropriation will provide assistance to approximately 106 households.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-55

Ordinance No. 2000-166  
(Int. No. 183)

**Authorizing An Agreement For The Home  
Purchase Assistance Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester, New York, Inc. for administration of the Home Purchase Assistance Program.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$320,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-167  
Re: Agreement - Greater Rochester  
Housing Partnership, Housing  
Programs

Transmitted herewith for your approval is legislation authorizing an agreement with the Greater Rochester Housing Partnership, Inc., 183 E. Main Street, for continued financing of its operation. The maximum cost of this agreement is \$138,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

GRHP was established in 1991 to promote affordable housing throughout Monroe County by encouraging private investment, soliciting contributions and seeking federal and state funding. The City has provided funds to finance GRHP's administrative costs since its inception.

To date, \$1,325,000 has been allocated for this purpose. The most recent allocation was authorized by the City Council on July 13, 1999.

Following is a summary of GRHP's accomplishments between July, 1999 and March, 2000:

1. Acquisition/Rehabilitation

Goal: Provide financing, property management services and technical assistance

for at least 30 houses through the HOME program

Status: Mortgages for 16 houses have been closed

2. Single-Family New Construction

Goal: Provide at least \$600,000 in construction financing to developers of new single-family houses

Status: \$840,000 provided for 14 houses

3. Rental Projects

Goal: Provide direct construction loans  
 Status: Five multifamily developments containing 133 units received loans totaling \$8,100,000

Goal: Continue management of the Low Income Tax Credit Fund and obtain additional funds

Status: Additional investments totaling \$1,069,000 obtained and committed

Goal: Continue management of the "Seed Fund" for pre-development expenses

Status: \$10,000 loan provided to Frederick Douglass Village

Under the proposed agreement, GRHP will continue these activities during 2000-01. The maximum cost of the agreement is \$7,000 less than the cost of the current agreement. The reduction relates to the amount to be used for reimbursement of accumulated debt incurred on past projects involving the City.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-167  
 (Int. No. 184)

**Authorizing An Agreement With The Greater Rochester Housing Partnership, Inc. For Housing Services - \$138,000**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Housing Partnership, Inc. for continued housing services.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$138,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-168

Re: Agreement - Housing Council in the Monroe County Area, Inc., Mortgage Default Resolution

Transmitted herewith for your approval is legislation authorizing an agreement with the Housing Council in the Monroe County Area, Inc., 183 East Main Street, for the continued provision of mortgage default resolution services. The maximum cost of the agreement will be \$225,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

The Housing Council has provided mortgage default resolution services since 1975 and has administered the mortgage relief grants since 1990. The current agreement for provision of these services was authorized by the City Council on June 15, 1999.

Following is a summary of the Housing Council's performance through February, 2000.

	8 Month Planned	8 Month Actual
Counseling Cases	75	106
Mortgage Relief Grants		
Number	10	13
Amount	\$20,000	\$21,139

During the period, 51 of the 106 cases that were closed resulted in the prevention of foreclosures. Resolutions included reinstatement, sale or refinancing.

The proposed agreement will provide for continuation of these services during 2000-01. Of the total cost of the agreement, \$195,000 will be allocated for default resolution services and \$30,000 will be budgeted for mortgage relief grants.

The maximum grant is \$2,500. The grant is secured with a five-year lien against the property. If the property is sold or rented during this period, repayment of the grant is required.

The grants are intended "... to prevent mortgage foreclosure in cases of emergency when a home owner stands a reasonable chance of resuming monthly payments". To be eligible for a grant, a person must:

1. Own a one- or two-family house and reside in it.
2. Have a family income within the guidelines specified for the Section 8 program.
3. Be confronted with financial difficulties and a potential mortgage default because of circumstances beyond the control of the family, such as unemployment or unforeseen medical expenses.
4. Be able to reasonably demonstrate that these financial difficulties are likely to be temporary.
5. Participate in the mortgage default counseling and resolution process provided by the Housing Council.

The counseling and resolution process includes household budget and income analyses and negotiation with mortgage lenders and other parties such as HUD/FHA to arrive at appropriate resolutions. Possible resolutions include, refinancing, negotiated repayments and use of grants for eligible clients.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-168  
(Int. No. 185)

**Authorizing An Agreement With The Housing Council In The Monroe County Area, Inc. For The Continued Provision Of Mortgage Services - \$225,000**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Housing Council in the Monroe County Area, Inc. for the continued provision of mortgage default resolution services and counseling and continued administration of the Mortgage Default Resolution Program Grants.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$225,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-169  
Re: Agreements and Appropriations -  
Emergency Shelter Grant Program

Transmitted herewith for your approval is legislation authorizing agreements with 24 organizations for various programs under the 2000 Emergency Shelter Grant Project.

The federal Homeless Assistance Act provides assistance to local governments for the renovation and operation of emergency shelter facilities. Since inception of the program, the city has received grants totaling \$3,693,350.

These funds have been allocated for 163 projects. The most recent allocation was approved by the City Council on May 11, 1999.

In January, proposals were solicited from 110 individuals and organizations for the 2000 program. Twenty-eight proposals, with costs totaling \$994,300 were received from 24 organizations.

These proposals were evaluated by staff from the Department of Parks, Recreation and Human Services and the Homeless Continuum of Care Implementation Team. The evaluation criteria included:

1. Compliance with applicable federal guidelines;
2. Provision by the program of facilities or services to underserved populations;

3. Provision of services that address identified needs; and
4. The ability to expend or encumber all project funds within 12 months.

Based upon these evaluations and the limited amount of available funds, allocations for 25 projects are recommended. Descriptions of the projects are attached.

The total 2000 grant amount is \$1,000 less than the 1999 amount.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-56

Ordinance No. 2000-169  
(Int. No. 186)

**Authorizing An Application And Agreements Relating To The Emergency Shelter Grant 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 and enter into an agreement with the United States Department of Housing and Urban Development for funding under the Emergency Shelter Grant Program.

Section 2. The Mayor is hereby further authorized to enter into agreements with the following organizations in the following amounts, or the following amounts are allocated, for projects under the Emergency Shelter Grant Program:

Organization	Amount
Alternatives for Battered Women	\$23,000
Baden Street Settlement	7,200
Blessed Sacrament	10,250
Cameron Community Ministries	3,400
Catherine McAuley/Families First	11,984
Catherine McAuley/Melita House	16,194
Catholic Charities	12,500
Catholic Family Center	63,400
The Center	16,100
Dimitri House	22,000
Grace Urban Ministries/Mary Magdalene House	19,200
Hillside Children's Center	6,056
Housing Council	8,111
St. Martin's Place	6,000
St. Mary's Church	50,000
Sojourner House	24,705
Southeast Ecumenical Ministry	1,200
Tempo Development	5,000
Togetherness in Love Community	15,000
Veteran's Outreach Center	20,000
Volunteers of America	20,000
Wilson Commencement Park	22,000
YWCA	10,000

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$393,300, and said amount, or so much thereof as may be necessary, is hereby appropriated from Emergency Shelter Grant Funds.

Section 4. The application and agreements shall contain such additional terms and conditions as the

Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of one of the affiliating companies.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliating companies.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1467  
Re: Merchants/Winton Road Open Space District

Transmitted herewith for your approval is legislation approving the annual maintenance budget of the Merchants/Winton Road Open Space District and apportioning this cost among the properties included in the district.

The district was established by the City Council on August 20, 1996 to preserve as open space approximately 1.5 acres of land on Merchants Road. The district includes 71 properties on Winton, Merchants, Royleston, Woodstock, Marsden and Elmcroft Roads.

The land consists of one parcel that was owned by the City prior to establishment of the district and one parcel that was acquired by the City in 1996 at a total cost of \$30,000. The cost of acquisition is being amortized over 10 years at an interest rate of 5%, or at about \$2,720 per year.

The budget for maintenance of the land is established annually. For 2000-01, the budget will be \$500, or the same amount as the 1999-00 budget.

The total charges will be apportioned among the properties within the district based upon their assessed values, without consideration of any exemptions. The properties are classified into two groups or tiers:

1. Properties that are within the triangular area that contains the open space; and
2. Properties that are across streets from the triangular area.

The charges for properties within the first group will be based upon total assessed values while the charges for properties within the second group will be based upon two-thirds of their assessed values. If the proposed assessments are approved, the charges to the individual properties within the district will be prepared and submitted to the Council for consideration. The property owners will be provided with an opportunity to review these assessments and to comment upon them at a public meeting.

A public hearing on the proposed legislation is required.

Respectfully submitted,

William A. Johnson, Jr.  
Mayor

Local Improvement Ordinance No. 1467  
(Int. No. 188)

**Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Merchants/Winton Road Open Space District**

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

Section 1. The maintenance cost of the special work and services for the 2000-01 fiscal year for the Merchants/Winton Road Open Space District is established as \$500, which with the previously approved capital costs of \$2,719.60 establishes a total assessment of \$3,219.60, and said total amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1395.

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-170  
Re: Anthony Square Redevelopment Project

Transmitted herewith for your approval is legislation relating to the Anthony Square Redevelopment Project. This legislation will:

1. Authorize an agreement for a new float loan of \$2,000,000 for the project;
2. Rescind the authorization for an agreement for a permanent loan of \$500,000;
3. Reappropriate up to \$14,701 to partially finance contingency costs, such as subsurface remediation; and
4. Authorize any necessary agreements.

The project involves the redevelopment by Housing Opportunities, Inc. and the City of the former West Square Manor site. The project will result in the construction of 23 owner-occupant single-family houses and 45 rental units.

The 10 apartment buildings and small commercial building that were on the site have been demolished. Environmental remediation of the site has been completed and construction of a roadway will be completed in June.

Construction of the single-family houses began in April in conjunction with the 2000 Home Expo program. Construction of the rental units will begin upon approval by the NYS Division of Housing and Community Renewal of an application for financing totaling \$4.8 million.

On April 14, 1998, the City Council authorized a float

loan of \$1,500,000 for the project. Originally, the loan had a term of 18 months but this term was extended twice because of delays in obtaining the state funds. On November 10, 1998 the Council authorized an extension to 30 months. On October 12, 1999, the Council authorized an extension to 48 months.

The loan will be repaid early in 2001 with funds to be received from the Rochester Housing Authority. At that time, a new float loan of \$2,000,000 will be made to HOP or another entity established by HOP to complete the project.

The new loan will have a maximum term of two years and an interest rate of 0%. The loan will be repaid from the proceeds of the sale of the low-income housing tax credits to be received for project.

On October 12, 1999, the Council authorized an additional loan of \$500,000 for the project. The funds were to be initially provided for construction and then converted to a 30-year loan.

However, with the new float loan, the funds now are not required for construction and the permanent financing is no longer needed. The proposed legislation will therefore rescind the authorization for the loan.

On November 10, 1998, the Council authorized \$90,000 from the 1995, 1996, and 1997 HOME Program to finance relocation costs, engineering services, and the payment of Monroe County taxes. Under the proposed legislation, the unused balance of \$14,701 will be reappropriated to partially finance contingencies, such as subsurface remediation.

An amendment of the 1999-00 Community Development Program will be required to provide the float loan. A public hearing on the amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-57

Ordinance No. 2000-170  
(Int. No. 189, As Amended)

**Authorizing An Amendatory Application And Agreement For The 1999-2000 Community Development Program And An Agreement For A Float Loan For The Anthony Square Project And Amending Ordinance No. 99-377 And Authorizing Environmental Indemnification**

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

Section 1. The Mayor is hereby authorized to submit an amendatory application to and enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 1999-2000 Community Development Program whereby the sum of \$2,000,000 shall be added to the Improving the Housing Stock and General Property Conditions Allocation and/or the City Development Fund and/or the HOME Program in a new account for a float loan to Housing Opportunities, Inc. or a Housing Development Fund Corporation or Limited Partnership to be formed by Housing Opportunities, Inc., for the development of housing as a part of the Anthony Square Project. The 1999-2000 Community Development Program Plan, as amended, is hereby further amended to effectuate this change, contingent

upon approval of the amendatory agreement.

Section 2. The Mayor is hereby authorized to enter into a loan agreement with Housing Opportunities, Inc., or a Housing Development Fund Corporation or Limited Partnership to be formed by Housing Opportunities, Inc., for the development of housing as a part of the Anthony Square Project. The loan shall be for a term not to exceed two years, and shall be repaid without interest at the end of the term.

Section 3. The loan agreement shall obligate the City of Rochester to pay an amount not to exceed \$2,000,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program and/or the City Development Fund and/or HOME Program funds, as approved in the amendatory agreement authorized herein.

Section 4. The application and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. Sections 2 and 3 of Ordinance No. 99-377, relating to a development loan for the Anthony Square Project, are hereby repealed.

Section 6. The funds appropriated in Section 2 of Ordinance No. 98-416 are further appropriated for the additional purpose of financing contingencies, including subsurface remediation, for the Anthony Square Project.

Section 7. The Council further authorizes environmental indemnification of the purchaser of the portion of the parcel at 501 West Main Street which Council authorized the Rochester Urban Renewal Agency to sell in Ordinance No. 98-417, whether said parcel is sold intact or as subdivided.

Section 8. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-171  
Re: HUD Asset Control Area Partnership Program

Transmitted herewith for your approval is legislation relating to the City's participation in the Asset Control Area Program of the U.S. Department of Housing and Urban Development. This legislation will:

1. Authorize a float loan of \$1,000,000 from the Community Development Block Grant to provide interim financing;
2. Appropriate the balance of the proceeds from the sale of property under the Home Owner-Occupant Program for use in the ACAP program.

On April 15, 1997, the City Council authorized an agreement with HUD for the marketing and sale by the City of selected residential properties acquired by HUD through mortgage foreclosure. Under the program, approximately 115 properties were sold.

On September 15, 1999, the Council authorized an

agreement with HUD for an expanded marketing and sale program. Under the expanded program, the City is required to acquire all foreclosed residential properties with up to four units within the portions of the city with the following zip codes:

14605	14608	14613	14620
14606	14609	14615	14621
14607	14611	14619	

HUD will provide an interest free short-term loan with a maturity of up to 90 days to finance the acquisition of the properties. It was originally thought that, if the City was unable to market a property within that period, a line of credit from the Greater Rochester Housing Partnership would be used to repay the HUD loan.

The proposed float loan is intended as a replacement for the line of credit. It will permit the City to avoid the interest charges associated with the credit line.

The proposed appropriation of the balance from the proceeds from the sale of property under the former HOOP will supplement the float loan. It will also be used to finance the costs of administration of the ACAP program and for continued operation of the Marketing Assistance Program.

The MAP was authorized by the Council on March 17, 1998. The program involves the provision of pre-paid advertising space in Saturday editions of the Democrat and Chronicle to eligible real estate agents to assist in the sale of houses with prices of \$30,000 or less.

To be eligible to participate in the program, an agent is required to attend a one-hour course provided by the City, City School District and Home Store. The course provides information about the city, its schools, available housing programs and appropriate sales techniques. To date, approximately 140 real estate agents have participated in the program.

The present available balance of the HOOP property sales fund is \$401,682. Of this amount, \$35,000 will be appropriated for the MAP.

The float loan will require an amendment of the CDBG. A public hearing on the amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-171  
(Int. No. 190)

**Authorizing An Amendatory Application And Agreement For The 1999-2000 Community Development Program For A Float Loan For The HUD Asset Control Area Partnership Program And Amending Ordinance No. 99-349**

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

Section 1. The Mayor is hereby authorized to submit an amendatory application to and enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 1999-2000 Community Development Program whereby the sum of \$1,000,000 shall be added to the Improving the Housing Stock and General Property Conditions Allocation and/or the City Development Fund in a new account for a float loan to fund the

acquisition of HUD foreclosed properties as a part of the HUD Asset Control Area Partnership Program. The 1999-2000 Community Development Program Plan, as amended, is hereby further amended to effectuate this change, contingent upon approval of the amendatory agreement.

Section 2. The float loan shall be for a term not to exceed one year, and shall be repaid with property sales revenues.

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

Section 4. The Council hereby approves the deposit and use of all property sales proceeds from the Home Owner-Occupant Program to replenish a fund for the ongoing operation and administration of the ACAP Program and the operation of the Marketing Assistance Program, and of said funds and the interest thereon, \$35,000 is hereby appropriated for the Marketing Assistance Program and the remainder and future proceeds and interest is hereby appropriated for the ACAP Program. In order to accomplish said purpose, all funds appropriated in Section 5 of Ordinance No. 98-101 and Section 3 of Ordinance No. 98-408 are hereby reduced by the available balance, as determined by the Director of Finance, and said amounts are reappropriated herein.

Section 5. Section 8 of Ordinance No. 99-349, relating to a line of credit from the Greater Rochester Housing Partnership for this purpose, is hereby repealed.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1468 and  
Local Improvement Ordinance No. 1469  
Re: Assessments and Appropriations -  
Neighborhood Commercial/Residential  
Parking Lots

Transmitted herewith for your approval is legislation relating to the neighborhood commercial and residential parking lot programs. This legislation will:

1. Authorize the continuation of the parking lot on South Avenue; and
2. Appropriate \$79,868.26 for the operation and maintenance of this and eight other parking lots during 2000-01 and approve the assessment of \$70,539 against the benefited properties.

The parking lots were established pursuant to the policies adopted by the City Council on January 23, May 8 and May 22, 1979. Under these policies, the original construction costs of the lots were financed by the City but the annual operating and maintenance costs are financed through assessments against the properties that benefit from the lots.

The South Avenue assessment district was authorized by the Council on June 10, 1980 and reauthorized on May 22, 1990 for a 10-year period. Under the proposed legislation, the district will be reauthorized for an additional 10-year period.

The operation and maintenance of this and the other eight lots include snow plowing, cleaning, landscape maintenance, lighting and parking regulation enforcement. These services are provided either by City personnel, private companies under contract to the City, or the property owners themselves.

For 2000-01, the total cost of these services will be \$79,868, which is \$4,595 more than the 1999-00 amount. Since unexpended amounts available from prior year assessments are \$1,996 less than the 1999-00 amounts, total required new assessments will increase by \$6,591.

	2000-01	1999-00	Variance
Total Appropriations	\$79,868	\$75,273	\$4,595
Less: Unused prior assessments	9,329	11,325	(1,996)
New Assessments	\$70,539	\$63,948	\$6,591

Again this year, no assessments will be apportioned against the properties included in the Wadsworth Square assessment district. Because of low utilization by residents, the parking lot within the district is presently operated by Ralph Parking pursuant to an agreement authorized by the Council on January 19, 1999. The revenues received under the provisions of this agreement are sufficient to finance all costs of operation.

Similarly, no new assessments will be imposed upon the properties in the South Avenue district. There are sufficient unused assessments from prior years to finance all projected costs.

If the proposed assessments are approved, the charges to the individual properties within the district will be prepared and submitted to the Council for consideration. The property owners will be provided with an opportunity to review these assessments and to comment upon them at a public hearing.

A public hearing on the proposed legislation is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-58

Local Improvement Ordinance No. 1468  
(Int. No. 191)

**Continuation Of Local Improvement Ordinance No. 1298 Relating To The South Avenue Neighborhood Commercial Parking Lot**

WHEREAS, by Local Improvement Ordinance No. 1298, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the South Avenue Neighborhood Commercial Parking Lot; and

WHEREAS, the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1298, relating to the levying of local improvement

assessments to fund the cost of special work and services related to the South Avenue Neighborhood Commercial Parking Lot, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2000.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1469  
(Int. No. 192)

**Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas**

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the local improvement ordinances, and said new assessments are hereby appropriated from the Care and Embellishment Fund for the operation and maintenance of parking areas and neighborhood commercial or residential parking lots during 2000-01:

Parking Area	Unused Assessments		LIO
	New Assessments	From Prior Years Total Amount	
Culver-Merchants	\$2,000.00		1357
	\$26,400.00	\$28,400.00	
Monroe Avenue	-0-		1441
	12,500.00	12,500.00	
Parker Place	1,000.00		1309
	2,000.00	3,000.00	
South Avenue	1,650.00		Pending
	-0-	1,650.00	
Wadsworth Square	2,434.26		1416
	-0-	2,434.26	
Winton-Mayfield	1,245.00		1333
	7,180.00	8,425.00	
North Street	-0-		1258
	7,200.00	7,200.00	
West Main Street	1,000.00		1317
	8,495.00	9,495.00	
Lyell Avenue	-0-		1382
	6,764.00	6,764.00	

Section 2. This ordinance shall take effect on July 1, 2000.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-172  
Re: Zoning Ordinance Amendment - Appeals and Interpretations  
Transmitted herewith for your approval is legislation amending the provisions of the Zoning Ordinance relating to appeals and interpretations. The amendment was requested by the City Planning Commission in response to changes in the NYS General City (and

Town and Village) Law specified by Chapter 476 of the Laws of 1999.

The changes provide for:

1. The Zoning Board of Appeals to hear appeals concerning requirements and interpretation of the Director of Zoning, as well as orders, decisions and determinations;
2. The filing in the Bureau of Buildings and Zoning of all orders, decisions, determinations, requirements and interpretations within five days; and
3. The submission to the Board, as well as the Director, of any appeal of an order, decision, determination, requirement or interpretation within 60 days of such filing.

The Planning Commission held an informational meeting concerning the proposed amendment on March 6; there was one speaker, who supported the amendment. The Commission recommended by a vote of 8-0 that the amendment be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the amendment will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-59

Ordinance No. 2000-172  
(Int. No. 193)

**Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Administrative Decisions And Appeals**

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

Section 1. Section 115-18 of the Municipal Code, Director of Zoning, as amended, is hereby further amended by amending the final sentence of subsection 115-18A(12) to read in its entirety as follows:

Any interpretation of this chapter which may be rendered by the Board of Appeals, the Corporation Counsel or the Director shall be filed in the Bureau within five business days from the day it is rendered and shall be a public record of the city open to inspection by all persons at reasonable time and upon reasonable notice.

Section 2. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by adding thereto the following new subsection 115-18A(19) to read in its entirety as follows:

- (19) Each order, requirement, decision, and determination of the Director shall be filed in the Bureau within five business days from the day it is rendered and shall be a public record of the city open to inspection by all persons at reasonable time and upon reasonable notice.

Section 3. Section 115-33 of the Municipal Code, Appeals, as amended, is hereby further amended by amending subsection A to read in its entirety as follows:

- A. Authority. The Board of Appeals shall hear and decide appeals from and review orders, requirements, decisions, interpretations, and determinations or the failure to act of the Director of Zoning and to that end it shall have the same powers and be subject to the same standards and limitations as the Director of Zoning with respect to any order, decision or determination being appealed.

Section 4. Section 115-33 of the Municipal Code, Appeals, as amended, is hereby further amended by amending subsection C(1) to read in its entirety as follows:

- (1) Notice of appeal. Appeal to the Board of Appeals shall be taken within sixty (60) days of the filing of any order, requirement, decision, interpretation, or determination, by filing with the Director of Zoning and the Board of Appeals, in two (2) duplicate copies, a notice of appeal specifying the grounds therefor. A nonrefundable filing fee, as established from time to time by the City Council to help defray administrative costs and costs of a hearing, shall accompany the notice of appeal. The Director of Zoning shall forthwith transmit to the Board of Appeals all papers constituting the record upon which the action appealed from was taken.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-173  
Re: Institutional Planned Development  
District No. 9, Al Sigl Center

Transmitted herewith for your approval is legislation relating to Institutional Planned Development District No. 9, the Al Sigl Center. This legislation will amend...

1. The Zoning Map by changing the classification of 1600 South Avenue from IPD to IPD #9 Al Sigl Center; and
2. The Current Plan for IPD #9 by including land use regulations for the above property.

IPD District No. 9 was established the by the City Council on January 27, 1981. It originally included only 1000 Elmwood Avenue.

On May 26, 1981, the Council approved an expansion of the district, to include 1450 and 1460 South Avenue and an amendment of the Current Plan for the district. On June 13, 1989, the Council approved a further amendment of the Current Plan, to permit expansion of a parking lot. Under the proposed legislation, the district will be further expanded to include 1600 South Avenue, a property that is located across Elmwood Avenue from the Al Sigl Center. The property, formerly part of the Rochester Psychiatric Center, was acquired by the Center from New York State in 1996.

Since acquisition, the Center has been renovating the five buildings on the property for use by several of its component agencies. Construction of a 14,000 square foot addition to one of the buildings is presently planned.

Under the proposed legislation, the property - which is known as the Wolk Campus - will be incorporated as a sub-area within IPD District No. 9. The following standards for future development within the sub-area will be established.

1. The minimum yard requirements for development will be:
  - Front yard (for both Elmwood and South Avenues) - 40'
  - Side and rear yard - 20'
2. The maximum building height will be four stories.
3. The floor area ratio will be .4, which is the same standard as specified for the Center's main campus.

The property contains 442,710 square feet (10.4 acres), while the buildings on the property contain 132,100 square feet. The present FAR is therefore .3 and the proposed FAR will permit the construction of an additional 44,984 square feet of space.

The Planning Commission held an informational meeting on the proposed amendments on March 6; there were two speakers, who supported the amendments. The Commission recommended by a vote of 7-0-1 that the amendments be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the amendments will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-60

Ordinance No. 2000-173  
(Int. No. 194)

**Changing The Zoning Classification Of 1600 South Avenue From IPD To IPD#9-Al Sigl Center And Amending The Current Plan For IPD#9**

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 1600 South Avenue, from IPD to IPD#9-Al Sigl Center:

All that tract or parcel of land situate in Lot 62 & 68, Township 13, Range 7 of the Phelps and Gorham Purchase in the City of Rochester, County of Monroe and State of New York, being more particularly bounded and described as follows:

Beginning at a point in the east line of South

Avenue (66 feet wide) at its intersection with the South line of Elmwood Avenue (100 feet wide);

- Thence (1) N 86° 29' 33" E, along the South line of Elmwood Avenue, a distance of 693.62 feet to a point;
- Thence (2) S 03° 30' 27" E, a distance of 242.86 feet to a point which is 1.00 feet North of the North face of Building 10;
- Thence (3) S 85° 20' 24" W, along a line parallel with and 1.00 feet distant northerly from said North face, a distance of 22.05 feet to a point on the East face of Building 9;
- Thence (4) S 04° 31' 13" E, along said East face, a distance of 2.30 feet to the southeast corner of Building 9;
- Thence (5) S 85° 26' 14" W, along the South wall of Building 9, a distance of 19.88 feet to a point 1.00 feet West of the West face of Building 10;
- Thence (6) S 04° 09' 24" E, along a line parallel with and 1.00 feet distant westerly from said West face, a distance of 124.26 feet to a point;
- Thence (7) S 59° 53' 12" W, a distance of 359.37 feet to a point;
- Thence (8) Northwesterly along a curve to the left having a radius of 650.00 feet, and an interior angle of 05° 56' 19", (chord bearing N 51° 37' 09" W, 67.34'), a distance of 67.37 feet to a point of compound curvature;
- Thence (9) Northwesterly along a curve to the left having a radius of 180.00 feet, and an interior angle of 17° 21' 32", (chord bearing N 63° 16' 04" W, 54.33'), a distance of 54.53 feet to a point of tangency;
- Thence (10) N 71° 56' 50" W, a distance of 132.54 feet to a point;
- Thence (11) S 37° 32' 11" W, a distance of 67.93 feet to a point of curvature;
- Thence (12) Southwesterly along a curve to the left having a radius of 200.00 feet, and an interior angle of 20° 24' 17", (chord bearing S 27° 20' 02" W, 70.85'), a distance of 71.23 feet to a point of compound curvature;
- Thence (13) Southeasterly along a curve to the left having a radius of 62.50 feet and an interior angle of 51° 30' 32", (chord bearing S 08° 37' 22" E, 54.31'), a distance of 56.19 feet to a point of reverse curvature;
- Thence (14) Southerly along a curve to the right having a radius of 230.00 feet, and an interior angle of 14° 37' 35", (chord bearing S 27° 03' 50" E, 58.56'), a distance of 58.71 feet to a point of tangency;
- Thence (15) S 19° 45' 02" E, a distance of 82.96

- feet to a point;
- Thence (16) S 43° 26' 52" W, a distance of 66.45 feet to a point;
- Thence (17) Southerly along a curve to the left having a radius of 133.79 feet and an interior angle of 33° 34' 42", (chord bearing S 06° 57' 39" W, 77.29'), a distance of 78.41 feet to a point;
- Thence (18) S 88° 06' 46" W, a distance of 25.15 feet to a point;
- Thence (19) S 01° 56' 06" W, a distance of 17.95 feet to a point of curvature;
- Thence (20) Southwesterly, along a curve to the right having a radius of 28.00 feet and an interior angle of 86° 14' 55", (chord bearing S 45° 03' 34" W, 38.28"), a distance of 42.14 feet to a point of tangency;
- Thence (21) S 88° 11' 01" W, a distance of 14.36 feet to a point;
- Thence (22) N 72° 37' 13" W, a distance of 249.03 feet to a point in the East line of South Avenue;
- Thence (23) N 16° 20' 38" E, a distance of 833.80 feet to the point of beginning, containing 10.292 acres.

All as shown on a map entitled "Lands To Be Acquired By Al Sigl Center, City of Rochester, County of Monroe and State of New York" prepared by Clark Patterson Mossien, Design Professionals, dated August 16, 1994, last revised November 16, 1995, filed in the New York State Office of General Services at Albany, New York as O.G.S. Map No. 1656.

Also, All that tract or parcel of land situate in Lot 52, Township 13, Range 7 of the Phelps and Gorham Purchase, in the City of Rochester, County of Monroe and State of New York, being more particularly described as follows:

Commencing at a point in the South line of Elmwood Avenue (100 feet wide) at a point being 693.62 feet distant easterly from its intersection with the east line of South Avenue (66 feet wide); thence S 03° 30' 27" E, a distance of 162.86 feet to a point of Beginning;

- Thence (1) S 03° 30' 27" E, a distance of 80.00 feet to a point which is 1.00 feet north of the north face of Building 10;
- Thence (2) S 85° 20' 24" W, along a line parallel with and 1.00 feet distant northerly from said north face, a distance of 22.05 feet to a point on the east face of Building 9;
- Thence (3) S 04° 31' 13" E, along said east face, a distance of 2.30 feet to the southeast corner of Building 9;
- Thence (4) S 85° 26' 14" W, along the south wall of Building 9, a distance of 19.88 feet to a point 1.00 feet west of the west face of Building 10;
- Thence (5) S 04° 09' 24" E, along a line parallel with and 1.00 feet distant westerly

from said west face, a distance of 124.26 feet to a point;

- Thence (6) N 77° 37' 52" E, a distance of 119.61 feet to a point;
- Thence (7) N 40° 36' 41" E, a distance of 14.22 feet to a point;
- Thence (8) N 04° 04' 31" W, along a line parallel to and 5 feet distant easterly, from the east face of Building 10, a distance of 100.81 feet to a point;
- Thence (9) N 51° 31' 49" W, a distance of 116.50 feet to the point of beginning, describing a parcel of land containing 0.425 acres, more or less.

Section 2. The Council hereby approves an amendment to the Current Plan for IPD#9-Al Sigl Center to include the parcel described in Section 1 as a sub-area to be known as the Wolk Campus. The Council hereby approves the current plan submitted by the Al Sigl Center for the Wolk Campus and establishes the following standards for future development within this sub-area:

Front yard setback (for structures):	40 feet
Side/Rear Setback:	20 feet
Maximum Floor Area Ratio	0.40
Maximum Building Height	4 stories

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 195  
Re: Zoning Map Amendment - 151 Bernice Street

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 151 Bernice Street from T-P Transitional Parking to M Manufacturing Industrial.

The property abuts R-1 Single Family Residential uses to the north and east, M uses to the south and the Town of Greece to the west. It contains a parking lot with approximately 500 spaces that was formerly used by the Eastman Kodak Company and a small undeveloped area.

The rezoning of the property was requested by its owner, Frederico Realty LLC, to permit construction of a self-storage warehouse complex. The complex will contain 20 buildings with a total of 528 storage units of various sizes. A portion of the property will remain undeveloped.

The Planning Commission held an informational hearing on the proposed rezoning on April 3; there were four speakers, two of whom supported and two of whom opposed the rezoning. The Commission recommended by a vote of 5-0 that the rezoning be approved.

Pursuant to the requirements of Article 98 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 195

**CHANGING THE ZONING CLASSIFICATION OF 151 BERNICE STREET FROM T-P TRANSITIONAL PARKING TO M MANUFACTURING INDUSTRIAL**

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 151 Bernice Street, from T-P Transitional Parking to M Manufacturing Industrial:

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

Beginning at a point of intersection of the centerline of Bernice Street and the southerly line of Lot 60 being the southerly line of lands formerly conveyed by A. B. Filmore to Distillation Products, Inc. as per a deed filed in the Monroe County Clerks Office in Liber 2244 of deeds at page 351;

Thence 1) Westerly along the southerly line of said Lot 60 a distance of 174 feet more or less to the easterly line of lands owned by Premier Food Corporation as per Liber 1210 of deeds at page 234;

Thence 2) Northerly and making an interior angle of 90° with Course One a distance of 250 feet to a point;

Thence 3) Northwesterly and forming an interior angle of 120° 51' 47" with Course Two to the City of Rochester, Town of Greece line;

Thence 4) Northeasterly along the dividing line between the City of Rochester and the Town of Greece to the westerly extension of a line parallel to and 16.5 feet southerly from the southerly line of Lot 1 of Municipal Subdivision 1-45 as filed in the Monroe County Clerk's Office in Liber 95 of maps at page 80;

Thence 5) Easterly along said extension and 16.5 feet and southerly from Lot 1 of said Municipal Subdivision to the centerline of Bernice Street;

Thence 6) Southerly along the centerline of Bernice Street to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Item failed by the following vote:

Ayes- None - 0.

Nays - President Giess, Councilmembers Curran,

Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-174,  
2000-175 and 2000-176  
Re: 2000-01 Consolidated Community  
Development Plan

Transmitted herewith for your approval is legislation relating to the 2000-01 Consolidated Community Development Plan. The legislation will:

1. Approve the 2000-01 Draft Consolidated Community Development Plan;
2. Authorize the submission of the plan to the U. S. Department of Housing and Urban Development and the execution of any grant agreements; and
3. Approve the appropriation and the use of Urban Development Action Grant principal and interest repayments projected to be received during 2000-01.

In 1995, the Consolidated Community Development Plan replaced all U. S. Department of Housing and Urban Development planning and application requirements for HUD's formula grant programs, including the Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant Program and the Housing Opportunities for Persons with AIDS. Under the revised requirements, jurisdictions prepare multi-year strategies and one-year action plans for use of federal funds.

The Consolidated Community Development Plan consists of a three-year strategic plan and an annual action plan. The strategic plan contains a community development needs assessment, a housing market analysis and long term strategies to meet priority needs. The annual action plan describes specific projects and activities that will be undertaken in the coming year with federal funds to address priority needs.

Under the plan, the following allocations are provided:

Objective	Amount	Percent of Total
Support NBN	\$ 973,700	5%
Economic Stability	3,899,300	21
Housing Stock	11,082,400	59
Community Needs	2,312,900	12
Other	617,700	3
Total	\$18,886,000	100%

Approval by the City Council of the Annual Action Plan and the reallocation is required by HUD. Approval of the City Development Fund is required by Resolution 83-26, which was adopted on May 24, 1983.

A public hearing on the plan is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-174  
(Int. No. 196)

**Approving The Consolidated Community Development Program/2000-01 Annual Action Plan**

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Program/2000-01 Annual Action Plan to be financed with \$18,886,000 available to the City of Rochester from the Community Development Block Grant, HOME Program, Emergency Shelter Grant Program, Housing Opportunities for Persons with AIDS Program, and Urban Development Action Grant loan and interest repayments; and

WHEREAS, the proposed plan was prepared according to a Citizen Participation Plan and reflects public comments and consultations; and

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff; and

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Program/2000-01 Annual Action Plan and the needs, strategies, proposed actions and annual performance; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby adopts the Draft Consolidated Community Development Program/2000-01 Annual Action Plan.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-175  
(Int. No. 197)

**Authorizing Submission Of The Consolidated Community Development Program/2000-01 Annual Action Plan And Execution Of The Grant Agreement With The United States Department Of Housing And Urban Development**

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

Section 1. The Mayor is hereby authorized to submit a Consolidated Community Development Program/2000-01 Annual Action Plan to the United States Department of Housing and Urban Development. The Mayor is hereby further authorized to execute a grant agreement with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2000.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-176  
(Int. No. 198)

**Appropriation Of Funds For The City Development Fund**

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

Section 1. As part of the Consolidated Community Development Program/2000-01 Annual Action Plan, the Council hereby appropriates the sum of \$1,100,000 in anticipated UDAG Loan Repayment Funds and interest, to be utilized as capital for the City Development Fund.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of programs funded by the appropriations made herein. The agreements shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilwoman Griswold moved to discharge Introductory No. 187 out of committee.

The motion was seconded by Councilwoman Santiago.

The motion was adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-177  
Re: Agreement - Central Library Cafe

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Eileen and Bill Perkins, or their business entity, for the operation of a cafe within the Rundel Memorial Library and Bausch & Lomb Public Library buildings.

The Rochester Public Library is a chartered institution governed by the Board of Trustees. However, the City owns the Central Library (and branch library) buildings.

Included in the renovated Rundel Memorial Library building is a 700 square foot cafe. Until February, the cafe was operated by Geoffrey Reynolds, under an agreement authorized by the City Council on January 20, 1998.

In March, to replace Mr. Reynolds, the Library solicited proposals for operation of the cafe through public advertisement. Ms. and Mr. Perkins submitted the only proposal; they have operated Eileen's Bakery and Soup Kitchen in Brockport since 1995.

Under the proposed agreement, the contractor will pay a base fee of \$500 per month during the first year, which is the same initial fee paid by Mr. Reynolds. In the subsequent two years, the fee will be based upon gross sales.

The contractor will be responsible for the provision of all utensils, trays, plates, flatware, tablecloths and disposable supplies and cleaning of the cafe area. The city will be responsible for the provision of utilities, general security a storage area of at least 120 square feet for use by the contractor.

During the operation of the cafe by Mr. Reynolds, daily gross receipts were \$500-\$600.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-177  
(Int. No. 187)

Authorizing An Agreement For The Central Library Cafe

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 Eileen and William Perkins, or a business entity formed by them, for the operation of a cafe in the Rundel Memorial Building, and the provision of catering services in the Rundel Memorial Building and the Bausch & Lomb Public Library Building for a term not to exceed three years. The contractor shall be responsible for the provision of all utensils, trays, flatware, tablecloths and disposable supplies and cleaning of the cafe area. The Library shall be responsible for the provision of utilities, general security, and for providing a storage area of at least 120 square feet for use by the contractor.

Section 2. The agreement shall obligate the contractor to pay a base fee of \$500 per month to the Library during the first year of operation, and a sum approved by the Board of Trustees of the Rochester Public Library during subsequent years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 10:05 P.M.

CAROLEE A. CONKLIN  
City Clerk

\* \* \* \* \*

PUBLIC HEARING MEETING  
CITY/CITY SCHOOL DISTRICT BUDGET  
June 14, 2000  
7:00 P.M.

Present - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Curran - 1.

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

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

PUBLIC HEARINGS

Pursuant to law public hearings will now be had on the following matter:

Adoption Of The Budget Estimates For School Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001, And Appropriation Of Sums Set Forth Therein Int. No. 259 No speakers.

Adoption Of The Budget Estimates For Municipal Purposes For The 2000-2001 Fiscal Year, And Appropriation Of Sums Set Forth Therein And Approving Commercial Refuse Fees Int. No. 258 No speakers.

Local Improvement Ordinance - Street Cleaning, Street And Sidewalk Snow Removal, And Hazardous Sidewalk Repair Commencing July 1, 2000 And Expiring June 30, 2001 Int. No. 262 No speakers.

Confirming The Assessments, Amounts And Charges To Be Inserted In The Annual Tax Rolls For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001 Int. No. 263 No speakers.

MISCELLANEOUS BUSINESS

The meeting was adjourned at 7:10 P.M.

CAROLEE A. CONKLIN City Clerk

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REGULAR MEETING June 20, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - None - 0.

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

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

Recognition Ceremonies

Recognition: Cultural Diversity Award - Department of Parks, Recreation and Human Services NYCOM Local Achievement Award - Fire Department

Retirement: Carlos Rivera, Department of Environmental Services

\*Herbert Lidstone, Department of Finance \*Dorothy (Joan) Witner, Department of Finance

\*Not attending meeting.

APPROVAL OF THE MINUTES

By Councilmember Thompson

RESOLVED, that the minutes of the Regular Meeting May 16, 2000, be approved as published in the

official sheets of the proceedings.

Adopted unanimously.

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

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

Corporation Counsel submits Settlement of Tax Assessment Proceedings. 3643-7 and 3644-7

The Director of Zoning submits Notices of Environmental Determination.

Lower Falls Park. 3645-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Dedication Of Additional Right-Of-Way And Renaming The Northern Portion Of Lemoyne Avenue As North Lemoyne Avenue Int. No. 212 No speakers.

Approving The Clifford Avenue Public Improvement Project And Changes In The Pavement Width Of Clifford Avenue, Woodman Park And Martinot Avenue Int. No. 213 No speakers.

Approving Changes In The Pavement Width Of Browncroft Boulevard As A Part Of The Browncroft Boulevard And North Winton Road Public Improvement Project Int. No. 215 No speakers.

Dedication Of Additional Right-Of-Way At The Intersection Of Beacon Street And Atlantic Avenue Int. No. 248 No speakers.

Local Improvement Ordinance - Upgrading Of Sidewalks As A Part Of The University Avenue Public Improvement Project Int. No. 252 No speakers.

Changing The Zoning Classification Of 505-595 Highland Avenue From R-1 Single Family Residential To R-2 Two-Family Residential Int. No. 237 One speaker: Karen Yaniga.

Amending The 1999-2000 Community Development Block Grant And Approving A Section 108 Business Loan And An Economic Development Initiative Grant For The Children's Beverage Group, Inc. Project Int. No. 239 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson June 20, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 210 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Reconstruction Of Various Water Mains In The City, Stating The Estimated Maximum Cost Thereof Is \$1,049,887, Appropriating Said Amount Thereof, And Authorizing The Issuance Of \$906,000 Bonds Of Said City, In Addition To \$143,887 Bonds Previously Authorized Thereof, To Finance Said Appropriation

Int. No. 211 - Establishing \$47,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Engineering Planning Services For The Inner Loop Improvement Study

Int. No. 243 - Establishing \$57,500 As Maximum Compensation For A Professional Services Agreement For A Parks Master Plan

Int. No. 244 - Establishing \$122,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Environmental Cleanup

Int. No. 245 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$133,000 Bonds Of Said City, In Addition To \$60,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Planning And Implementing Environmental Clean-Up At 180-182 Exchange Street Within The City

Int. No. 254 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$4,420,400 Bonds Of Said City To Finance The Cost Of Planning And Implementing Reconstruction Of The Erie Harbor-East River Retaining Wall Within The City

Int. No. 255 - Establishing Maximum Compensation For Resident Project Representation Services For The Erie Harbor-East River Wall Project And Appropriating Funds

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 212 - Dedication Of Additional Right-Of-Way And Renaming The Northern Portion Of Lemoyne Avenue As North Lemoyne Avenue

Int. No. 213 - Approving The Clifford Avenue Public Improvement Project And Changes In The Pavement Width Of Clifford Avenue, Woodman Park And Martinot Avenue

Int. No. 214 - Establishing Maximum Compensation For Design Services For The Clifford Avenue Improvement Project And Appropriating Funds

Int. No. 215 - Approving Changes In The Pavement Width Of Browncroft Boulevard As A Part Of The Browncroft Boulevard And North Winton Road Public Improvement Project

Int. No. 247 - Approving The Acquisition Of A Parcel For The University Avenue Public Improvement Project By Negotiation Or Condemnation

Int. No. 248 - Dedication Of Additional Right-Of-Way At The Intersection Of Beacon Street And Atlantic Avenue

Int. No. 249 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,897,000 Bonds Of Said City And The Application Of \$33,000 In Current Funds Of The City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The University Avenue Public Improvement Project

Int. No. 250 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$414,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The University Avenue Public

Improvement Project

Int. No. 251 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$149,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The University Avenue Public Improvement Project

Int. No. 252 - Local Improvement Ordinance - Upgrading Of Sidewalks As A Part Of The University Avenue Public Improvement Project

Int. No. 253 - Establishing Maximum Compensation For Agreements For The University Avenue Public Improvement Project

Respectfully submitted,  
Robert J. Stevenson  
Tony M. Thompson  
Lois J. Giess (Voted on Introductory No. 247 through Introductory No. 255.)  
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-178  
Re: Bond Water Main Extensions and Improvements Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$906,000 and appropriating the proceeds thereof for the annual Water Main Extensions and Improvements Program.

The Water Main Extensions and Improvements Program provides for the scheduled replacement of deteriorated and inadequate water mains. There are approximately 596 miles of pipe within the City's water distribution system; approximately 356 miles of this pipe are over 75 years of age, the expected useful life of water mains.

The proposed bond issue will finance water main improvements in the following locations:

Location	From	To
Alvord Street	Garson Avenue	South End
Brookhaven Terrace	Norton Street	North End
Canton Street	Waldo Street	Bergen Street
Flower City Park	Lake Avenue	Maplewood Drive
Garson Avenue	Culver Road	Merchants Road
Isabelle Street	Emerson Street	Bergen Street
Maplewood Drive	Flower City Park	Parkdale Terrace
Willow Street	Aab Street	West End

These improvements, which comprise approximately 1.7 miles of mains, are designed to improve water pressure and flow for regular consumption and fire protection.

Bids for the improvements were received on May

18. The work will be performed by Underground Technologies, Inc. at a maximum cost of \$956,393, which is approximately \$119,000 less than the engineering estimate; an additional \$93,494 (9.7%) will be provided for contingencies. Of the total cost, \$28,564 will be financed from the unencumbered balance of the bond issue authorized by Council on March 17, 1998 and \$115,323 will be financed from the unencumbered balance of the bond issue authorized by Council on March 16, 1999.

The improvements are scheduled to begin in July and be completed by June 2001. Project inspection will be performed by Water and Lighting Bureau personnel.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-61

Ordinance No. 2000-178  
(Int. No. 210)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Reconstruction Of Various Water Mains In The City, Stating The Estimated Maximum Cost Thereof Is \$1,049,887, Appropriating Said Amount Therefor, And Authorizing The Issuance Of \$906,000 Bonds Of Said City, In Addition To \$143,887 Bonds Previously Authorized Therefor, To Finance Said Appropriation**

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 reconstruction of certain water mains related to the 2000 Water Main Extension and Improvement Program in the City. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,049,887 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$906,000 bonds of the City, in addition to \$28,564 bonds previously authorized in Ordinance No. 98-71 and \$115,323 bonds previously authorized in Ordinance No. 99-59 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 \$906,000 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 \$906,000. 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 the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.

1. of the Law, is forty (40) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-179  
Re: Agreement - Sear- Brown Group,  
Inner Loop Improvement Study

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with The Sear-Brown Group, 85 Metro Park, for additional engineering planning services relating to possible improvements to the Inner Loop. The maximum cost of this agreement will be \$47,000, which will be financed from anticipated reimbursements from the Federal Highway Administration.

As you are aware, among the campaigns of *Rochester 2010: The Renaissance Plan* is "...the development of our downtown as the region's 'Center City'." Among the goals identified to facilitate such development is the creation of "...physical connections and design relationships...that reduce the barrier represented by the Inner Loop...".

On December 14, 1999, the City Council authorized an agreement with Sear-Brown for a study of the feasibility of the following improvements that could reduce the barrier effect:

1. Raising the portion of the Inner Loop between Monroe and East Avenues,
2. Installing an off-ramp from I-490 westbound to S. Union Street, and
3. Reconfiguring the I-490/South Avenue/Bryan Street interchange

Under the proposed amendatory agreement, the following additional improvement will be included in the feasibility study:

4. Raising the Inner Loop and/or reconfiguring interchanges between a point south of Main Street to a point east of Clinton Avenue

The study includes the following activities:

1. Documenting existing conditions in the study area, using...
  - a. Traffic data
  - b. Topographic mapping
  - c. Aerial photography, and
  - d. Utility and land use maps
2. Supplementing the traffic data with new inventories of traffic volume and turning movements;
3. Identifying alternative geometric configurations and land use;
4. Determining the effects of these alternative configurations through traffic modeling, land use evaluation and cost-benefit analyses.

The study is expected to be completed by the end of the year.

If the proposed amendatory agreement is approved, the total cost of the agreement with Sear-Brown will increase to \$127,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-62

Ordinance No. 2000-179  
(Int. No. 211)

**Establishing \$47,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Engineering Planning Services For The Inner Loop Improvement Study**

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

Section 1. The sum of \$47,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and The Sear Brown Group for engineering planning services for the Inner Loop Improvement Study. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project or, in the event that the Project construction is not undertaken, until one year after the acceptance by the City of such contract documents. Said amount is hereby appropriated from anticipated reimbursements from the Federal Highway Administration.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-180  
Re: Agreement - Bergmann Associates, Parks  
Master Plan

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 28 E. Main Street, for preparation of a master plan for City parks. The maximum cost of this agreement will be \$57,500, which will be financed from the 1999-00 budget and Cash Capital allocations of the Department of Parks, Recreation and Human Services.

The City has responsibility for over 130 parks, malls and open spaces. These areas contain over 800 acres.

Environmental Stewardship is one of the campaigns included in *Rochester 2010: The Renaissance Plan*. This campaign declares that "it is the policy of our city to maintain and enhance... our unique and historic parks system [and] our open space areas...". The proposed parks master plan is intended to assist in ensuring adherence to this policy.

Proposals for development of the plan were solicited from eight organizations. Four proposals were received.

Bergmann is recommended based on comparative costs and because of its experience with similar projects. It has participated in the development of master plans for Durand Eastman Park and portions of Seneca Park.

Bergmann will be assisted by The Cavendish Partnership. Cavendish has been involved in the preparation of the City's Local Waterfront Revitalization Plan.

Under the proposed agreement, Bergmann will:

1. Collect and review existing data about park and

- open space resources;
- 2. Design or adapt a database that contains information about the characteristics of these resources and train City personnel in the management and use of this database.
- 3. Determine the demand for the resources, based upon demographic factors, comments at public meetings, and standards prescribed by the National Parks and Recreation Association;
- 4. Compare the supply of existing resources - including those not owned by the City - to the demand, to identify underutilized facilities or underserved areas and populations;
- 5. Determine the condition of each City facility;
- 6. Based upon the supply and demand analysis and the conditions analysis, identify needed improvements;
- 7. Estimate the costs of these improvements;
- 8. Compare these costs with expected benefits, to permit a ranking of the improvements;
- 9. Prepare a preliminary master plan for presentation to the public;
- 10. Based upon any comments from the public, prepare a final master plan.

The project is expected to be completed in approximately seven months.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-180  
(Int. No. 243)

**Establishing \$57,500 As Maximum Compensation For A Professional Services Agreement For A Parks Master Plan**

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

Section 1. The sum of \$57,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for development of a Parks Master Plan. Of said amount, \$42,500 shall be funded from the 1999-2000 Cash Capital Allocation and \$15,000 shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-181 and

Ordinance No. 2000-182  
Re: Environmental Remediation -  
180-182 Exchange Boulevard

Transmitted herewith for your approval is legislation relating to the environmental remediation of 180-182 Exchange Boulevard. This legislation will:

- 1. Authorize an amendatory agreement with The Sear-Brown Group, 85 Metro Park, for the provision of environmental remediation services at a maximum cost of \$122,000; and
- 2. Authorize the issuance of bonds totaling \$133,000 and appropriate the proceeds thereof to finance the above cost and the cost of disposal of contaminated soil.

Acquisition of the aforementioned property from Monroe County was authorized by the City Council on October 12, 1999 in conjunction with the Civic Center Improvement Project. The planned development of the property includes expansion of the existing parking lot and extension of the public trail along the western bank of the Genesee River.

Prior to the acquisition, Sear-Brown performed Phase I and II environmental investigations of the property pursuant to the general site assessment agreement authorized by the Council on November 18, 1997. The investigations indicated the existence of soil and groundwater contaminated by petroleum and an underground storage tank.

On October 28, 1999, the Council authorized an amendatory agreement with Sear-Brown for the development of a remediation plan. This plan provides for the removal of the storage, excavation and disposal of approximately 522 tons of contaminated soil, dewatering of the excavation and disposal of contaminated groundwater, and the injection under pressure of an Oxygen Release Compound.

The latter technique will be used to remediate contaminated soil that cannot be removed because of utilities. The compound will slowly release oxygen when moist to promote the biogradation of the contaminated soil and groundwater.

As part of the project, Sear-Brown will also collect confirmatory soil samples, complete a health risk exposure assessment, develop a long-term groundwater monitoring plan, and prepare a closure report for submission to the NYS Department of Environmental Conservation. The project is expected to be completed by September, with monitoring extending through at least September, 2001.

The estimated cost of the project is \$162,000. Of this amount, \$29,000 will be financed from the proceeds of the environmental bond issue authorized by the Council on October 28, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-181  
(Int. No. 244)

**Establishing \$122,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Environmental Cleanup**

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

Section 1. The sum of \$122,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and the Sear-Brown Group for environmental cleanup at 180-182 Exchange Street. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-182  
(Int. No. 245)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$133,000 Bonds Of Said City, In Addition To \$60,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Planning And Implementing Environmental Clean-Up At 180-182 Exchange Street Within The City**

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 planning and implementing clean-up of certain hazardous substances at 180-182 Exchange Street within the City (the "Project"). The estimated maximum cost of said specific object or purpose described herein, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$193,000. The plan of financing includes the issuance of \$133,000 bonds of the City, in addition to \$60,000 principal amount of bonds previously authorized in Ordinance No. 99-389, and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$133,000 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 \$133,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.6-e of the Law, is twenty (20) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-183 and  
Ordinance No. 2000-184  
Re: Erie Harbor - East River Wall Project

Transmitted herewith for your approval is legislation relating to the Erie Harbor East River Wall Project. This legislation will:

1. Authorize the issuance of bonds totaling \$4,420,000 and appropriate the proceeds thereof to finance a portion of the costs of the project;
2. Appropriate \$800,000 from anticipated reimbursements from the NYS Multi-Modal Transportation Program to finance other costs of the project; and
3. Authorize an agreement with LaBella Associates, 300 State Street, for resident project representation services at a maximum cost of \$350,000.

The project, which extends for a distance of approximately 3,700 linear feet from the Troup-Howell bridge to the Ford Street bridge, was designed by LaBella under an agreement authorized by the City Council on October 14, 1997. It involves the partial demolition and reconstruction of the wall; improvements to the adjacent trail; the installation of mooring facilities; and landscaping.

Bids for construction of the project were received on June 9. The work will be performed by Crane Hogan Structural Systems, Inc. at a cost of \$4,794,445, which is 10% less than the engineering estimate; an additional \$498,555 (10%) will be allocated for contingencies and for the costs of lighting, signage and landscaping, which will be performed under separate contracts.

Construction	\$4,794,445
Contingencies	498,555
Inspection	350,000
Total	\$5,643,000

The costs of the project will be financed from the proceeds of the proposed bond issue, the Multi-Modal grant and the 1999-00 Cash Capital allocation.

Construction of the project will begin in the summer of 2000 and be substantially completed in the fall of 2001. LaBella is recommended to provide inspection services because of its familiarity with the project.

A public informational meeting concerning the project was held on February 28. A copy of the minutes of this meeting is attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-63

Ordinance No. 2000-183  
(Int. No. 254)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$4,420,400 Bonds Of Said City To Finance The Cost Of Planning And Implementing Reconstruction Of The Erie Harbor-East River Retaining Wall Within The City**

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 planning and

implementing the reconstruction of the river retaining wall on the east side of the Genesee River between the Troup-Howell Bridge and the Ford Street Bridge within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,643,000. The plan of financing includes the issuance of \$4,420,400 bonds of the City, and said amount is hereby appropriated therefor, together with application of an \$800,000 New York State Multi-Modal Grant and \$422,600 in current funds available, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$4,420,400 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$4,420,400. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.10 of the Law, is forty (40) years.

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

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

hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-184  
(Int. No. 255)

**Establishing Maximum Compensation For Resident Project Representation Services For The Erie Harbor-East River Wall Project And Appropriating Funds**

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

Section 1. The sum of \$350,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates for resident project representation services for the Erie Harbor-East River Wall Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$300,000 shall be funded from a bond for this Project and \$50,000 shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. The sum of \$800,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the State of New York Multi-Modal Program in order to fund improvements as a part of the Erie Harbor-East River Wall Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-185  
Re: Official Map Amendment - N. Lemoyne Avenue

Transmitted herewith for your approval is legislation amending the Official Map by renaming the northern portion of Lemoyne Avenue as North Lemoyne Avenue and dedicating it as an official right-of-way.

The renaming was requested by the Charlotte Neighborhood Association and Councilmember Stevenson following a delayed response to a fire. The delay was a result of confusion about access to the northern portion.

Lemoyne Avenue is a discontinuous street. The southern portion can be accessed from Denise Road or Hewitt Street. The northern portion can be accessed only from Atwell Street.

Forty-three properties abut the northern portion of the street; five of the properties are vacant lots owned by the City. The petition requesting the renaming of the street was signed by 24 property owners, or 63% of the owners of the occupied properties that would be affected.

When reviewing the request, the Division of Maps and Surveys noted that certain areas within the northern portion of the street had never been dedicated as public right-of-way. The proposed amendment to the Official Map was therefore expanded to include such dedication.

The Planning Commission held an informational meeting concerning the amendment on May 8; there was one speaker, who supported the amendment. The Commission recommended by a vote of 7-0 that the amendment be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that as a Type II Action, the renaming and dedication will have no significant effect.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-64

Ordinance No. 2000-185  
(Int. No. 212)

**Dedication Of Additional Right-Of-Way And Renaming The Northern Portion Of Lemoyne Avenue As North Lemoyne Avenue**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the entire following parcel to street purposes, portions of which have already been dedicated and named Lemoyne Avenue, and by renaming the entire parcel as North Lemoyne Avenue:

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

Beginning at the point of intersection of the northerly line of Atwell Street (49.5' wide) and the easterly line of Lemoyne Avenue (50' wide);

- Thence 1) Northeasterly along the easterly right of way line and curving to the left with a radius of 2113.08 feet, with a delta angle of 7° 54' 12" a distance of 291.48 feet to a point of reverse curvature;
- Thence 2) Northerly and curving to the right with a radius of 30.00 feet, a delta angle of 66° 58' 50" for a distance of 35.07 feet to a point of reverse curvature;
- Thence 3) Northeasterly, westerly and south-westerly curving to the left with a radius of 50.00 feet, a delta angle of 248° 58' 39" a distance of 217.27 feet to a point of reverse curvature;
- Thence 4) Southeasterly, parallel and 50 feet westerly from Course 1 along a curve to the right with a radius of 2063.08 feet and a delta angle of 22° 28' 49" a distance of 809.46 feet to a point;
- Thence 5) S 10° W in a straight line a distance of 247.50 feet to a point of curvature;
- Thence 6) Southwesterly and curving to the right with a radius of 30.00 feet, a delta angle of 50° 58' 38" a distance of 26.69 feet to a point of reverse curvature;
- Thence 7) Southwesterly and curving to the left with a radius of 37.50 feet a central angle of 121° 30' 22" a distance of 72.98 feet to a point;
- Thence 8) S 10° W along the proposed right of way line of North Lemoyne Avenue a distance of 21.64 feet to a point;
- Thence 9) N 62° 21' 24" E a distance of 63.15 feet to a point;
- Thence 10) N 10° E along a line parallel and 50 feet easterly from Course 5 a distance of 318.37 feet to a point of curvature;
- Thence 11) Northeasterly and curving to the left with a radius of 2113.08 feet, a delta angle of 12° 34' 48" a distance of 463.95 feet to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-186 and  
Ordinance No. 2000-187  
Re: Clifford Avenue Improvement  
Project

Transmitted herewith for your approval is legislation relating to the Clifford Avenue Improvement Project. This legislation will:

1. Approve the engineering planning report for the project;
2. Authorize various changes in pavement width, as recommended in the report;
3. Authorize an agreement with Goodkind & O'Dea, Inc., 183 E. Main Street, for design of the improvements recommended in the report, at a maximum cost of \$150,000; and
4. Appropriate \$98,500 from anticipated reimbursements from Monroe County to partially finance this cost.

The remaining amount of the cost will be financed from Cash Capital allocations of the Department of Environmental Services.

The improvement project extends from N. Goodman Street to the east city line. The County's participation in the project is in accordance with the (131k) agreement authorized by the City Council on April 14, 1981.

Under the terms of this agreement, the Council must approve the engineering planning report for any project financed by the County. The preparation of the report for this project, by Goodkind & O'Dea, was authorized by the Council on October 12, 1999. A copy of the report is available for review in the Office of the City Clerk.

The proposed changes in pavement width are intended to provide additional recessed parking areas on Clifford Avenue and the intersecting streets of Martinot Avenue and Woodman Park. The widening on Clifford Avenue, as well as the installation of sidewalk ramps at various locations within the project boundaries will require the acquisition of certain adjacent properties; all of the acquisitions will be *de minimis*.

Besides the changes in pavement width, the project will involve rehabilitation of the pavement; installation of new water main connections and hydrants and replacement of non-copper water services; replacement of curbs, driveway aprons, sidewalks and street lights; traffic improvements; and landscaping.

Goodkind & O'Dea is recommended to provide the required design services because of its qualifications and familiarity with the project.

Construction of the project is scheduled to begin in the spring of 2001 and to be substantially completed in the fall of 2001. The estimated cost of construction, inspection, contingencies and the County's portion of design services is \$3,724,000, which is expected to be financed as follows:

Monroe County	\$2,350,000
City Bonds	
Streets	884,000
Water	490,000
Total	\$3,724,000

A public informational meeting for the project was conducted on April 27. A copy of the minutes of this meeting are attached.

The proposed changes in pavement width will be

considered by the Traffic Control Board on June 6; the Council will be advised of the Board's recommendation immediately thereafter. A public hearing on the changes is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-65

Ordinance No. 2000-186  
(Int. No. 213)

**Approving The Clifford Avenue Public Improvement Project And Changes In The Pavement Width Of Clifford Avenue, Woodman Park And Martinot Avenue**

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

Section 1. The Council hereby approves the engineering planning report for the Clifford Avenue Public Improvement Project.

Section 2. The Council hereby approves the following changes in the pavement width of Clifford Avenue:

- a. An increase of 5 feet, from 40 feet to 45 feet, beginning at a point 45 feet east of the North Goodman Street eastern curb line to a point 68 feet further east; and
- b. A gradual taper beginning at the latter point to the existing width of 38 feet at a point 237 feet east of the North Goodman Street eastern curb line.

Section 3. The Council hereby further approves an increase in pavement width of Woodman Park of 8 feet, from 32 feet to 40 feet, beginning at a point 25 feet north of the Clifford Avenue northern curb line to a point 90 feet further north.

Section 4. The Council hereby further approves an increase in pavement width of Martinot Avenue of 6 feet, from 24 feet to 30 feet, beginning at the southwestern curb return of Clifford Avenue and Martinot Avenue, to a point 83 feet southwestly.

Section 5. The Council hereby further approves the rehabilitation of pavement; replacement of curbs, sidewalks, driveway aprons and street lights; new recessed parking; water improvements; new pavement markings and upgrades to the existing traffic signal system; landscaping and other improvements as a part of the Clifford Avenue Public Improvement Project.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-187  
(Int. No. 214)

**Establishing Maximum Compensation For Design Services For The Clifford Avenue Improvement Project And Appropriating Funds**

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

Section 1. The sum of \$150,000, or so much thereof as may be necessary, is hereby established as

the compensation to be paid for a professional services agreement between the City and Goodkind & O'Dea, Inc. for design services for the Clifford Avenue Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project or, in the event that the Project construction is not undertaken, until one year after the acceptance by the City of such contract documents. Of said amount, \$26,500 shall be funded from the 1998-99 Cash Capital Allocation, \$25,000 shall be funded from the 1997-98 Cash Capital Allocation and \$98,500 is hereby appropriated from anticipated reimbursements from the County of Monroe.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-188  
Re: Pavement Width Changes -  
Browncroft Boulevard

Transmitted herewith for your approval is legislation authorizing various changes in pavement width on Browncroft Boulevard.

The changes relate to the Browncroft Boulevard/N. Winton Road Improvement Project. Monroe County is participating in the project in accordance with the (131k) agreement authorized by the City Council on April 14, 1981.

Under the terms of this agreement, the City Council must approve the engineering planning report for any project financed by the County. Agreements for the preparation of reports for each street, with Fisher Associates and The Sear-Brown Group, respectively, were approved by the Council on September 15, 1998.

The reports were approved by the Council on December 14, 1999. On that date, the Council also authorized various changes in pavement width on each street, as recommended by the report, and the design of improvements for both streets by Fisher.

The approved pavement width changes on Browncroft Boulevard provided for full-time parking on the north side of the street between Quentin and Merchants Roads. At a public informational meeting on March 28, 2000, neighborhood residents requested that alternatives to this plan be developed.

Three alternatives were presented by the City at an informational meeting on May 22. The proposed changes were preferred by the people attending the meeting over the previously approved changes.

The proposed changes provides for a seven foot striped shoulder and two 10' travel lanes in each direction. The changes would provide for alternating side parking on the portion of the street between Quentin and Merchants Roads.

Besides the changes in pavement width, the project will involve the rehabilitation or reconstruction of the pavement; replacement of certain sections of the water mains on Browncroft Boulevard and New Castle Road and on N. Winton Road; installation of new hydrants and water services; replacement of curbs, driveway aprons, sidewalks and street lights; traffic improvements; and landscaping.

Construction of the project is scheduled to begin in the fall of 2000 and be substantially completed in the summer of 2001. The estimated cost of construction, inspection and contingencies is \$3,044,000, which is expected to be financed as follows:

Monroe County	\$1,356,000
City Bonds	
Street	866,000
Water	822,000
Total	<u>\$3,044,000</u>

Public informational meetings concerning the project were conducted on July 28 and August 19, 1999 and March 28, May 22 and May 23, 2000. Copies of the minutes of the 1999 meetings were previously forwarded to the Council; copies of the 2000 meetings are attached.

The Traffic Control Board will consider the proposed changes in pavement width on June 6; the Council will be advised of the Board's recommendation immediately thereafter. A public hearing on the changes is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-66

Ordinance No. 2000-188  
(Int. No. 215)

**Approving Changes In The Pavement Width Of Browncroft Boulevard As A Part Of The Browncroft Boulevard And North Winton Road Public Improvement Project**

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

Section 1. The Council hereby approves the following changes in the pavement width of Browncroft Boulevard:

- a. A taper from the existing width of 38 feet at Quentin Road to 34 feet, 160 feet east of Quentin Road; and
- b. A decrease of 4 feet, from 38 feet to 34 feet, beginning at the latter point to Merchants Road.

Section 2. The Council hereby further approves for the Browncroft Boulevard portion of the Project the rehabilitation of pavement; replacement of curbs, sidewalks, driveway aprons and street lights; water improvements; new pavement markings and upgrades to the existing traffic signal system and equipment; landscaping and other improvements, and for the North Winton Road portion of the Project the reconstruction of pavement; replacement of curbs, sidewalks, driveway aprons and street lights; water improvements; new pavement markings; landscaping and other improvements, all as a part of the Browncroft Boulevard and North Winton Road Public Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-189, 2000-190, 2000-191, 2000-192, 2000-193, Local Improvement Ordinance No. 1470 and Ordinance No. 2000-194

Re: University Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the University Avenue Improvement Project. This legislation will:

1. Authorize the acquisition, by negotiation or condemnation, of part of 16 Atlantic Avenue;
2. Amend the Official Map by dedicating the parcel as additional public right-of-way;
3. Authorize the issuance of bonds totaling \$2,460,000 and appropriate the proceeds thereof to partially finance the costs of the project:
 

Street	\$1,897,000
Water	414,000
Sewer	149,000
Total	<u>\$2,460,000</u>
4. Appropriate \$79,530 from the Local Improvement Fund to finance the cost of installation of decorative sidewalk enhancements and authorize the subsequent assessment of this amount against the benefited property;
5. Authorize an agreement with Bergmann Associates, 28 E. Main Street, for the provision of resident project representation services, at a maximum cost of \$ 159,300;
6. Authorize an amendatory agreement with Bergmann for the provision of additional engineering services, at a maximum cost of \$19,800; and
7. Authorize an agreement with the NYS Department of Transportation for receipt of a grant of \$232,800 to finance the costs of installation of an "Artwalk".

The improvement project, which extends from N. Goodman Street to Oliver Street, was designed by Bergmann under an agreement authorized by the City Council on July 14, 1998. The project involves various changes in pavement width; the realignment of the intersection at Beacon Street and Atlantic Avenue; installation of a traffic island between the intersections of Rundel Park and Atlantic Avenue; rehabilitation or reconstruction of the pavement; installation of a new water main from N. Goodman Street to Atlantic Avenue and water services and hydrants; replacement of curbs, catch basins, driveway aprons, sidewalks and street lights; and landscaping.

The geometric changes were approved by the Council on November 9, 1999. The realignment of the intersection will require the acquisition of an adjacent parcel.

Since the parcel contains only 215 square feet, the acquisition is considered *de minimis*. The acquisition price was established by an independent appraiser, Robert Pogel.

The parcel will be dedicated as additional public right-of-way. The Planning Commission held an informational meeting on the dedication on June 5; a representative of the Department of Environmental

Services was the only speaker. The Commission recommended by a vote of 5-0 that the dedication be approved.

Bids for construction of the project were received on June 6. The work will be performed by Gordon J. Phillips, Inc. at a cost of \$2,428,255, which is four percent more than the engineering estimate; an additional \$391,425 (16%) will be allocated for contingencies and for landscaping and street light replacement services that will be performed under separate contracts.

Category	Inspection		Total
	Construction	Contingency	
Street	\$1,513,379	\$109,917	\$1,930,000
Water	361,050	23,895	414,000
Sewer	138,033	0	149,000
Traffic	324,173	25,488	376,000
Enhancements	30,450	0	30,450
Sidewalk Enhancements	61,170	18,360	79,530
<b>Total</b>	<b>\$2,428,255</b>	<b>\$391,425</b>	<b>\$2,978,980</b>

The cost of the improvements will be financed from the proceeds of the proposed bond issues, the 1998-99 Cash Capital allocation of DES, anticipated reimbursements from Monroe County and the appropriation from the Local Improvement Fund. The latter appropriation relates to the installation of a colored, stamped concrete sidewalk along the frontage of The Gleason Works.

Gleason will be responsible for repayment of the cost of installation. Repayment will occur over five years with an interest rate of 1% above the City's borrowing rate.

Construction of the project is scheduled to begin in the summer and be completed in the summer of 2001. Bergmann is recommended to provide inspection services because of its familiarity with the project.

The construction contract with Phillips does not provide for the Artwalk, a proposed eight foot wide enhanced sidewalk from N. Goodman Street to the entrance to George Eastman House. The enhancements have been developed by Bergmann. The proposed amendatory agreement will provide for payment of the cost of the planning and preliminary design services required by the addition of the enhancements to the project, as well as additional meetings with neighborhood residents.

Installation of the Artwalk will occur in the spring and summer of 2001 under a separate construction contract. The estimated cost of installation is \$294,175, which will be financed from the proposed grant to be received under the Transportation Enhancements Program of the federal Transportation Equity Act-21 and Cash Capital allocations.

Public informational meetings concerning the project were held on December 8, 1998 and October 27, 1999. The minutes of these meetings were previously forwarded to the Council.

Pursuant to the requirements of Article 8 of the NYS

Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the Official Map amendment will not result in any significant effects since it is a Type 2 action. Public hearings on the proposed amendment to the Official Map and Local Improvement Authorization are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-189  
(Int. No. 247)

**Approving The Acquisition Of A Parcel For The University Avenue Public Improvement Project By Negotiation Or Condemnation**

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

Section 1. The Council hereby approves the acquisition of the following parcel from the current owner for a maximum amount not to exceed the following for improvements to the intersection of Beacon Street and Atlantic Avenue as a part of the University Avenue Public Improvement Project:

Property Address: 16 Atlantic Ave.  
Reputed Owner: Andrew Carafos  
SBL#: 121.28-01-02.1  
Area: 215 sq. ft.  
Appraised Value: \$700

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$700, and said amount, or so much thereof as may be necessary, and necessary closing costs, shall be funded from the 1998-99 Cash Capital Allocation.

Section 3. In the event that said parcel cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcel.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-190  
(Int. No. 248)

**Dedication Of Additional Right-Of-Way At The Intersection Of Beacon Street And Atlantic Avenue**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and by adding said parcel to Beacon Street:

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

Beginning at the point of intersection of the easterly right of way line of Beacon Street (50' ROW) and the northerly right of way line of Atlantic Avenue (66' ROW);

- Thence (1) Northeasterly, on said easterly line of Beacon Street, a distance of 30.62 feet to a point of curvature;
- Thence (2) Southeasterly, through the property of Andrew Carafos (reputed owner), as per Liber 3918 of deeds page 140, on a curve to the left having a radius of 20.00 feet, an arc length of 39.69 feet to a point of tangency on said northerly line of Atlantic Avenue;
- Thence (3) Westerly, on said northerly line of Atlantic Avenue, a distance of 30.62 feet to the point of beginning.

Section 2. This ordinance shall take effect upon acquisition of said parcel by the City.

Passed unanimously.

Ordinance No. 2000-191  
(Int. No. 249)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$1,897,000 Bonds Of Said City And The Application Of \$33,000 In Current Funds Of The City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The University Avenue Public Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the University Avenue Public Improvement Project within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,930,000. The plan of financing includes the issuance of \$1,897,000 bonds of the City, and said amount is hereby appropriated therefor, and the application of \$33,000 in current funds of the City to finance the balance of said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,897,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,897,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds

authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-192

(Int. No. 250)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$414,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The University Avenue Public Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the University Avenue Public Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$414,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$414,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$414,000 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 \$414,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions

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

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

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

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

Passed by the following vote:  
Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-193  
(Int. No. 251)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$149,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The University Avenue Public Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain sewer improvements related to the University Avenue Public Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$149,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$149,000 bonds of the City to finance said appropriation, and the levy

and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$149,000 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 \$149,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.4 of the Law, is forty (40) years.

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

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1470  
(Int. No. 252)

**Local Improvement Ordinance - Upgrading Of Sidewalks As A Part Of The University Avenue Public Improvement Project**

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

Section 1. The Council hereby authorizes the upgrading of sidewalks in front of 1000 University Avenue as a part of the University Avenue Public Improvement Project.

Section 2. The Council hereby finds that the upgrading of said sidewalks will benefit the following parcel of property:

Owner:	Gleason Works
Property Address:	1000 University Avenue
SBL No.:	122.210-002.1
Amount:	\$79,530

Section 3. Such district is hereby defined to be the Special Assessment District for the payment of additional costs relating to the upgrading of the sidewalk. The Council hereby finds that the upgrading of the sidewalk benefits the parcel of property, and the costs of such upgrading shall be allocated to the parcel.

Section 4. The cost of improvements and work described in Section 1, including the cost of any necessary professional design and engineering work, not to exceed \$79,530, plus interest at a rate 1% above the City's "latest borrowing rate" on the unpaid balance, shall be assessed on the property within the limits of the district of assessment described above, in the amount set forth above. The Council hereby deems such property to be benefited by such improvements and proper to be assessed therefor. The City's "latest borrowing rate" shall be the most recent rate at which the City shall have sold long-term bonds prior to the date of initial billing of the assessments.

Section 5. The assessments shall be billed after the completion of the improvements and work described, and shall be due in 5 equal annual installments. Any assessment not paid by May 15 after its due date

may be added to the upcoming annual tax bill for the property.

Section 6. The total cost of said improvements and work, up to \$79,530, shall be charged as described in this ordinance and paid from the local improvement fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-194  
(Int. No. 253)

**Establishing Maximum Compensation For Agreements For The University Avenue Public Improvement Project**

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

Section 1. The sum of \$159,300, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for resident project representation services for the University Avenue Public Improvement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$109,917 shall be funded from a bond for street improvements, \$23,895 shall be funded from a bond for water improvements, and \$25,488 shall be funded from reimbursements from the County of Monroe for this Project.

Section 2. The sum of \$19,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for engineering services for the University Avenue Public Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project or, in the event that the Project construction is not undertaken, until one year after the acceptance by the City of such contract documents. Said amount shall be funded from the 1998-99 Cash Capital Allocation.

Section 3. The sum of \$232,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the New York State Department of Transportation for installation of an "Artwalk" as a part of the University Avenue Public Improvement Project. Said amount is hereby appropriated from anticipated reimbursements from Federal Transportation Enhancement Funds.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
June 20, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 216 - Establishing \$20,000 As Maximum Compensation For A Professional Services Agreement For Fireworks

Int. No. 217 - Establishing Maximum Compensation For A Professional Services Agreement With Northeastern Production Systems, Inc. For Sound And Lighting Services

Int. No. 218 - Establishing Maximum Compensation For An Agreement With The Protectives, Inc. For Property Protection And Salvage Services

Int. No. 219 - Authorizing An Agreement For The Rochester/Monroe County Summer Science & Technology Camp

Int. No. 221 - Authorizing An Agreement For The Families & Friends Of Murdered Children Extension Project

Int. No. 256 - Establishing \$143,000 As Maximum Compensation For A Professional Services Agreement With PSComm LLC For Consulting Services And Amending The 1999-2000 Budget

The Public Safety/Public Services Committee recommends for consideration the following entitled legislation:

Int. No. 220 - Authorizing An Agreement For The Summer On The City Farm Program

Int. No. 222 - Establishing \$290,000 As Maximum Compensation For A Professional Services Agreement With Lift Line Inc. For Operation Of The EZ Rider Entertainment Shuttle

Int. No. 223 - Establishing \$27,000 As Maximum Compensation For A Professional Services Agreement For Advertising And Marketing Services For The EZ Rider Entertainment Shuttle

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
Gladys Santiago  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-195  
Re: Agreement - Young Explosives,  
Fireworks Display

Transmitted herewith for your approval is legislation authorizing an agreement with Young Explosives, 4 Butternut Drive, for provision of an aerial fireworks display on July 4, Independence Day. The maximum cost of this agreement will be \$20,000, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services and Rochester Events Network.

The display will be similar to those that have been

provided by Young annually since 1977. It will extend for about 20 minutes.

The fireworks will be launched over the Genesee River from the entrance ramp to route I-490 eastbound. Young will be responsible for obtaining the necessary permits from the Fire Department and for acquiring \$1.0 million of liability insurance.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-195  
(Int. No. 216)

**Establishing \$20,000 As Maximum Compensation For A Professional Services Agreement For Fireworks**

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Young Explosives for a July Fourth fireworks display. Of said amount, \$7,000 shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services and \$13,000 shall be funded from the Rochester Events Network.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-196  
Re: Agreement - Northeastern Production Systems, Special Events Sound and Lighting Services

Transmitted herewith for your approval is legislation authorizing an agreement with Northeastern Production Systems, Inc., P.O. Box 23199, for sound and lighting services at special and cultural events. The maximum cost of this agreement will be \$154,500, \$136,500 of which will be financed from the 2000-2001 and future budgets of the Department of Parks, Recreation and Human Services and \$18,000 of which will be financed from the Rochester Events Network.

Special events and cultural events in the performing arts series typically require the provision of various sound and lighting services. The most recent agreement for these services, with Northeastern, was authorized by the Council on June 17, 1997 and expires on June 30.

Under the proposed agreement, Northeastern will continue to provide the sound and lighting equipment and services required for all special events and cultural arts performances provided by the DPRHS Special Events Office, including the summer noon-time concerts, summer evening concerts in Manhattan Square Park, RPO concerts, Holiday Liberty Pole Lighting, and various other concerts throughout the year. The equipment and services will be provided at specified unit prices.

The agreement will have an initial term of one year with provision for renewal for two one-year periods

upon mutual consent. If the agreement is renewed, the specified prices will be adjusted by a percentage equivalent to the annual increase in the consumer price index for urban areas.

The total cost of sound and lighting services during 1998-99 was \$46,375; the maximum cost for 2000-01 will be \$50,000. The increase in cost relates to increased technical support for national talent for some concerts at Manhattan Square Park, an anticipated increase in the number of concerts, and the possible need for roof rentals for rain dates.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-67

Ordinance No. 2000-196  
(Int. No. 217)

**Establishing Maximum Compensation For A Professional Services Agreement With Northeastern Production Systems, Inc. For Sound And Lighting Services**

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

Section 1. The sum of \$154,500, or so much thereof as may be necessary, is hereby established as the City compensation to be paid for a professional services agreement between the City and Northeastern Production Systems, Inc. for sound and lighting services for the Special Events Performing Art Series for a term of one year, with two (2) one year options for renewal. Of said amount, \$44,000 shall be funded from the 2000-01 Budget, \$45,500 from the 2001-02 Budget, and \$47,000 from the 2002-03 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budgets, and \$6,000 shall be funded each year from the Rochester Events Network.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-197  
Re: Agreement - Protectives, Inc.,  
Auxiliary Fire Services

Transmitted herewith for your approval is legislation authorizing a three year agreement with Protectives, Inc., for the continued provision of auxiliary services to the Fire Department. The costs of this agreement will be financed from the annual budget of the Fire Department.

Protectives, Inc. is an organization of volunteers whose primary function is to protect private property at fire scenes from unnecessary damage. The volunteers either remove the property from structures affected by fires or, if removal is impossible, cover the property with tarps.

Protectives, Inc. has provided such services on an informal basis for many years. Since 1979, it has provided these services pursuant to periodic agreements authorized by City Council. The most recent agreement was authorized by the Council on June

17, 1997.

At present, Protectives, Inc. has approximately 150 members, of whom about 50 are presently active. The Fire Department provides about 5,600 square feet of space at its Andrews Street facility to the organization for office, storage and bunking purposes, and a truck and driver to transport equipment.

The members of the Protectives report to fire scenes when requested by the Fire Department. Annually, over 30,000 hours of service are provided.

Under the proposed agreement, Protectives, Inc. will continue to provide such services during the next three fiscal years. The City will pay Protectives, Inc. the following amounts to finance the costs of janitorial services related to its facility, business services and supplies related to the organization, and workers' compensation or disability insurance.

Year	Services & Supplies	Accident & Sickness Insurance	Total
Present	\$28,000	\$5,426	\$33,426
2000-01	29,000	5,605	34,605
2001-02	30,000	5,605	35,605
2002-03	31,000	5,605	36,605

In addition, the City will provide annual Hepatitis B vaccinations to all members and annual physicals to the members who use breathing apparatus at the fire scene. Similar vaccinations are currently provided by the City to other emergency personnel and such annual physicals are required under state and federal regulations.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-197  
(Int. No. 218)

**Establishing Maximum Compensation For An Agreement With The Protectives, Inc. For Property Protection And Salvage Services**

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

Section 1. The sum of \$34,605, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the first year of an agreement between the City and The Protectives, Inc. for property protection, salvage and related services to the Fire Department. Said agreement may extend for a term of three years, with maximum amounts of \$35,605 and \$36,605 in the second and third years. The Fire Department shall also be obligated to pay for the costs of physical examinations and hepatitis B vaccinations for members of the Protectives. Said amounts shall be funded from the 2000-01 and succeeding Budgets of the Fire Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-198, 2000-199 and 2000-201

Re: Agreements - Human Services Program

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human service projects.

Organization Project	Amount
YMCA of Greater Rochester Rochester/Monroe County Summer Science & Technology Camp	\$20,000
Northeast Neighborhood Alliance Summer on the City Farm	53,494
Eastside Community Center Families and Friends of Murdered Children	96,800

The cost of the agreements will be financed from the General Community Needs allocation of the 1999-00 and 2000-01 Community Development Block Grants.

The first two project areas classified as projects with matching funds. The proposed agreements represent the first year of CDBG funding.

The third project is classified as a project without matching funds. The proposed agreement represents the fourth year of CDBG funding.

Project descriptions and budgets are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor  
Attachment No. Z-68

Ordinance No. 2000-198  
(Int. No. 219)

**Authorizing An Agreement For The Rochester/Monroe County Summer Science & Technology Camp**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the YMCA of Greater Rochester for the Rochester/Monroe County Summer Science & Technology Camp.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$20,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-199  
(Int. No. 221)

**Authorizing An Agreement For The Families & Friends of Murdered Children Extension Project**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Eastside Community Center for the Families & Friends of Murdered Children Extension Project.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$96,800, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-201  
(Int. No. 220)

**Authorizing An Agreement For The Summer On The City Farm Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Northeast Neighborhood Alliance for the Summer on the City Farm Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$53,494, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilwoman Griswold - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-200  
Re: Agreement - PSComm, 3-1-1 Project

Transmitted herewith for your approval is legislation authorizing an agreement with PSComm, LLC, of Gaithersburg, Maryland, for the provision of services relating to the 3-1-1 demonstration project.

The maximum cost of this agreement will be \$143,000, which will be financed from an appropria-

tion from the Forfeited Assets Fund.

As you are aware, the City received a grant of \$383,900 under the federal COPS 3-1-1 program to finance the costs of a one-year demonstration project to determine the effectiveness of the use of a 3-1-1 telephone number for non-emergency calls for police service. The City Council approved the acceptance of this grant on October 28, 1999.

On April 18, 2000, the Council authorized agreements with three organizations for the provision of services relating to the installation of the 3-1-1 system. The system will provide for automatic call distribution, automatic call location and the automatic retrieval of records of prior calls from that location.

Under the proposed agreement, PSComm will provide the following services to support the project:

1. Development of a differential response plan;
2. Development of an educational campaign to acquaint the public with the 3-1-1 number;
3. Development of Internet capabilities to permit incident reporting and tracking;
4. Assistance in the design and procurement of other systems and equipment that support the 3-1-1 project, such as mobile data computers; and
5. Assistance in obtaining additional federal funding for continuation of the project if it is determined to be effective.

PSComm was instrumental in the preparation of the 3-1-1 grant application and otherwise assisted the Police Department in the development of crime reduction strategies under an agreement authorized by the Council on June 25, 1998.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-200  
(Int. No. 256)

**Establishing \$143,000 As Maximum Compensation For A Professional Services Agreement With PSComm LLC For Consulting Services And Amending The 1999-2000 Budget**

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

Section 1. The sum of \$143,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and PSComm LLC for consulting services relating to non-emergency responses by the Rochester Police Department. Said amount shall be funded from the 1999-2000 Budget of the Rochester Police Department.

Section 2. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$143,000, which amount is hereby appropriated from funds realized from the forfeiture of property, to fund the agreement authorized in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-202 and  
Ordinance No. 2000-203

Re: EZ Rider Entertainment Shuttle

Transmitted herewith for your approval is legislation relating to the EZ Rider Entertainment Shuttle. This legislation will authorize the following agreements:

1. Lift Line, Inc., for continued provision of the shuttle service, at a maximum cost of \$290,000, and
2. Michael J. Hardy, 390 Alexander Street, for the continued provision of promotion and marketing services related to the shuttle, at a maximum cost of \$27,000.

The cost of both agreements will be financed from the 2000-2001 budget of the Economic Development Department.

The shuttle service is intended to stimulate economic activity within the city by facilitating the patronage and use of neighborhood and downtown businesses and entertainment attractions by visitors, tourists and area residents. Currently, the service involves the provision of free transportation to 38 stops along a nine mile route.

Lift Line has provided the shuttle service since its inception in June of 1996. The current agreement with Lift Line was authorized on June 15, 1999. A summary of ridership since inception of the service is attached.

Under the proposed agreement, Lift Line will continue to:

1. Operate the shuttle service, at a cost of \$41.75 per hour, from 5:30 to 11 p.m. from Monday through Thursday and from 5:30 p.m. to 1:00 a.m. on Friday and Saturday.
2. Provide four low-floor, ramp accessible vehicles with 29-passenger capacity, three for regular service and one for use as a back-up vehicle.
3. Provide all necessary drivers for the vehicles and a road supervisor.
4. Maintain and service the vehicles and replace within 30 minutes any vehicle that is out of service.
5. Maintain two-way radio communication and emergency maintenance capacity.
6. Provide:
  - a. Special uniforms for the drivers,
  - b. Sound systems for the vehicles,
  - c. Exterior signage for the vehicles,
  - d. Special signs at stop locations,
  - e. 25,000 copies of route maps and schedules for display and distribution within the vehicles.
7. Provide for driver participation in hospitality training provided by the City.

8. Assist in the collection of data relating to passengers and use.

The cost of the proposed agreement is the same as the cost of the current agreement.

Mr. Hardy has provided marketing and promotional services for the shuttle since October, 1997. The current agreement with Mr. Hardy was authorized on June 15, 1999.

During 2000-01, Mr. Hardy will increase marketing efforts directed towards downtown employees and business travelers. Tourism statistics indicate that business travelers are extending the length of their business trips and including their family members. Mr. Hardy will develop marketing strategies to reach this population. In addition, he will provide information sessions for local corporations and their employees.

In addition, Mr. Hardy will continue to provide the following services:

1. Market the shuttle service to visitors and convention participants in conjunction with the Greater Rochester Visitors Association and Rochester Riverside Convention Center;
2. Market the shuttle service in conjunction with events and exhibitions at museums and theaters along the route, including the Memorial Art Gallery, George Eastman House, Rochester Museum and Science Center/Strasburgh Planetarium, Strong Museum and Eastman, Downstairs Cabaret, Blackfriars, Geva, and Auditorium Theaters;
3. Market the service to students at local colleges and universities;
4. Market the "Shuttle Bucks" program to additional businesses and institutions along the route;
5. Provide hospitality training for EZ Rider drivers; and
6. Provide familiarization tours for EZ Rider drivers and support staff, hotel front line staff, and staff of the Greater Rochester Visitors Association.

The cost of the proposed agreement is \$2,000 more than the cost of the current agreement. The increase in cost, the first since inception of the agreement, is comparable to the salary and wage increases experienced by non-uniformed employees since 1997.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-69

Ordinance No. 2000-202  
(Int. No. 222)

**Establishing \$290,000 As Maximum Compensation For A Professional Services Agreement With Lift Line Inc. For Operation Of The EZ Rider Entertainment Shuttle**

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

Section 1. The sum of \$290,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lift Line Inc. for the operation of the EZ Rider Entertainment Shuttle. Said amount shall be funded from the 2000-01 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilmember Curran, Mains - 2.

Ordinance No. 2000-203  
(Int. No. 223)

**Establishing \$27,000 As Maximum Compensation For A Professional Services Agreement For Advertising And Marketing Services For The EZ Rider Entertainment Shuttle**

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

Section 1. The sum of \$27,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Michael Hardy for advertising and marketing services for the EZ Rider Entertainment Shuttle. Said amount shall be funded from the 2000-01 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilmember Curran, Mains - 2.

By Councilmember Norwood  
June 20, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 224 - Authorizing The Sale Of Real Estate, As Amended

Int. No. 225 - Approving The Sale Of Parcels For The Brown Street Project

Int. No. 226 - Acquisition Of Real Estate For The City School District

Int. No. 227 - Approving The Sale Of Parcels And Easements For The Stutson Street Bridge Project

Int. No. 228 - Authorizing Agreements Relating To The Graffiti Control Program

Int. No. 229 - Appropriating Funds And Authorizing

Agreements For A Garden For The Anthony Square Project

Int. No. 230 - Authorizing An Agreement With Neighborhood Housing Services

Int. No. 231 - Authorizing An Agreement For The Home Store

Int. No. 232 - Authorizing Agreements For Housing Development Support - \$210,000

Int. No. 233 - Authorizing Agreements With Neighborhood Organizations For Administration Of The Residential Assistance Program - \$1,110,000

Int. No. 234 - Appropriating Funds And Authorizing Agreements For Tool Lending Library Programs

Int. No. 235 - Appropriating Funds To Support The Neighbors Building Neighborhoods Program

Int. No. 236 - Authorizing An Amendatory Agreement With Action For A Better Community, Inc. For Continued Administration Of The Joint Energy Conservation Program - \$90,000

Int. No. 246 - Designation Of SEAC As A Community Housing Development Organization

Int. No. 128 - Authorizing A Lease Agreement For The Maple Section Parking Lot, As Amended

The following entitled legislation is being held in committee:

Int. No. 237 - Changing The Zoning Classification Of 505-595 Highland Avenue From R-1 Single Family Residential To R-2 Two-Family Residential

Respectfully submitted,  
Wade S. Norwood  
Benjamin L. Douglas  
Nancy K. Griswold  
Gladys Santiago  
HOUSING AND COMMUNITY DEVELOPMENT  
COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-204, 2000-205,  
2000-206 and 2000-207  
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of four properties,
2. Sale of four additional properties for the Brown Street Neighborhood Housing Project,
3. Acquisition of two properties on behalf of the City School District, and
4. Sale of two other properties and the granting of two permanent and two temporary easements for the Stutson Street bridge project

Sales

The first two properties to be sold were included in the Request for Proposal Sale of April 3. Both properties contain mixed-use structures.

1889 Clifford Avenue will be rehabilitated as an

office and three apartments. 471-473 N. Goodman Street will be rehabilitated as two offices and three apartments.

The next property, 89 Scrantom Street, contains a single-family house. It will be sold through the Tenant Ownership Program for its appraised value.

The last property, 766 S. Plymouth Avenue, is considered unbuildable because of its size. It will be sold to the owner of the adjacent property for \$1.00 and combined with that property.

Brown Street Neighborhood Housing Project

The Brown Street Neighborhood project includes the following construction:

Providence Housing Development Corporation	30 rental units
Urban League Economic Development Corp./Youthbuild	2 houses
Urban League Economic Development Corporation	12 houses
Flower City Habitat for Humanity	40 houses

The City has sold to the developers several of the properties on which the housing is being constructed, as well as appropriating a total of \$361,000 to finance a portion of the costs of the projects and providing tax exemptions for the rental units in consideration of payments in lieu of taxes. Under the proposed legislation, the City will sell four additional properties to two of the developers.

ULEDC has completed construction of two of its houses. Construction of the other 10 houses is expected to be completed this year.

Habitat has completed construction of five of its houses. Construction of 10 additional houses is expected to be completed during the remainder of this year.

Acquisitions

The two properties to be acquired, 8 and 10 Chace Street, contain single-family houses. The purchase prices for the properties were established by an independent appraiser, Kevin Bruckner.

Following acquisition, the occupants will be relocated and the houses will be demolished. A parking lot will be constructed on the resultant vacant lot for use by the staff of visitors to Gen. Elwell S. Otis School No. 30, which is located at 36 Otis Street.

The City School District will be responsible for all costs associated with the project. The project was approved by the Board of Education on March 16.

Stutson Street Bridge Transactions

The bridge project, as you are aware, will involve the realignment of Stutson Street and the construction of a new lift bridge. The project, which will be administered by the NYS Department of Transportation, is scheduled to begin in September and be completed early in 2002.

The property acquisition and permanent easements are required for the street alignment. The temporary easements are required for construction of the bridge.

The values of the properties and easements were established for NYS DOT by an independent appraiser, Pomeroy Appraisal Associates, Inc. The

values represent the minimum amounts to be received by the City.

The City will have another independent appraiser similarly establish values for the properties. As necessary, based upon the two appraisals, the City will negotiate the final purchase prices with NYS DOT.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-70

Ordinance No. 2000-204  
(Int. No. 224, As Amended)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the negotiated sale of following improved properties with proposal:

Address	Price	Purchaser
S.B.L.#		
[1889 Clifford Ave. 107.30-3-9	\$10,000	Betty & Jackson Lloyd]
471-473 Goodman St. N. 106.76-1-7	25,000	Embola Ekiller & Clarence Thompson

Section 2. The Council hereby further approves the sale of the following parcel of real estate through the Tenant-Ownership Program:

Address:	89 Scrantom St.
S.B.L.#:	106.38-3-8
Price:	\$12,000
Purchaser:	Wanda I. Zenon

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

Address:	766 Plymouth Ave. S.
S.B.L.#:	121.69-3-71
Sq. Ft.:	2475+/-
Purchaser:	Frank & Barbara Much

Section 4. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the first day of the month following the date of adoption 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.

Bracketed material deleted.

Passed unanimously.

Ordinance No. 2000-205  
(Int. No. 225)

**Approving The Sale Of Parcels For The Brown**

**Street Project**

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

Section 1. The Council hereby approves the sale of the following parcels for their appraised value for the development of housing as a part of the Brown Street Project:

<u>Address</u>	<u>SBL #</u>
<u>Purchaser</u>	
570 Brown Street Flower City Habitat for Humanity	120.35-2-29.2
578 Brown Street Flower City Habitat for Humanity	120.35-2-31.1
597-599 Brown Street Urban League of Rochester Economic Development Corp.	120.35-3-67
603 Brown Street Urban League of Rochester Economic Development Corp.	120.35-3-68

Section 2. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the day of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 3. This ordinance shall take effect immediately.

Passed unanimously. Ordinance No. 2000-206 (Int. No. 226)

**Acquisition Of Real Estate For The City School District**

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

Section 1. The Council hereby approves the acquisition of the parcel at 8 Chace Street from the current owner, Anthony J. Micciche, Jr. for an amount not to exceed \$25,000, and the parcel at 10 Chace Street from the current owners, Henry L. Raymo and Barbara Raymo for an amount not to exceed \$27,000, for use by the City School District for parking for School No. 30.

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed \$52,000, and said amount, plus necessary closing costs not to exceed \$8,000, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said properties are hereby cancelled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

Ordinance No. 2000-207 (Int. No. 227)

**Approving The Sale Of Parcels And Easements For The Stutson Street Bridge Project**

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

Section 1. The Council hereby approves the sale of the following parcels and easements for the minimum amount set forth, or an increased amount approved by the Director of Real Estate if an appraisal shows an increased fair market value, to the State of New York Department of Transportation for the Stutson Street Bridge Project:

<u>Map # &amp; Parcel #</u>	<u>Area</u>	<u>Minimum Acq. Value</u>
<u>Type of Taking</u>		
Map #30, Parcel #30 Temporary Easement (2 years)	.022 acre	\$ 1,850
Map #33, Parcel #33 Permanent Easement	.506 acre	137,500
Map #1, Parcel #1 Fee Simple	.1388 acre	1,500
Map #39, Parcel #43 Permanent Easement	.114 acre	206,000
Map #40, Parcel #44 & #45 Temporary Easement	.267 acre	1,000
Map #41, Parcel #46 Fee Simple	10 Docks, Bed of River	20,000

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-208  
Re: Neighborhood Graffiti Control Program

Transmitted herewith for your approval is legislation relating to the Neighborhood Graffiti Control Program. This legislation will:

1. Appropriate \$200,000 from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant to finance continuation of the program; and
2. Authorize any required agreements or amendatory agreements to administer the program.

The graffiti control program, which was initiated in 1991, is designed to assist neighborhood residents and businesses in reducing the incidence and extent of graffiti. To date, \$1,750,364 has been appropriated to 14 neighborhood organizations, the City School District, Monroe County and the Department of Environmental Services to finance anti-graffiti activities.

The most recent appropriations were approved by the City Council on May 11, 1999. Attached is a

summary of the status of these appropriations and the performance of the neighborhood organizations through April.

The proposed legislation will appropriate the funds required for continuation of the program during 2000-01. Since sufficient funds are available from prior appropriations, no additional funds will be provided to the Montgomery Neighborhood Center, which administers the program in the Plymouth-Exchange and Mayors Heights neighborhoods, and South West Area Neighborhood Association, which administers the program in the Genesee-Jefferson neighborhood.

Under its proposed agreement, North East Area Development will be able to use its allocation to finance the costs of either anti-graffiti activities or the maintenance of vacant private or City lots. It has provided the latter services since 1997.

When a violation of the Property Code occurs, a Notice and Order is sent to the owner of the property. If the necessary abatement does not occur, a work order is sent to NEAD, rather than the Department of Environmental Services.

As appropriate, NEAD mows grass, trims bushes and shrubs, removes litter and trash and corrects any exterior violation. It advises the City of the cost abatement and the City bills the property owner.

For City properties, NEAD provides mowing, trimming and trash removal services in accordance with a specified schedule and addresses other exterior problems as required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-71

Councilman Norwood moved to amend Introductory No. 228.

The motion was seconded by Councilman Thompson.

The motion was adopted unanimously.

Ordinance No. 2000-208  
(Int. No. 228, As Amended)

**Authorizing Agreements Relating To The Graffiti Control Program And The Adopt-A-Lot Program**

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

Section 1. The Mayor is hereby authorized to enter into agreements or amendatory agreements with the following neighborhood organizations in amounts not to exceed the following for funding as part of the Graffiti Control Program:

Organization Neighborhood	Amount
Coalition of North East Assoc. Upper Falls	\$ 10,000
Group 14621 Community Assoc 14621 Neighborhood	15,000
Marketview Heights Association South Marketview	15,000
North East Area Development	55,000

Sector 8	
North East Block Club Alliance	15,000
North Marketview	
Northwest Community Services	80,000
Brown Square	
Dutchtown	
Edgerton	
Lyell-Otis	
Susan B. Anthony	
South East Area Coalition	10,000
Southeast Quadrant	
Total	\$200,000

Section 2. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program the sum of \$200,000, or so much thereof as may be necessary, to fund the agreements authorized herein.

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

Section 4. Section 1 of Ordinance No. 2000-63, relating to the Adopt-A-Lot Program, is hereby amended by further authorizing an agreement with the Southwest Area Neighborhood Association in an amount not to exceed \$12,824.

Section 5. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-209  
Re: CDBG Appropriation - Anthony Square  
Neighborhood Beautification

Transmitted herewith for your approval is legislation appropriating \$10,000 from the Housing Stock and General Property Conditions of the 2000-01 Community Development Block Grant to partially finance the costs of creation of a rock and flower garden in the Anthony Square neighborhood.

As you are aware, the Anthony Square project involves the redevelopment by Housing Opportunities, Inc. and the City of the former West Square Manor site. The project will result in the construction of 45 rental units and 23 owner-occupant single-family houses.

The proposed CDBG appropriation will partially finance the costs of creation of a rock and flower garden at 4 Clifton Street and 41 Prospect Street, which are City vacant lots adjacent to the Anthony Square site. The garden will be created and maintained by the Sector 4 Community Development Corporation.

An additional \$2,000 grant has been received from the Rochester Area Community Foundation for the project.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-209  
(Int. No. 229)

**Appropriating Funds And Authorizing Agreements For A Garden For The Anthony Square Project**

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program the sum of \$10,000, or so much thereof as may be necessary, to fund the creation of a rock and flower garden at 4 Clifton Street and 41 Prospect Street as a part of the Anthony Square Project.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement this Project.

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

Section 4. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-210  
Re: Agreement - Neighborhood Housing Services, Housing Programs

Transmitted herewith for your approval is legislation authorizing an agreement with Neighborhood Housing Services of Rochester, 570 South Avenue, for continued operation of the Revolving Loan Fund Program and for additional homebuyer education services. The maximum cost of this agreement will be \$80,000, which will be financed from the Housing Stock and General Property Conditions allocations of the 1999-00 and 2000-01 Community Development Block Grants.

The Revolving Loan Program was initiated in the Edgerton neighborhood area in 1980, expanded to the primary target area in 1988, and made available City-wide in 1995. It is designed to permit homeowners with an excessive debt-to-income ratio or inadequate credit or employment history to obtain a rehabilitation loan.

NHS has administered the program since its inception. The most recent agreement for such administration was authorized by the City Council on August 10, 1999.

From July 1, 1999 to May 12, 2000, 34 loans totaling \$246,346 were made. Fifty loans were originally projected for the entire year.

Under the proposed agreement, NHS will originate 50 new rehabilitation loans during 2000-01. NHS will continue to be responsible for:

1. Promoting the program;
2. For each loan: determining the eligibility of the property owners, inspecting the property, estimating the costs of rehabilitation, reviewing insurance needs, providing financial counseling, arranging loan packaging, preparing work specifications, soliciting bids, providing construction management and servicing the loan;

3. Selling approved loans on the secondary market, if appropriate;
4. Resolving delinquencies through counseling, restructuring, or the collection of liens; and
5. Administering the program and soliciting additional funds for it.

The total cost of these services will be \$75,000. The residual \$5,000 appropriation will be used to increase the number of Homebuyer Education seminars conducted by NHS for all participants in the Home Expo, Home Rochester, Home Purchase Assistance and Homeowner Initiative programs. The increase in the number of seminars is intended to reduce class size.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-210  
(Int. No. 230)

**Authorizing An Agreement With Neighborhood Housing Services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Neighborhood Housing Services of Rochester for the continued administration of the Revolving Loan Fund and Home Ownership Loan Programs.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$80,000, and of said amount, or so much thereof as may be necessary, \$5,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program and \$75,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-211  
Re: Agreement - Urban League of Rochester Economic Development Corporation;  
Home Store

Transmitted herewith for your approval is legislation authorizing an agreement with the Urban League of Rochester Economic Development Corporation, 304 Andrews Street, for continued operation of the Home Store. The maximum amount of this agreement will be \$260,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

The Home Store, which opened in February 1994, provides a central and accessible location at which

prospective home buyers can obtain information, financial counseling and assistance, pre- and post-purchase training, and instruction related to home ownership. These services are provided in the evenings and weekends, as well as during the week.

The Urban League has operated the Home State since its inception. The most recent agreement for such operation was authorized by the City Council on August 10, 1999.

Following is a summary of the performance of the Urban League under this agreement through March 31, 2000 and the projected performance for 2000-01.

Service	1999-00		2000-01
	Planned	Actual	Projected
Home Rochester/Rehabilitation Programs Cases	32	25	20
Home Expo/New Construction Cases	38	15	36
Home Purchase Assistance Program Cases	100	117	183
HOOP/Sealed Bid Sales	80	13	80
Phone screening and referral	5,000	4,389	5,000
Seminars:			
Number	40	68	40
Participants	4,000	1,921	4,000

The cost of the proposed agreement is \$15,000 more than the cost of the current agreement. The increase in cost primarily reflects an increase in the number of post-purchase training classes and increased services relating to implementation of the Homeownership Investment Program.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-211  
(Int. No. 231)

**Authorizing An Agreement For The Home Store**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester Economic Development Corporation for the continued operation of the Home Store.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$260,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-212  
Re: Agreements - Housing Development

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the continued provision of housing development services.

Organization	Amount
Housing Opportunities, Inc.	\$125,000
Urban League of Rochester Economic Development Corporation	85,000
	<u>\$210,000</u>

The costs of these agreements will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant and from the Community Housing Development Organization allocation of the 2000 HOME Program.

For several years, under periodic agreements, HOP and ULREDC have provided various housing development services in support of the City's housing policies and initiatives. The most recent agreements were authorized by the City Council on July 13, 1999. Following is a summary of their performance under those agreements.

	Goal	Actual
<b>HOP</b>		
HOME Rochester houses rehabilitated	NA	3
Rental units developed	21	11
Tenants served (rental units)	250	250
Projects planned/researched	4	4
<b>ULREDC</b>		
HOME Rochester houses rehabilitated	6	5
New houses constructed	21	17
Tenants served (rental units)	6	6
Projects planned/researched	2	2

Activities proposed for 2000-2001 include the following:

**HOP**

1. Tenant Services: Homeownership Assistance Program - Promote, in conjunction with the Home Store, homeownership among 250 tenant households, thus helping to provide rental opportunities for the 200 households on HOP's waiting list.
2. Property Management Assistance - Provide technical assistance to non-profit developers that own or are exploring ownership of rental housing and that do not have sufficient experience or capacity to manage such properties independently.
3. Development Projects
  - a. Anthony Square - Continue development of 45 affordable rental units and the redevelopment of immediately adjacent areas.
  - b. Susan B. Anthony Neighborhood Collaborative - Develop four new single-family houses in conjunction with the Landmark Society of Western New York, Northwest Community Services, the Susan B. Anthony House, and

the neighborhood organization.

- c. Monroe Place Rental - Continue to explore development of 923-932 Monroe Avenue as 10 rental units.
- d. Marketview Heights - Continue collaborative planning with the Marketview Heights Association to replace non-conforming mini-marts with residential uses and convert problem rental properties to stable, affordable housing.
- e. Suburban Rental Projects/Planning Studies - Continue planning and development of a family rental project in Greece and an elderly rental project in Henrietta and conduct three feasibility studies for city development projects.
- f. Home Rochester - Rehabilitate four structures.
- g. Sojourner Project - Continue to explore development of 12 units in the Marketview Heights neighborhood.

ULREDC

- 1. HOME Rochester - Rehabilitate 12 structures.
- 2. New Single-Family Construction - Construct 15 new homes through Home Expo and the Suburban Scattered Site Project and seek funding to develop one additional project.
- 3. Rental Development - Develop a minimum of six rental units and seek funding to develop at least one additional project.
- 4. Homeownership - Assist the Home Store to develop outreach/homeownership education programs, including an employer-based assistance program.
- 5. Property Management - Develop and implement a property management company to manage ULREDC rental properties, which currently contains 30 units.

These agreements represent 29% of HOP's total budget of \$424,218 and 19% of ULREDC's total budget of \$455,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-212  
(Int. No. 232)

**Authorizing Agreements For Housing Development Support - \$210,000**

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

Section 1. The Mayor is hereby authorized to enter into agreements with Housing Opportunities, Inc., in an amount not to exceed \$125,000, and the Urban League of Rochester Economic Development Corporation, in an amount not to exceed \$85,000, for development and management of housing units for low-income families.

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$210,000, and of said amount, or so much thereof as

may be necessary, \$150,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program and \$60,000 is hereby appropriated from 2000 HOME Program Funds.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-213  
Re: Residential Assistance Program

Transmitted herewith for your approval is legislation relating to the 2000-01 Residential Assistance Program in various neighborhoods. This legislation will:

- 1. Appropriate \$1,110,000 from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant to finance the program; and
- 2. Authorize agreements or amendatory agreements with 10 neighborhood organizations to provide for administration of the program.

The Residential Assistance Program consists of the Special Materials Grant, Home Security and Emergency Repair Grant program components. These components provide grants of up to \$3,500 to assist low-income owner-occupants in making emergency repairs and the purchase of materials for exterior repairs and home security.

Since their inception, these program components have been administrated by various neighborhood organizations. The most recent agreements for such administration were authorized by the City Council on May 11, 1999.

A summary of the grants provided under these agreements is attached. The proposed legislation will provide the funds required for continuation of the grant programs during 2000-01.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-72

Ordinance No. 2000-213  
(Int. No. 233)

**Authorizing Agreements With Neighborhood Organizations For Administration Of The Residential Assistance Program - \$1,110,000**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations or the following amounts are allocated for the administration of the Residential Assistance Program:

Administering Agency

Neighborhoods	Amount
Charles Settlement House Maplewood Charlotte	\$ 105,000
Coalition of North East Associations Upper Falls	80,000
Group 14621 Community Association 14621 Neighborhood	80,000
Montgomery Neighborhood Center Bullshead Cornhill Genesee-Jefferson Mayors Heights 19th Ward Plymouth-Exchange Southeast Dutchtown	150,000
North East Area Development Beechwood Browncroft Culver-Winton Homestead Heights Northland Lyceum	175,000
North East Block Club Alliance North Marketview Heights	105,000
Northwest Community Services Brown Square Edgerton Lyell-Otis North Dutchtown Southwest Dutchtown Susan B. Anthony	175,000
South East Area Coalition Atlantic-University Cobbs Hill East Avenue Ellwanger-Barry Highland Park Avenue Pearl-Meigs-Monroe Strong Swillburg Upper Monroe	100,000
Marketview Heights Association South Marketview Heights	70,000
South Wedge Planning Committee South Wedge	<u>70,000</u>
Total	\$1,110,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$1,100,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-214  
Re: CDBG Appropriation - Tool Lending Libraries

Transmitted herewith for your approval is legislation appropriating \$35,000 from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant for continuation of the tool lending libraries.

Tool lending libraries are designed to provide an inexpensive method by which persons can rehabilitate or improve their houses. At present, there are five such libraries within the city.

The most recent appropriation relating to one of the libraries was approved by the City Council on October 22, 1996. The proposed appropriation will provide \$5,000 to each of the five current libraries and to two libraries that will re-open: North East Block Club Alliance and Montgomery Neighborhood Center.

These funds will be used for the following purposes:

1. Purchase of new tools or the replacement of used tools, from a list of tools approved by the City;
2. Rental of specialized tools approved by the City;
3. Provision of training and workshops;
4. Preparation and dissemination of promotional and marketing materials; and
5. Liability insurance.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-214  
(Int. No. 234)

**Appropriating Funds And Authorizing Agreements For Tool Lending Library Programs**

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program the sum of \$35,000, or so much thereof as may be necessary, to fund Tool Lending Library Programs.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Tool Lending Library Programs.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-215  
RE: CDBG Appropriation - NeighborLink

Transmitted herewith for your approval is legislation appropriating \$50,000 from the Neighbors Building Neighborhoods allocation of the 1999-00 Community Development Block Grant for the continued development of the NeighborLink program.

The NeighborLink program, which was implemented in 1998, provides remote access to certain City data bases, access to the Internet and web sites for each of the 10 neighborhood planning sectors. Personal computers designated for use in the program are located in nine branch libraries and the community center of the Dr. Freddie Thomas Learning Center.

Volunteer coordinators and data base administrators are assigned to each sector site. An interdepartmental committee determines the appropriateness of providing public access to the information that is included in the City's data bases.

To date, \$55,000 has been expended for the program. Attached is a summary of program activity during the first four months of 2000.

The proposed appropriation will be used for the continued development of NeighborLink. Specifically, it will be used to update the data base for buildings, by adding frequently requested information such as structure type, historic status, licenses and common names (e.g., City Hall). It will also be used to develop programs and procedures for public access to data from the 2000 Census as it becomes available.

The proposed 2000-01 budget for the program is as follows:

Salaries and wages (temporary) - data research and entry	\$30,000
Equipment and programs - data entry and manipulation	13,000
Training	5,000
Supplies and materials	2,000
Total	\$50,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-73

Ordinance No. 2000-215  
(Int. No. 235)

**Appropriating Funds To Support The Neighbors Building Neighborhoods Program**

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

Section 1. There is hereby appropriated from the Neighbors Building Neighborhoods Allocation of the 1999-2000 Community Development Program the sum of \$50,000, or so much thereof as may be necessary, to fund access to GIS technology and data to support the Neighbors Building Neighborhoods Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2000-216  
Re: Agreement - ABC, Joint Energy  
Conservation Program

Transmitted herewith for your approval is legislation authorizing an agreement with Action for a Better Community, Inc., 550 E. Main Street, for continued administration of a Joint Energy Conservation Program. The maximum cost of this amendment will be \$90,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

ABC has administered an energy conservation program since 1978 through grants from the NYS Division of Economic Opportunity. Under this program, grants of up to \$1,500 per unit are provided for physical improvements that reduce energy consumption. Approximately 350 property owners participate in the program annually.

To be eligible for participation, a person has to be:

1. An owner-occupant who meets the income guidelines of the Section 8 Program, or
2. An investor-owner who ...
  - a. Rents the unit(s) to tenants who meet the guidelines,
  - b. Agrees not to increase the rent rate for at least two years, and
  - c. Contributes 35% to the cost of the improvements.

In 1994, the City began to provide supplemental CDBG funding for the program, permitting the per unit grant to be increased to up to \$3,000. The most recent agreement for such funding was authorized by the City Council on July 13, 1999.

Supplemental funding is intended to encourage owners whose properties require more extensive and expensive improvements to participate in the program. Use of the CDBG portion of the grant is limited to the following types of improvements:

1. Window replacement,
2. Furnace replacement,
3. Hot water tank replacement,
4. Attic and wall insulation, and
5. Miscellaneous repairs.

To date, CDBG grants totaling \$335,786 have been provided to 523 properties. An additional \$28,235 has been provided for administrative costs.

ABC's administration of the program includes the preparation and review of grant applications, assessment of the repair needs and coordination of the work. In addition, it includes the conduct of a minimum of two energy conservation workshops per year.

Under the proposed amendment, the supplemental program will be continued for another year. The CDBG allocation will provide for a minimum of 55 grants and administrative costs of \$7,500.

Respectively submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-74

Ordinance No. 2000-216  
(Int. No. 236)

**Authorizing An Amendatory Agreement With Action For A Better Community, Inc. For Continued Administration Of The Joint Energy Conservation Program - \$90,000**

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 Action for a Better Community, Inc., for continued administration of the Joint Energy Conservation Program.

Section 2. The amendatory agreement shall obligate the City of Rochester to pay an amount not to exceed \$90,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-217  
Re: CHDO Designation - South East Area Coalition

Transmitted herewith for your approval is legislation designating the South East Area Coalition, Inc., 990 S. Clinton Avenue., as a Community Housing Development Organization pursuant to the federal Home Investment Partnerships Program.

Under the program, the City is required to reserve at least 15% of its annual HOME allocation for use in the development of affordable housing by non-profit agencies designated as CHDO's. The City is also permitted to set aside an additional 5% of its HOME allocation to assist CHDO's with their operating costs.

At present, 12 organizations are designated as CHDO's. To date, the City has appropriated \$2,801,602 for CHDO projects involving 86 housing units.

To be eligible for designation as a CHDO, an organization must:

1. Be a non-profit organization with tax exempt status under section 501(c)(3) or (4) of the U.S. Internal Revenue Code;
2. Have a minimum of one year of experience in providing local community service;
3. Have an expressly stated commitment to the development of affordable housing;
4. Be free from control by other organizations or interests; and

5. Have adequate capacity to engage in housing development activities.

Under the City's guidelines for the HOME program, to be eligible for designation, an organization must also agree to participate in the City's Housing Initiative, including the Homeownership Investment Program (Asset Control Area Partnership Program of the U.S. Department of Housing and Urban Development). The Department of Community Development has determined that SEAC is eligible to be designated as a CHDO and SEAC has agreed to participate in the Housing Initiative.

To provide for such participation, SEAC intends to hire a housing development specialist. Until this hiring occurs, no CDHO funds will actually be allocated to SEAC.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-217  
(Int. No. 246)

**Designation Of SEAC As A Community Housing Development Organization**

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

Section 1. The Council hereby approves the designation of the South East Area Coalition, Inc. (SEAC) as a Community Housing Development Organization (CHDO).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 128 was introduced April 18, 2000, and appears in its original form with its transmittal letter on page 113 of the current Council Proceeding.

Attachment No. Z-40

Ordinance No. 2000-218  
(Int. No. 128, As Amended)

**Authorizing A Lease Agreement For The Maple Section Parking Lot**

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 Paul Gramlich for the lease of a parking lot at 293 Child Street to be used for parking for the Maple Section office of the Rochester Police Department. The agreement shall extend for a term of [one] five years, effective March 1, 2000 [with an additional four one-year renewal options].

Section 2. The lease agreement shall obligate the City to pay \$[495] 525 per month in rent. Said amount shall be funded from the annual budgets of the Rochester Police Department.

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

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 237  
Re: Zoning Map Amendment -  
505-595 Highland Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 505-535 and 565-595 Highland Avenue from R-1 Single Family Residential to R-2 Two-Family Residential.

The properties, which contain 5.9 acres, are vacant. They abut O-S Open Space uses to the west, an Institutional Planned Development District (Colgate Divinity School) to the north, R-1 uses to the east and the Elmwood Manor Apartments in the Town of Brighton to the south.

The rezoning of the properties was requested by the owner of the properties and the apartment complex, Elmwood Manor Association. The complex, which contain 29 acres, includes 459 units.

If the rezoning is approved, Elmwood will construct 23 attached town-house units in five buildings on the Highland Avenue properties. It will construct 39 additional town-house units in Brighton.

The rezoning is required because attached units are prohibited under the present R-1 classification. Such units are permissible under the proposed R-2 classification but are subject to approval of a special permit by the Planning Commission.

In the absence of the rezoning, Elmwood could construct 21 unattached single-family units on the properties, with direct driveway access to Highland Avenue. Under the proposed town-house project, access to the units will be provided from Lilac Drive.

The Planning Commission held an informational hearing on the proposed rezoning on May 8; there were six speakers, four of whom supported and two of whom opposed the proposal. The Commission recommended by a vote of 5-2 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law, the Town of Brighton, as lead agency, has determined that the proposed rezoning will not result in any significant affects. A negative declaration has been issued.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 237

**CHANGING THE ZONING CLASSIFICATION OF 505-595 HIGHLAND AVENUE FROM R-1 SINGLE FAMILY RESIDENTIAL TO R-2 TWO-FAMILY RESIDENTIAL**

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the

following-described property, constituting 505-595 Highland Avenue from R-1 Single Family Residential to R-2 Two-Family Residential:

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

Beginning at a point of intersection of the centerline of Highland Avenue and the northerly projection of the west line of lands owned now or formerly by the Elmwood Manor Associates as per a deed recorded in the Monroe County Clerk's Office in Liber 6136 of deeds at page 181;

Thence 1) Southerly along said projection and the westerly line of lands owned by said West Elmwood Manor Associates a distance of 197 feet more or less to the dividing line between the City of Rochester on the north and the Town of Brighton on the south;

Thence 2) Easterly along said dividing line a distance of 821.75 feet more or less to the west line of the Highland View Subdivision as recorded in the Monroe County Clerk's Office in Liber 25 of maps at page 36;

Thence 3) Northerly along the west line of said subdivision and it's northerly projection to the centerline of Highland Avenue;

Thence 4) Westerly along the centerline of Highland Avenue to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Mains  
June 20, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 238 - Resolution Approving Appointments To The Rochester Economic Development Corporation (REDCO)

Int. No. 240 - Local Law Amending The City Charter With Respect To Delegation Of Approval Of Real Estate Instruments To The Corporation Counsel

Int. No. 241 - Local Law Amending The City Charter With Respect To The Delegation Of Approval Of Agreements To The Commissioner Of Parks, Recreation And Human Services

Int. No. 242 - Approving Business Programs

Int. No. 257 - Authorizing A Lease Agreement For Space In The Ellwanger And Barry Building

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 239 - Amending The 1999-2000 Com-

munity Development Block Grant And Approving A Section 108 Business Loan And An Economic Development Initiative Grant For The Children's Beverage Group, Inc. Project

Int. No. 258C - Amending The Proposed 2000-01 Budget In Regard To A Teambuilding Initiative - \$[5]10,000, As Amended

Int. No. 258D - Amending The 2000-01 Budget Of The City Of Rochester In Regard To Additional Snow Plowing - \$18,100

Int. No. 258E - Amending The 2000-01 Budget Of The City Of Rochester In Regard To Web Site Interactivity - \$10,000

Int. No. 258F - Amending The 2000-01 Budget Of The City Of Rochester In Regard To Overtime Funds For Information Systems - \$6,500

Int. No. 258G - Resolution Of Budgetary Intent -Efficiency Audit- Bureau Of Human Resource Management

Int. No. 258H - Amending The 2000-01 Budget Of The City Of Rochester In Regard To The Development Of Trail Connections Along The Genesee Riverway - \$50,000

Int. No. 258I - Resolution Of Budgetary Intent - Trail Links To City Neighborhoods

Int. No. 258J - Amending The 2000-01 Budget Of The City Of Rochester In Regard To Byrne Grant Matching Funds - \$20,000

Int. No. 258K - Amending The 2000-01 Budget Of The City Of Rochester In Regard To Community Development - \$8,600

Int. No. 258L - Amending The Proposed 2000-01 Budget In Regard To The Webster Avenue Ice Rink - \$48,400

Int. No. 258M - Amending The 2000-01 Budget Of The City Of Rochester In Regard To The Service Truck- \$11,200

Int. No. 258N - Resolution Of Budgetary Intent - Advertising On City Property

Int. No. 258O - Amending The Proposed 2000-01 Budget In Regard To Center City Signage - \$15,000

Int. No. 258 - Adoption Of The Budget Estimates For Municipal Purposes For The 2000-01 Fiscal Year, And Appropriation Of Sums Set Forth Therein And Approving Commercial Refuse Fees

Int. No. 259 - Adoption Of The Budget Estimates For School Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001, And Appropriation Of Sums Set Forth Therein

Int. No. 260 - Levying Taxes For Municipal Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001

Int. No. 261 - Levying Taxes For School Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001

Int. No. 262 - Local Improvement Ordinance - Street Cleaning, Street And Sidewalk Snow Removal, And Hazardous Sidewalk Repair Commencing July 1, 2000 And Expiring June 30, 2001

Int. No. 263 - Confirming The Assessments, Amounts And Charges To Be Inserted In The Annual Tax Rolls For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001

Int. No. 264 - Amending The Municipal Code With Respect To Water Rates

The following entitled legislation failed in committee:

Int. No. 258A - Amending The 2000-01 Budget Of The City Of Rochester In Regard To Promotion Of City Neighborhoods And Businesses - \$721,900

Int. No. 258B - Amending The Proposed 2000-01 Budget In Regard To EZ Rider - \$370,000

Respectfully submitted,  
Tim O. Mains

Brian F. Curran (Voted on Introductory No. 258A through Introductory No. 264.)

Nancy K. Griswold (Voted against Introductory No. 258A & 258B.)

Lois J. Giess (Voted on Introductory No. 258A through Introductory No. 264 and voted against Introductory No. 258A & 258B.)

Gladys Santiago (Voted against Introductory No. 258A & 258B.)

JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-16  
Re: Appointments - REDCO

Transmitted herewith for your approval is legislation confirming the appointment or reappointment of 20 persons as members of the Rochester Economic Development Corporation.

Under its by-laws, REDCO has 25 members. Of this number, the following five officials are ex-officio members:

Mayor  
City Council President  
Commissioner of Economic Development  
Manager of Business Development  
Director of Finance

The appointments of 18 other members were confirmed by the City Council on February 28, 1998.

There currently are two vacancies. Steve Dubnick and Edward Pettinella will be appointed to fill these vacancies.

The term of all of the members will extend through June 30, 2000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-16  
(Int. No. 238)

**Resolution Approving Appointments To The Rochester Economic Development Corporation (REDCO)**

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

Section 1. The Council hereby approves the appointment of the following members of the Rochester Economic Development Corporation for terms which shall expire on June 30, 2002.

Argust, Thomas  
Commissioner, Department of Community Development, City of Rochester

Carlson, Jeffrey  
Deputy Mayor, City of Rochester  
Champion, Richard  
New York Business Development Corporation

Dubnick, Steve  
CEO - Choice One Communications Inc

Hanson, Karen Noble  
Director of Finance, Episcopal Diocese of Rochester

Jones, Barbara J.  
Vice President & Region Manager, Community Investment, Chase Manhattan Bank

Kessler, Irving L.  
Attorney, Underberg & Kessler, LLP

Leach, John  
Retired Vice President, Commercial Loans, First National Bank of Rochester

LeChase, Wayne  
President & CEO, Raymond LeChase, Inc.

Mains, Tim  
City Councilmember, City of Rochester

Miller, Dana  
Chief of Operations, Production Systems Software Unit, Xerox Corporation

Mueller, Richard  
Administrative Vice President, M & T Bank

O'Heaney, Joseph  
Chief Executive Officer, DeRidder, Inc.

Pettengill, Ronald  
Retired President, Carpenters Local Union

Pettinella, Edward  
President, Western NY Division, Charter One Bank, Federal Savings Bank

Richards, Thomas S.  
President & CEO, Rochester Gas & Electric

Scott, Ruth  
Chief Operating Officer, Scott Associates

Serrano, Emilio  
Retired President & Chief Executive, Ibero American Investors Corp.

Stephens, Sandra  
Program Manager for St. Mary's Health Reach, St. Mary's Hospital

Vasquez, Julio  
President & CEO, Ibero American Action League

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Law No. 1 and  
Local Law No. 2  
Re: City Charter Amendment -  
Delegation of Authority

Transmitted herewith for your approval is legislation amending the City Charter provisions relating to the delegation of authority by the mayor to execute certain documents. This legislation will...

1. Add the authorization for the mayor to delegate to the Corporation Counsel the authority to execute various documents relating to real estate transactions; and
2. Delete the authorization to delegate to the Commissioner of Parks, Recreation and Human Services the authority to execute contracts relating to the on-the-job and individual referral components of the Job Training and Partnership Act program.

Under section 3.3.J. of the City Charter, the mayor is authorized to "execute deeds and to enter into contracts on behalf of the city, except as may be otherwise provided by law". With respect to the latter, the City Council has authorized the following delegation of authority:

Commissioner  
Contract

Community Development  
Home improvement subsidy and grant contracts  
Real Estate sale contracts for foreclosed properties of U.S. Department of Housing and Urban Development

Economic Development  
Downtown, industrial and neighborhood commercial subsidy and grant contracts

Parks, Recreation and Human Services  
On-the-job and individual referral contracts for the Job Training and Partnership Act program

Under the proposed legislation, the mayor will be further authorized to delegate to the Corporation Counsel authority for execution of documents relating to the following real estate transactions:

- Purchase
- Sale
- Lease
- Donation
- Easement
- Deed
- Discharge of mortgage
- Certificate of satisfaction

Of course, the execution of these documents could not occur without the prior approval of the transactions by the City Council, pursuant to sections 5-25 through 5-29 of the Charter.

Upon approval of the transactions, the processing of the associated documents is usually routine. Review of the documents by the mayor is therefore unnecessary.

The proposed legislation will also terminate the authority for the DPRHS Commissioner to execute certain JTPA contracts, since the program itself has been terminated.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Local Law No. 1  
(Int. No. 240)

**Local Law Amending The City Charter With Respect To Delegation Of Approval Of Real Estate Instruments To The Corporation Counsel**

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 3-3 thereof, Powers and duties of Mayor, by adding thereto the following new subsection R:

R. Notwithstanding § 3-3J of the City Charter, the Mayor is hereby authorized to delegate authority to execute on behalf of the City all instruments relating to real property transactions, including but not limited to deeds, easements, mortgages, environmental indemnification agreements, and related agreements, loans and grants not otherwise delegated to other Department Heads, to the Corporation Counsel.

Section 2. This local law shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Law No. 2  
(Int. No. 241)

**Local Law Amending The City Charter With Respect To The Delegation Of Approval Of Agreements To The Commissioner Of Parks, Recreation And Human Services**

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending subsection P of Section 3-3 thereof, Powers and duties of Mayor, by deleting the words "to the Commissioner of Parks, Recreation and Human Services in the case of on-the-job training and individual referral agreements under the Job Training Partnership Act," where they are contained therein.

Section 2. This local law shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-219  
Re: Business Programs  
Transmitted herewith for your approval is legislation relating to various business programs. This legislation will:

1. Appropriate a total of \$1,865,600 for the programs from the Economic Stability allocation of the 2000-01 Community Development Block Grant; and
2. Authorize any agreements required to implement the programs;

All of the appropriations represent the continuation of existing programs, except for the following new programs:

Business Assistance Program Implementation  
Business Association Support  
North Clinton Avenue Project

Industrial Loan Fund (\$575,800 Appropriation)

The Industrial Loan Fund provides loans to industrial companies for working capital or the acquisition of real estate, machinery and equipment. To date, \$3,910,300 has been appropriated for the program.

Loans totaling \$2,648,500 have been provided to 17 companies, resulting in the creation or retention of 1,337 jobs. The balance of the fund is \$1,261,800.

Section 108 Loan Reserve (\$350,000)

Under the Section 108 loan program, loans are provided to industrial and commercial businesses for facility expansion or renovation, equipment acquisition and working capital. For any loan, the funds are provided by the federal government through the City.

As a condition of any loan, the City is contingently liable for repayment of the loan in the event of default by a business. A loan reserve account has been established for this purpose.

To date, loans totaling approximately \$40.0 million have been provided to 69 businesses. Disbursements from the reserve account have totaled \$1,500,000 for loan defaults by 15 businesses.

Minority Enterprise Business Development Corporation (\$225,000)

MESBIC promotes the development of small businesses owned by minorities and women through the provision of loans and equity investments and technical assistance in such areas as management, marketing, accounting and purchasing. The corporation is operated by the Ibero American Investors Corporation.

Besides the CDBG appropriation from the City, MESBIC is financed by Monroe County, the U.S. Small

Business Administration and private sources. Since its inception in 1979, MESBIC has provided loans totaling \$22.7 million to 260 businesses, resulting in the creation or retention of 1855 jobs.

Predevelopment Incentive Program (\$100,000)

The Predevelopment Incentive Program provides matching loans/grants of up to \$25,000 to businesses to defray the costs of environmental investigative and feasibility studies on vacant and underutilized properties. The program is designed to encourage the exploration and development of potentially contaminated industrial and commercial properties.

To date, grants totaling \$166,000 have been provided to 11 companies, resulting in the creation or retention of 170 jobs.

Exterior and Leasehold Improvement Programs (\$107,100)

The Exterior Improvement Program is designed to enhance the appearance of industrial and commercial buildings in specified areas by providing matching grants of up to \$15,000 to finance the costs of exterior improvements. The Leasehold Improvement Program is designed to assist businesses that are relocated to or expanding in specified areas by providing matching grants of up to \$10,000 to finance the costs of permanent improvements to rental space.

City Development Fund appropriation of \$581,000 for the grants was included in the 2000-01 Consolidated Community Development Plan that was approved by the City Council on May 16. The proposed appropriation will finance the costs of the continued provision of architectural services for the programs.

Agreements with three organizations for such services were originally authorized by the City Council on July 14, 1998. Amendatory agreements were authorized by the Council on June 24, 1999.

Following is a summary of activity under these agreements:

<u>Organization</u>	<u>Projects</u>	<u>Payments</u>
Mossein Associates	11	\$33,000
Pardi Architects	16	49,585
Pospula Associates	26	49,484

Under the proposed additional amendatory agreements, an additional \$35,700 will be allocated for each organization. The total maximum cost of each agreement will thereby increase to \$110,700.

Neighbors Shopping Neighborhoods Program (\$180,000)

The Neighbors Shopping Neighborhoods Program is designed to increase the patronage of city businesses. It involves the publication and distribution of a city-wide shopping guide, production of cable television and radio advertisements, and preparation of newspaper advertisements.

The program also provides matching grants of up to \$5,000 to eligible businesses or business associations. To date, grants totaling \$88,000 have been provided to 17 businesses and one business association.

Entertainment District Support Program (\$80,000)

The Entertainment District Support Program provides

organizational, promotional and advertising support for entertainment districts. To date, \$15,800 has been expended for activities relating to the High Falls, East End and St. Paul Quarter areas.

It is expected that Business Improvement Districts will be established in the near future for these areas. Special assessments will be apportioned among the properties within these areas to finance the costs of promotional and advertising activities.

Business Assistance Program Implementation (\$30,500)

The Business Assistance Program provides technical assistance and advice to neighborhood businesses relating to accounting, taxes, advertising, business plans and procedures, and computer systems. To date, 175 businesses have participated in the program

The implementation component of the program will provide grants to participating businesses for implementation of recommendations developed through the technical assistance component. It is projected that grants will be provided to 27 businesses.

Business Association Support Program (\$99,700)

The Business Association Support Program will provide funds to business associations for organizational, advertising, promotional and clean-up activities. It is projected that assistance will be provided to 10 organizations.

N. Clinton Avenue Project (\$80,000)

The N. Clinton Avenue Project involves the continued development of N. Clinton Avenue as a commercially viable area. Present efforts are directed primarily at the portion of the street between Upper Falls Boulevard and Avenue D.

The proposed allocation will be used to recruit businesses to the area. The allocation is expected to finance the following costs:

Office space and administration	\$30,000
Broker commissions	40,000
Bonus/incentive payments	10,000
Total	\$80,000

Technical Assistance Services (\$37,500)

The proposed allocation for technical assistance services will be used to finance the costs of training for staff, technical assistance in the structuring of financing plans and development projects, advocacy for state and federal grants, and assistance in the identification of alternative funding sources.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-75

Ordinance No. 2000-219  
(Int. No. 242)

**Approving Business Programs**

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

Section 1. There is hereby appropriated from the Promoting Economic Stability Allocation of the

2000-01 Community Development Program the sum of \$1,865,600, or so much thereof as may be necessary, to fund the following Programs in the following amounts:

Industrial Loan Fund	\$575,800
108 Reserve	350,000
Minority Enterprise Business Development Corporation	225,000
Predevelopment Incentive Program	100,000
Commercial Facade & Leasehold Improvements	107,100
Neighbors Shopping Neighborhoods	180,000
Entertainment District Support	80,000
Business Assistance Program/Implementation	30,500
Business Association Support	99,700
North Clinton Avenue Project	80,000
Technical Assistance Services	37,500

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with Mossein Associates, Pardi Architects and Pospula Associates in amounts not to exceed \$35,700 each for architectural services for the Exterior and Leasehold Improvement Programs. Said amounts, or so much thereof as may be necessary, shall be funded from the appropriations made in Section 1 hereof.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs authorized herein.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-220  
Re: Agreement - Flaum Management Co.,  
Ellwanger and Barry Building

Transmitted herewith for your approval is legislation authorizing a five-year agreement with Flaum Management Company, Inc. for the lease of 1,700 square feet of space in the Ellwanger and Barry building at 39 State Street. The annual cost of this agreement will be financed from the budget for Undistributed Expense.

The space will accommodate the Division of Audit and Review, which currently occupies approximately 1,000 square feet of space on the second floor of City Hall. The Division will relocate to the Ellwanger and Barry building to permit various units to relocate to the second floor of the City Hall.

Under the agreement with Monroe County that was authorized by the City Council on October 12, 1999, the City was required to vacate 10,000 square feet of the Public Safety Building by April 1, 2000. While the County waived the specified deadline and some of the space requirement, it has requested that the City vacate 7,475 square feet of space on the fifth floor.

This space is currently occupied by the administrative unit of Pathways to Peace and the Family and Crisis Intervention Team, as well as the Youth Services Unit. It is planned that the first unit, consisting of

two persons, be relocated to City Hall and that the FACIT unit, consisting of 14 people, be relocated to room 240 in the Public Safety Building. The Youth Services Unit will be relocated to other space in the Public Safety Building.

Room 240, which contains approximately 1,620 square feet of space is, currently occupied by two persons assigned to the Division of Community and Volunteers, three persons assigned to the Office of Special Projects and one other person assigned to the Mayor's Office. These people will be relocated to the space currently occupied by the Division of Audit and Review.

The lease for space in the Ellwanger and Barry building will have a term of five years. During the first two years of the lease, the annual cost will be \$11.50 per square foot, or \$19,550 per year; during the last three years of the lease, the annual cost will be \$20,400.

Flaum will be responsible for the required improvements to the space, the estimated cost of which is \$18,000. The City will be responsible for the cost of utilities, the estimated cost of which is \$1.50 per square foot, or \$1,850 per year.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-220  
(Int. No. 257)

**Authorizing A Lease Agreement For Space In The Ellwanger And Barry Building**

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 for a term of 5 years with Flaum Management Company, Inc. for the lease of approximately 1,700 square feet of space in the Ellwanger and Barry Building for occupancy by the Division of Audit and Review.

Section 2. The lease agreement shall obligate the City to pay rent in the amount of \$19,550 annually for the first two years and \$20,400 annually for the last three years. The City shall also be obligated to pay for utilities. Flaum shall be responsible to make required improvements to the space.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-221  
Re: Children's Beverage Group

Transmitted herewith for your approval is legislation relating to a previously approved Section 108 loan and Economic Development Initiative grant for The Children's Beverage Group. This legislation will:

1. Change the location of the project for which the loan proceeds will be used;

2. Change the purpose for which the loan and grant will be used;
3. Amend the 1999-00 Community Development Block Grant to provide for the loan; and
4. Authorize any necessary agreements

The Children's Beverage Group produces and packages beverages and other products for children. The company, which was established in 1995, is based in Northbrook, Illinois.

On June 24, 1999 the City Council authorized a Section 108 loan of \$2,000,000 and a EDI grant of \$566,000 for CBG to partially finance the costs of development of a manufacturing facility in Rochester. It was expected that the project would involve the lease and renovation of an existing building at 121 Lincoln Avenue.

Such renovation has been determined to be unfeasible. An alternative location, 860-888 Maple Street, has therefore been identified.

Under the revised project plan, the existing 80,000 square foot building at that location will be acquired and renovated and production equipment would be installed. The revised estimated cost of the project is \$12,845,000, which is \$2,045,000 more than the estimated cost of the original project.

This cost will be financed as follows:

Section 108 loan	\$ 3,459,000
EDI grant	566,000
Industrial revenue bond	5,000,000
Equipment lease	2,420,000
Equity	1,000,000
Other	400,000
Total	<u>\$12,845,000</u>

Under the original financing plan, it was expected that the loan and grant would be used to partially finance the cost of acquisition and installation of the equipment. Under the revised financing plan, they will instead be used to partially finance the costs of property acquisition and renovation.

The project will begin in September and be completed by the end of the year. It is expected to result in 180 new jobs.

Provision of the revised Section 108 loan will require amendment of the 1999-00 Community Development Block Grant. A public hearing on this amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-76

Ordinance No. 2000-221  
(Int. No. 239)

**Amending The 1999-2000 Community Development Block Grant And Approving A Section 108 Business Loan And An Economic Development Initiative Grant For The Children's Beverage Group, Inc. Project**

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

Section 1. The Mayor is hereby authorized to submit an amendatory application and to enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 1999-2000 Community Development Program whereby the Section 108 Business Loan authority and the Economic Development Initiative Grant authority provided in Ordinance No. 99-227 shall be available for the Children's Beverage Group, Inc. Project at 860-888 Maple Street and the amount of the Section 108 Business Loan shall increase from \$2,000,000 to \$3,459,000. The 1999- 2000 Community Development Plan is hereby amended to add this project at this location for the Section 108 Business Loan and the Economic Development Initiative Grant Programs and to increase the amount of the Section 108 Business Loan. The loan to the Children's Beverage Group, Inc. under the Economic Development Initiative Grant Program may be converted to a grant by the hiring of City residents in accordance with the Job Growth Credit Program.

Section 2. The Council hereby approves a Section 108 Business Loan in the amount of \$3,459,000 and an Economic Development Initiative Grant in the amount of \$566,000 to the Children's Beverage Group, Inc. and said amounts, or so much thereof as may be approved, are hereby appropriated for this purpose.

Section 3. The Mayor is hereby authorized to enter into Section 108 Business Loan and Economic Development Initiative Grant Agreements with the Department of Housing and Urban Development and with the Children's Beverage Group, Inc., and to execute such other agreements or instruments as may be necessary to effectuate the Business Loan and Economic Development Initiative Grant Programs.

Section 4. The application, agreements, and other instruments shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies And Gentlemen:

Ordinance No. 2000-222  
Re: Budget Amendment -  
Teambuilding Initiative -\$10,000

Transmitted herewith for your approval is an amendment to the Proposed 2000-01 Budget transferring \$10,000 from the Contingency Account to the Administration - Budget Bureau, to assist with ongoing efforts to identify and enhance efforts toward cooperation between the City and the City School District.

For several years, both the elected leaders and the senior staff of the City and the District have been exploring ways to enhance cooperative efforts between the two organizations that might result in increased efficiency or reduced costs. To accelerate this effort and maintain its professional tone, we propose to use a professional facilitator to achieve our goals.

*Rochester 2010: The Renaissance Plan* recognizes the need for both Educational Excellence and Quality Services in a way that is efficient, affordable and accountable. Examining areas in which our two organizations might better cooperate should lead to greater affordability and increased accountability. The

proposed amendment will enable an acceleration of the existing efforts. It is anticipated that the first use of these services will be for a joint Council-Board of Education session, followed by similar meetings among appropriate administrative staff.

The Board of Education has indicated a willingness to provide an equal amount of funds for this important initiative.

Respectfully submitted,  
Benjamin L. Douglas      Nancy K. Griswold  
Councilmember              Councilmember At Large  
Northeast District

Ordinance No. 2000-222  
(Int. No. 258C, As Amended)

**Amending The Proposed 2000-01 Budget In Regard To A Teambuilding Initiative - ~~\$(5)10,000~~**

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

Section 1. The 2000-01 Proposed Budget of the City of Rochester is hereby amended by transferring the sum of ~~\$(5)10,000~~ from the Contingency Account to the Administration - Budget Bureau to fund a Teambuilding Initiative with the City School District. Said funds shall be utilized in conjunction with an equal amount that is anticipated to be provided by the City School District.

Section 2. This ordinance shall take effect immediately.

Bracket material deleted; underlined material added

Passed unanimously.

TO THE COUNCIL:  
Ladies And Gentlemen:

Ordinance No. 2000-223  
Re: Budget Amendment - Additional Snow Plowing Services- \$18,100

Transmitted herewith for your approval is an amendment to the proposed 2000-01 budget appropriating \$18,100 from the Local Works Fund balance to the Department of Environmental Services to provide additional snowplowing on streets with alternate side parking.

As you are well aware, following some snow events, frozen ruts develop where parked cars had impeded the removal of snow. At present, there are no resources to provide additional plowing efforts to address this situation. The Department of Environmental Services has indicated that modifications could be made to existing practices with these additional resources to address this problem and improve the quality of life for our citizens. The available balance in the Local Works Fund, while limited, appears to be adequate to enable this important initiative.

Campaign Seven: Quality Service of *Rochester 2010: The Renaissance Plan* enjoins the City to "delivery quality services...to all our citizens in a timely, efficient manner that responds to our citizens' customer satisfaction needs...."

Respectfully submitted,  
Brian F. Curran              Wade S. Norwood  
Councilmember at Large      Councilmember at Large

Ordinance No. 2000-223  
(Int. No. 258D)

**Amending The 2000-01 Budget Of The City Of Rochester In Regard To Additional Snow Plowing - \$18,100**

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

Section 1. The Proposed 2000-01 Budget of the City Of Rochester is hereby amended by appropriating an additional \$18,100 from the Local Works Fund balance to the Department of Environmental Services to provide additional snow plowing services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.  
TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-224  
Re: Budget Amendment - Web Site Interactivity - \$10,000

Transmitted herewith for your approval is an amendment to the Proposed 2000-2001 Budget transferring \$10,000 from the Contingency Account to the Budget of the Department of Finance to fund a further development or upgrade of the City's web site for various types of interactivity.

With the fast changing pace of Internet technology, web site interactivity - especially as it relates to e-commerce - is increasingly becoming very much in demand as a preferred means of transacting certain kinds of businesses on the Internet. Users like the idea of transacting their business from the comfort of one's home or office.

The City's web site is sufficiently developed and fully operational, and is constantly upgraded to provide a vast array of information to the public. Except for certain minor permitting activities, it does not offer much else by way of commercial interactivity. The proposed amendment will make funds available to undertake further research and development of the web site to make it more interactive for such purposes.

Because Rochester is already a nationally recognized leader in high technology, any further advancement in this area would help to maintain our lead while providing improved customer service. These two themes are quite consistent with both the Quality Service and Economic Stability Campaigns in *Rochester 2010: The Renaissance Plan*.

Respectfully submitted,  
Gladys Santiago              Brian F. Curran  
Vice President                  Councilmember at Large

Ordinance No. 2000-224  
(Int. No. 258E)

**Amending The 2000-01 Budget of the City of Rochester In Regard To Web Site Interactivity - \$10,000**

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

Section 1. The Proposed 2000-01 Budget of the City of Rochester is hereby amended by transferring \$10,000 from the Contingency Account to the Budget

of the Department of Finance to fund a further development of the interactivity of the City's web site.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies And Gentlemen:

Ordinance No. 2000-225  
Re: Budget Amendment - Overtime Funds for  
Information Systems - \$6,500

Transmitted herewith for your approval is an amendment to the Proposed 2000-01 Budget transferring \$6,500 from Contingency to the Finance Department to restore funding for information services requiring staff overtime.

Campaign Seven: Quality Service of *Rochester 2010: The Renaissance Plan* commits the City to "provide an advanced and coordinated communications system that adapts to emerging technologies and that serves the larger public interest." All City services are dependent upon efficient and well-functioning information systems that quickly respond to the needs of citizens.

It is clear that if we are to meet this demand, it will require the presence of systems' staff who can react in a timely manner, respond to unanticipated requests, reduce transaction backlog, attack the threat of computer viruses and otherwise meet service needs after normal working hours. The restoration of these overtime funds will enable the continued provision of 24-hour service.

Respectfully submitted,  
Gladys Santiago Nancy K. Griswold  
Vice President Councilmember at Large

Ordinance No. 2000-225  
(Int. No. 258F)

**Amending The 2000-01 Budget Of The City Of Rochester In Regard To Overtime Funds for Information Systems - \$6,500**

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

Section 1. The Proposed 2000-01 Budget of the City Of Rochester is hereby amended by transferring \$6,500 from Contingency to the Finance Department to restore funding for information services requiring staff overtime.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-17  
Re: Resolution of Budgetary Intent -  
Efficiency Audit - BHRM

Transmitted herewith for your approval is a resolution of budgetary intent requesting an efficiency audit of the Bureau of Human Resource Management. The funding for such a review should come from the Efficiency & Effectiveness allocation within the Undistributed account.

For the past few years, the Council has expressed concern about our inability to effectively evaluate the activities of BHRM. In the Proposed Budget, several new performance indicators were added that are a step forward in allowing us to understand and review their work plan more effectively. Other indicators, however, continue to cause concern. The increase in the number of provisional positions, the length of time required to fill positions, the history of positions upgraded in the bureau, and the percentage of positions remaining unfilled would appear to be some cause for concern. However, in the absence of recognized benchmarks, Council cannot fully evaluate the import of the data.

We understand that BHRM is trying to accomplish multiple objectives and to be creative in the face of restrictive Civil Service regulations. Further, we are supportive of such innovations as Project Provisional but neither we nor BHRM have the basic framework to fully appreciate and evaluate the effectiveness of these efforts or the ongoing activities of the bureau.

In order to provide us with a clearer context for our annual budget review, we suggested in last year's budget message that we would be willing to fund an outside consultant to review BHRM's activities and to provide appropriate benchmarks for both activities and staffing. This resolution formalizes that suggestion and suggests that it be carried out in time for the results to be included in next year's budget review process.

Respectfully submitted,  
Lois J. Giess  
President

Resolution No. 2000-17  
(Int. No. 258G)

**Resolution of Budgetary Intent -Efficiency Audit- Bureau Of Human Resource Management**

WHEREAS, the Bureau of Human Resource Management (BHRM) is responsible for the many and varied personnel activities of the City government, and

WHEREAS, such activities include the administration of the Civil Service system, and

WHEREAS, in reviewing the annual budget, Council has been unable to effectively analyze the significance of many of the activities of BHRM because of the lack of a framework with agreed-upon benchmarks for such a review, and

WHEREAS, BRHM has undertaken several innovative activities such as Project Provisional to reduce the number of provisional appointees in the Civil Service system, and

WHEREAS, adequate funds exist within the Efficiency & Effectiveness allocation in the Proposed 2000-01 Budget to undertake an appropriate evaluation of BHRM's activities.

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

Section 1. The Mayor is requested to engage the services of an outside consultant to conduct an efficiency audit of the activities, structure and staffing of the Bureau of Human Resource Management.

Section 2. The Efficiency & Effectiveness alloca-

tion within the Proposed 2000-01 Budget should be used to provide adequate funding for said audit.

Section 3. The results of said audit should be used to inform the preparation of the 2001-02 Budget and to enable Council to review the activities of BHRM in a more thorough and comprehensive fashion.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-226 and  
Resolution No. 2000-18  
Re: Budget Amendment - Trail System -  
\$150,000

Transmitted herewith for your approval is an amendment to the proposed 2000-01 Budget in regard to linking the trail system along the Genesee Riverway to City neighborhoods. The amendment will effect two changes: transfer \$50,000 from Contingency to Cash Capital, and reallocate \$100,000 within Cash Capital from Hazardous Waste Remediation to Trail Development. It also calls upon the Mayor to include allocations in subsequent Capital Improvement Programs to complete such links all along the Riverway.

In Campaign Four of *Rochester 2010: The Renaissance Plan*, we pledged to "Preserve and enhance our waterways... [for] maximized environmental benefits derived from those resources and assets." Further, Campaign Nine calls for the development of healthy neighborhoods with "access to park, recreation, environmental, and cultural amenities".

At our special budget hearing on the Future of our Waterways, we explored the potential of the trail system and how to link it with our neighborhoods. In some cases, the trail connections can be built as part of planned street improvement projects such as Kendrick Road and the Route 104/Lake Avenue projects. Others must await the construction of remaining trail segments. In most cases, however, all that is required is the financial resources. This amendment will indicate that the provision of these resources is a high Council priority.

The proposed amendment therefore constitutes a first step toward reaching our ambitious goal. The transfer and reallocation of \$150,000 should provide adequate resources for one such neighborhood connection. Initial analysis suggests that the Cottage Street/Serenity Circle area in the PLEX neighborhood offers the best opportunity for the first connection.

While detailed cost estimates have not been developed, the general estimate of \$150,000 has been established. This would include the cost to acquire a property at the neighborhood end of the trail. Similar amounts are anticipated to be required annually for approximately five years to complete the connection system.

In addition to the three links mentioned above, other proposed links include the area along Flint Street in PLEX; the end of the Plymouth Avenue Greenway in Corn Hill; the end of Ravine Avenue in Edgerton; near School # 42 in Charlotte; Mt. Hope Avenue near McLean Street; and near Seneca Park along the abandoned railroad right-of-way.

In closing, we want to note our excitement about the sophisticated signage system that has been developed for the trails. We look forward to the installation of these signs and the expansion of the trail system into our neighborhoods as the new CIP allocations are made and as other projects are implemented that will include trail and signage links.

Respectfully submitted,  
Tim O. Mains  
Councilmember at Large  
Tony M. Thompson  
Councilmember  
South District

Ordinance No. 2000-226  
(Int. No. 258H)

**Amending The 2000-01 Budget Of The City Of Rochester In Regard To The Development Of Trail Connections Along The Genesee Riverway - \$50,000**

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

Section 1. The Proposed 1999-00 Budget of the City of Rochester is hereby amended by transferring \$50,000 from Contingency to Cash Capital to provide resources for the development of trail connections to City neighborhoods.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.  
Resolution No. 2000-18  
(Int. No. 258I)

**Resolution of Budgetary Intent - Trail Links to City Neighborhoods**

WHEREAS, the City has been engaged in an extensive program of trail development along the Genesee Riverway, and

WHEREAS, such development is fully consistent with *Rochester 2010: The Renaissance Plan*, and

WHEREAS, in reviewing the development of our waterways, it has become clear that a vital missing element is a series of links from City neighborhoods to those trails, and

WHEREAS, it is a priority of this Council that vital urban neighborhoods be linked closely with the area's most precious natural resource, its waterways, and

WHEREAS, such links will allow our neighborhoods to capitalize on an asset that few communities in the nation possess, thus strengthening both the attractiveness and the stability of our housing market.

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

Section 1. In order to allow the program of trail links to begin in the coming year, it is the intent of City Council that the following revision be made in the Cash Capital Allocation: the funding for Hazardous Waste Remediation shall be reduced by \$100,000, and said amount shall be allocated for a new Trail Link Program.

Section 2. The City Council requests that the Mayor include provision in subsequent Capital Improvement Programs for annual allocations to allow the completion of a series of trail links along the entire

length of the Genesee Riverway within the City.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies And Gentlemen:

Ordinance No. 2000-227  
Re: Budget Amendment - Byrne Grant  
Matching Funds - \$20,000

Transmitted herewith for your approval is an amendment to the proposed 2000-01 budget transferring \$20,000 from the Contingency Account to the Police Department to provide required matching funds for a Byrne Grant that has been awarded to the Lyell Area Revitalization Committee (L.A.R.C.). This grant, totaling \$70,000, is administered by the County and NY Department of Criminal Justice Services. The matching funds will support enhanced police and public safety services to the Lyell-Otis neighborhood under a contract with the Rochester Police Department.

The policy of the City of Rochester, as expressed in Campaign Three of *Rochester 2010: The Renaissance Plan*, is to support our citizens in "developing and maintaining safe, clean, attractive neighborhoods that are free from public disorder and nuisances". The Byrne Grant will provide police officer support and essential needs for PAC-TAC volunteers including radios and uniforms.

The PAC-TAC program has been a highly successful collaborative effort between the RPD and City neighborhoods. This additional support, leveraging as it does \$70,000 in outside grant funds, represents a prudent investment in the safety of our neighborhoods.

Respectfully submitted,  
Robert J. Stevenson Gladys Santiago  
Councilmember Vice President  
Northwest District

Ordinance No. 2000-227  
(Int. No. 258J)

**Amending The 2000-01 Budget Of The City Of Rochester In Regard To Byrne Grant Matching Funds - \$20,000**

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

Section 1. The Proposed 2000-01 Budget of the City Of Rochester is hereby amended by transferring \$20,000 from the Contingency Account to the Police Department to provide required matching funds for a Byrne Grant to the Lyell Area Revitalization Committee (L.A.R.C.).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-228  
Re: Budget Amendment - Community  
Development - \$8,600

Transmitted herewith for your approval is an amendment to the proposed 2000-2001 Budget transferring \$8,600 from the Contingency Account to the Department of Community Development to restore funding for the following activities: stenographic services for demolition hearings (\$3,600) and real estate advertisements (\$5,000).

Demolition hearings are held as part of the City's due process obligation to property owners. The proposed amendment will fund two sets of demolition hearings per month for a total of 24 per year. These twenty four hearings would involve approximately 120 privately-owned properties, each costing \$150 per session. In the absence of this amendment, funds allocated for the demolition activity itself would be required for this service.

The City routinely buys advertisement space in the various media outlets to market City-owned properties earmarked for sale. With the anticipated increase in real estate activity from the HUD ACAP program and other existing City programs, there is a need for more advertising of these properties. The proposed amendment will restore funding for ads in the Democrat & Chronicle for an additional City auction, an owner-occupant sale, or other special housing sales to market the City's inventory.

Both of these restorations support the Economic Vitality and the Healthy Urban Neighborhoods Campaigns of *Rochester 2010: The Renaissance Plan*.

Respectfully submitted,  
Wade S Norwood Benjamin L. Douglas  
Councilmember at Large Councilmember  
Northeast District

Ordinance No. 2000-228  
(Int. No. 258K)

**Amending The 2000-01 Budget of the City of Rochester In Regard To Community Development - \$8,600**

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

Section 1. The Proposed 2000-01 Budget of the City of Rochester is hereby amended by transferring \$8,600 from the Contingency Account to the Department of Community Development to restore funding for stenographic services and real estate advertising.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies And Gentlemen:

Ordinance No. 2000-229  
Re: Budget Amendment - Webster Avenue Ice  
Rink - \$48,400

Transmitted herewith for your approval is an amendment to the Proposed 2000-01 Budget transferring \$29,900 from the Contingency Account to the Department of Parks, Recreation & Human Services, and \$18,500 to Cash Capital to permit a temporary restoration of the Webster Avenue Ice Rink.

As you know, the rink has been in generally poor repair and, as such, has not been heavily used. Many neighborhood residents have called for the retention of

the rink. The Proposed Budget includes a significant allocation of \$600,000 to reconstruct the adjacent Webster Avenue Recreation Center, but does not provide funds for either the repair or the operation of the ice rink.

*Rochester 2010: The Renaissance Plan* commits the City to encourage vital urban neighborhoods supported by appropriate community resources and services. Maintaining and enhancing recreational opportunities for neighborhood residents is essential to the achievement of this goal. While our resources are finite, and the long-term future of the ice rink is by no means certain, the proposed funding will allow the rink to operate in the coming winter season while final plans are developed for the future of the whole Webster Avenue complex.

Respectfully submitted,  
 Nancy K. Griswold                      Lois J. Giess  
 Councilmember at Large              President

Ordinance No. 2000-229  
 (Int. No. 258L)

**Amending The Proposed 2000-01 Budget In Regard To The Webster Avenue Ice Rink - \$48,400**

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

Section 1. The 2000-01 Proposed Budget of the City of Rochester is hereby amended by transferring the sum of \$29,900 from the Contingency Account to the Department of Parks, Recreation and Human Services for the operation of the Webster Avenue Ice Rink.

Section 2. The 2000-01 Proposed Budget of the City of Rochester is hereby amended by transferring the sum of \$18,500 from the Contingency Account to Cash Capital for repairs to the Webster Avenue Ice Rink.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-230  
 Re: Budget Amendment - DES Service Truck  
 - \$11,200

Transmitted herewith for your approval is an amendment to the Proposed 2000-2001 Budget transferring \$11,200 from the Contingency Account to the Budget of the Department of Environmental Services to restore the weekend shift for the Service Truck.

The Service Truck operation in DES provides an array of unique, special services including the removal of debris resulting from automobile accidents, pick-up of dead animals, and the clearing of fallen tree branches from the public right of way. It also places barricades at emergency scenes and severe potholes, and provides miscellaneous services as required. One of the weekend shifts for this operation is scheduled to be eliminated in the Proposed Budget for 2000-01 due to budget constraints. The proposed amendment therefore seeks to restore the service to its original operating capacity.

In seeking to restore this service, Council wishes to

underscore the critical importance of this service, particularly in the area of neighborhood cleanliness, public safety and the quality of life. The amendment recognizes the need for and commitment to quality customer service as articulated clearly in the Health, Safety & Responsibility and Quality Service campaigns in the *Rochester 2010: The Renaissance Plan*.

Respectfully submitted,  
 Tony M. Thompson                      Robert J. Stevenson  
 Councilmember                          Councilmember  
 South District                          Northwest District

Ordinance No. 2000-230  
 (Int. No. 258M)

**Amending The 2000-01 Budget of the City of Rochester In Regard To The Service Truck - \$11,200**

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

Section 1. The Proposed 2000-01 Budget of the City of Rochester is hereby amended by transferring \$11,200 from the Contingency Account to the Budget of the Department of Environmental Services to restore funding for the weekend shift of the Service Truck.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Resolution No. 2000-19  
 Re: Resolution of Budgetary  
 Intent - Advertising

Transmitted herewith for your approval is a resolution of budgetary intent regarding advertising on City property, whether physical or electronic. During the discussion of potential additional revenue sources to offset the costs of the EZ Rider service, it was indicated that the lease of bus shelters for private advertising was being actively considered. At the same time, we have become aware of questions about the potential use of space on government web sites for private advertising.

There are other types of City property both within and outside of the right-of-way that could be used to generate much-needed revenue. On the other hand, there is special sensitivity on both legal and esthetic grounds about such a use of public property. We recognize that such issues are important and that they deserve careful exploration and analysis by the Administration. Following such analysis, however, a policy framework needs to be established by the City Council prior to any direct action.

This resolution calls upon the Mayor to complete a review of the issues around this question by the end of the year and to submit those findings and appropriate policy recommendations to City Council for consideration.

Respectfully submitted,  
 Tim O. Mains                              Lois J. Giess  
 Councilmember at Large              President

Resolution No. 2000-19

(Int. No. 258N)

**Resolution of Budgetary Intent - Advertising On City Property**

WHEREAS, the City Administration has been considering raising additional revenues to offset the cost of the EZ Rider shuttle, and

WHEREAS, the discussion of such potential revenues has included the possibility of leasing advertising space on City bus shelters, and

WHEREAS, City Council is interested in exploring new revenue sources in a variety of venues, both physical and electronic, and

WHEREAS, any decision to implement such a program would require a discussion of the legal, esthetic, and policy implications implicit therein.

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

Section 1. The City Council requests that the Mayor convene an appropriate group to review the issues and questions implicit in the use of City property, whether physical or electronic, for private advertising.

Section 2. Prior to the end of the year, a report based on this review shall be submitted to Council so that Council can establish appropriate policy parameters to guide any potential City efforts in this area.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies And Gentlemen:

Ordinance No. 2000-231  
Re: Budget Amendment - Center City Signage  
- \$15,000

Transmitted herewith for your approval is an amendment to the Proposed 2000-01 Budget transferring \$15,000 from the Contingency Account to the Economic Development Department to conduct a three-phase project to improve the signage system in our Center City.

*Rochester 2010: The Renaissance Plan* emphasizes the importance of making downtown Rochester the region's Center City. It has been nearly a generation since the signage system in Center City was originally installed. Since that time, numerous changes have occurred, resulting in a hodgepodge of signage that is both outdated and often inaccurate.

As physical changes continue to occur and new people are drawn to the area, an effective, attractive, and accurate signage system will be a crucial part of the effective promotion of the Center City. The nearly completed review of Center City circulation patterns, the upcoming review of the Inner Loop, and the various public and private projects envisioned for Center City will make new signage even more important. The proposed amendment will provide resources to begin to address this problem in a three-phase effort.

First, a survey should be conducted of three different constituencies: Center City residents (especially new residents), other County residents who visit Center

City for work and/or entertainment, and visitors from outside the area. The survey should determine where the various groups seek to go and the preferred routes, whether by vehicle or on foot, to get there.

Next, a professional firm should be engaged to design a system that will respond to the needs identified in the survey. Finally, a public review process should be established to gather community feedback and make appropriate modifications to the new system. If the costs of this project should exceed the amount made available herein, the Economic Development Department is encouraged to seek appropriate partners from the private sector to join in this important effort.

Respectfully submitted,  
Lois J. Giess                      Tim O. Mains  
President                              Councilmember at Large

Ordinance No. 2000-231  
(Int. No. 258O)

**Amending The Proposed 2000-01 Budget In Regard To Center City Signage - \$15,000**

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

Section 1. The 2000-01 Proposed Budget of the City of Rochester is hereby amended by transferring the sum of \$15,000 from the Contingency Account to the Economic Development Department to fund a program to redesign the signage system in Center City.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-232,  
2000-233, 2000-234, 2000-235,  
Local Improvement No. 1471,  
2000-236 and 2000-237  
Re: 2000-01 Budget

Transmitted herewith for your approval is legislation relating to the 2000-01 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance these appropriations;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
  - a. Street mall maintenance
  - b. Neighborhood parking lot operation
  - c. Public Market snow removal and security services
  - d. Street lighting and sidewalk districts
  - e. Merchants/Winton open space district
  - f. Downtown Enhancement District, and
  - g. Downtown Guide District
5. Confirm the addition to the tax roll of various

assessments, fees and unpaid charges; and

- Amend the City Code to change various fees and charges.

The 2000-01 proposed budgets of the City and District were submitted to City Council on May 19. The proposed legislation is based upon these budgets which provide for:

- Total appropriations of \$815,735,481, allocated for the City and City School District as follows:

	Proposed 2000-01	1999-00	Change Amount	%
City	\$338,235,400	\$334,692,600	\$ 3,542,800	
1.06				
School	477,500,081	468,032,209	9,467,872	
2.02				
Total	\$815,735,481	\$802,724,809	\$13,010,672	
1.62				

- Total of \$685,299,588, distributed between the City and the District as follows:

	Proposed 2000-01	1999-00	Change Amount	%
City	\$297,827,896	\$291,544,596	\$ 6,283,300	
2.16				
School	387,471,692	378,003,820	9,467,872	
2.50				
Total	\$685,299,588	\$669,548,416	\$15,751,172	
2.35				

- Total tax levies of \$138,027,400 for the City and District as follows:

	Proposed 2000-01	1999-00	Change Amount	%
Tax Revenue	\$130,435,893	\$133,176,393	(\$2,740,500)	
(2.06)				
Tax Reserve	7,591,507	7,751,007	( 159,500)	
(2.06)				
Tax Levy	\$138,027,400	\$140,927,400	(\$2,900,000)	
(2.06)				

- Total appropriations for the Local Works fund of \$10,903,600 and total assessments of \$10,273,000.

	Proposed 2000-01	1999-00	Change Amount	%
Street Cleaning	\$ 2,488,701	\$2,286,832	\$201,869	
8.83				
Sidewalk Repair	805,686	694,781	110,905	
15.96				
Roadway Plowing	5,908,624	5,761,253	147,371	
2.56				
Sidewalk Plowing	1,070,189	891,234	178,955	
20.08				
Total				

\$10,273,200 \$9,634,100 \$639,100  
6.63

The budget for the Public Market was approved on April 18. The budgets for neighborhood parking lots, lighting and sidewalk districts, open space district and Downtown Guides and Enhancement Districts were approved by the City Council on May 16.

	Proposed 2000-01	1999-00	Change Amount	%
Street Malls	\$ 70,103	\$ 72,580	(\$2,477)	(3.41)
Parking Lots	70,539	63,948	6,591	10.31
Public Market	31,738	31,378	360	1.15
Lighting and Sidewalk Districts	30,514	28,620	1,894	6.62
Open Space District	3,220	3,219	1	.03
Downtown Guides	337,707	281,124	56,583	20.13
Downtown Enhancement	484,600	483,200	1,400	.29

The proposed additions to the tax roll consist of the following charges:

	Proposed 2000-01	1999-00	Change Amount	%
Delinquent Refuse Charges	\$ 606,897	\$ 620,309	(\$ 13,412)	
(2.16)				
Delinquent Water Charges	5,116,986	5,069,675	47,311	.93
Code Enforcement Charges	40,688	19,160	21,528	
112.36				
Supplemental and Omitted Taxes	120,812	291,269	(170,457)	
(58.52)				
Local Improvement Assessments	110,722	24,367	86,355	
354.39				
Encroachments	5,650	5,625	25	.44
Rehabilitation/Demolition Charges	173,466	165,401	8,065	4.88
Code Violations	1,553,140	1,240,018	313,122	25.25

The proposed water rate increases would increase estimated water revenues by \$1,030,000. The annual cost for the typical residential water consumer would increase by \$9.28, or 4.3%.

	Proposed	Current	Change
Base Charge	\$ 53.76	\$ 53.28	\$0.48
Consumption Charge	171.20	162.40	8.80
	\$224.96	\$215.68	\$9.28

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilman Mains moved to amend Introductory

No. 258.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2000-232  
(Int. No. 258, As Amended)

**Adoption Of The Budget Estimates For Municipal Purposes For The 2000-01 Fiscal Year, And Appropriation Of Sums Set Forth Therein And Approving Commercial Refuse Fees**

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2000 to June 30, 2001, providing for the expenditure of \$[338,235,400] 338,253,500, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2000-01 are hereby authorized to be expended and the sum of \$[338,235,400] 338,253,500 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$ 1,338,900	
Administration	[8,823,300]	<u>8,833,300</u>
Community Development	[5,433,400]	<u>5,442,000</u>
Economic Development	[4,511,600]	<u>4,526,600</u>
Environmental Services	[64,842,900]	<u>64,872,200</u>
Finance	[6,849,300]	<u>6,865,800</u>
Law	1,744,200	
Library	11,621,100	
Parks, Recreation, and Human Services	[17,609,800]	<u>17,639,700</u>
Office of Emergency Communications	7,879,700	
Police	[52,513,800]	<u>52,533,800</u>
Fire	31,007,200	
Undistributed Expenses	46,691,300	
Contingency	[8,633,100]	<u>8,458,400</u>
Cash Capital	[32,162,000]	<u>32,230,500</u>
Debt Service	36,573,800	
Sub-total	[338,235,400]	<u>338,253,500</u>
Tax Reserve	2,351,759	
Total	[\$340,587,159]	<u>\$340,805,259</u>

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2000-01 is hereby fixed and determined at \$[297,827,896] 297,845,996 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2000-01 providing for the raising of taxation on real estate for municipal purposes of the sum of \$42,759,263 is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the

Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2000-01.

Section 6. This ordinance shall take effect on July 1, 2000.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2000-233  
(Int. No. 259)

**Adoption Of The Budget Estimates For School Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001, And Appropriation Of Sums Set Forth Therein**

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2000 to June 30, 2001, providing for the expenditure of \$477,500,081, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2000-01 are hereby authorized to be expended and the sum of \$477,500,081 is hereby appropriated to the Board of Education for the following purposes:

Operations	\$431,706,970
Cash Capital	13,355,161
Debt Service	32,437,950
Subtotal	477,500,081
Tax Reserve	<u>5,239,748</u>
Total	\$482,739,829

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2000-01 is hereby fixed and determined at \$387,471,692 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2000-01 providing for the raising of taxation on real estate for school purposes of the sum of \$95,268,137 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2000.

Passed unanimously.

Ordinance No. 2000-234  
(Int. No. 260)

**Levying Taxes For Municipal Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001**

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

Section 1. The sum of \$42,759,263, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2000 and expiring June 30, 2001 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing

July 1, 2000 and expiring June 30, 2001.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2000 and expiring June 30, 2001.

Section 3. This ordinance shall take effect on July 1, 2000.  
Passed unanimously.

Ordinance No. 2000-235  
(Int. No. 261)

**Levying Taxes For School Purposes For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001**

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

Section 1. The sum of \$95,268,137, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2000 and expiring June 30, 2001 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2000 and expiring June 30, 2001.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2000 and expiring June 30, 2001.

Section 3. This ordinance shall take effect on July 1, 2000.

Passed unanimously.

Councilman Mains moved to amend Introductory No. 262.

The motion was seconded by Councilman Curran.

The motion was adopted unanimously.

Local Improvement Ordinance No. 1471  
(Int. No. 262, As Amended)

**Local Improvement Ordinance - Street Cleaning, Street And Sidewalk Snow Removal, And Hazardous Sidewalk Repair Commencing July 1, 2000 And Expiring June 30, 2001**

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2000 to June 30, 2001; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefited properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2000 to June 30, 2001:

A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.

B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.

C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2000-01 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2000-01 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefited parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2000 shall be \$[10,273,200] 10,291,300, consisting of \$2,488,701 for street cleaning, \$805,686 for sidewalk repair, \$[5,908,624] 5,926,724 for roadway snow removal and \$1,070,189 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2000 and June 30, 2001, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2000 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2000.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Councilman Mains moved to amend Introductory No. 263.

The motion was seconded by Councilman Norwood.

The motion was adopted unanimously.

Ordinance No. 2000-236  
(Int. No. 263, As Amended)

**Confirming The Assessments, Amounts And Charges To Be Inserted In The Annual Tax Rolls For The Fiscal Year Commencing July 1, 2000 And Expiring June 30, 2001**

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2000 and expiring June 30, 2001, are hereby in all respects confirmed:

Street and Lot Cleaning	\$2,488,701.00
Roadway Snow Removal	[5,908,624.00]
<u>5,926,724.00</u>	
Sidewalk Snow Removal	1,070,189.00
Hazardous Sidewalk Repair	805,686.00
Delinquent Refuse	606,896.79
Delinquent Water Charges	5,116,985.72
Supplemental Taxes	120,812.34
Street Malls	70,102.54
Parking Lots	70,539.00
Code Enforcements	40,687.50
Code Violations	1,563,140.00
Local Improvements	110,721.77
Downtown Enhancement	484,600.00
Public Market Plowing	5,457.14
Public Market Security	26,281.31
Encroachment Fees	<u>5,625.00</u>
[5,650.00]	
Rehabilitation Charges	173,465.77
Downtown Guides	337,707.00
Lyell Avenue Street Lights - District I	2,148.13
Lyell Avenue Street Lights - District II	2,358.37
Wilson Blvd. Street Lights	625.77
Merchants/Winton Open Space I	1,825.05
Merchants/Winton Open Space II	1,394.55
Norton Street District	4,127.02
Cascade District	4,508.32
Monroe Avenue Street Lights I	7,180.33
Monroe Avenue Street Lights & Sidewalks II	9,566.25
Blossom Road Street Lights	<u>609.42</u>

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2000-237  
(Int. No. 264)

**Amending The Municipal Code With Respect To Water Rates**

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

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsection (A)(1)(a) thereof to read in its entirety as follows:

(a) Schedule of rates.

Gallons Consumed per Month	Charge per 1,000 Gallons
0 to 20,000	\$2.14
20,000 to 620,000	1.95
Over 620,000	1.53

Section 2. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsection (A)(2) thereof to read in its entirety as follows:

(2) Base charge.

Size of Meter (inches)	Charge per Month
Up to 3/4	\$ 4.48
1	24.00
1-1/2	35.55
2	47.57
3	118.90
4	237.61
6	356.18
8	474.78
10	593.48

Section 3. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsection C(3) thereof to read in its entirety as follows:

for a Moment of Silence.

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

APPROVAL OF THE MINUTES

By Councilmember Douglas

RESOLVED, that the minutes of the Public Hearing of June 14, 2000 and the Regular Meeting June 20, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3646-7

PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

President Giess presented a petition signed by 22 residents of the 14621 neighborhood who are opposed to the proposed relocation of the Genesee Settlement House programs to Carter Street. Petition No. 5087

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-238

Re: Promotional Activities

Transmitted herewith for your approval is legislation to authorize an amendatory agreement with Cognitive Marketing, Inc. for the next phase of the campaign to promote Rochester. The maximum amount of the proposed agreement is \$85,000; the source of funds is the Fund for the City's Future.

The first agreement with Cognitive, for \$37,000, was authorized by City Council on September 16, 1997 and an amendatory agreement for \$50,000 was approved on May 12, 1998. Under these agreements, Cognitive conducted a "positioning" analysis to develop a unique market position for Rochester, and created a marketing campaign using the concept "Make Time for Life™".

On March 25, 1999, a further amendatory agreement was approved providing \$250,000 for Roper Starch Worldwide to carry out a survey that would provide "benchmarking" data about present awareness and image of Rochester, measure the receptiveness of certain market segments to potential campaign themes, gauge the persuasiveness of potential campaign messages, and test the reaction of people to these messages. The research was completed last fall and indicated a strongly positive reaction for several market segments in various market types to the proposed campaign themes. The findings of that report have previously been presented to the Council.

The next phase of the campaign will involve presentations to the leadership of the business and higher education communities to ascertain their willingness to participate in funding the implementation of the cam-

(3) Holly high pressure consumption charge.

Gallons Consumed per Month	Charge per 1,000 Gallons
0 to 20,000	\$4.28
20,000 to 620,000	3.90
Over 620,000	3.06

Section 4. This ordinance shall take effect on July 1, 2000.

Passed unanimously.

The meeting was adjourned at 9:15 P.M.

CAROLEE A. CONKLIN  
City Clerk

\* \* \* \* \*

REGULAR MEETING  
July 18, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - None - 0.

The Council President requested the Council to rise

paign. The proposed amendatory agreement provides sufficient funding for a series of such presentations as well as further refinement of the media plan and the creative strategy, including message segmentation to address the various identified market segments.

This appropriation should complete the City's commitment to develop the preliminary phases of this important initiative. Subsequent activities will require the participation of the various public- and private-sector partners whose endorsement and financial support are indispensable if this bold initiative is to be a success in bringing the many positive attributes of living and working in the Rochester area to potential residents, employers, and investors.

Respectfully submitted,  
William A. Johnson, Jr. Mayor  
Lois J. Giess President  
Ordinance No. 2000-238 (Int. No. 291)

**Authorizing An Amendatory Agreement With Cognitive Marketing, Inc. For Promotional Services**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Cognitive Marketing, Inc. for the provision of additional services related to the next phase of the City's promotion initiative.

Section 2. The amount of \$85,000, or so much thereof as necessary, is hereby appropriated for this purpose from the Fund for the City's Future.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:  
Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.  
Nays - Councilman Curran - 1.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON  
By Councilmember Stevenson  
July 18, 2000

To the Council:  
The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

- Int. No. 265 - Establishing \$18,000 As Maximum Compensation For A Professional Services Agreement With Bergmann Associates For The Bridge Maintenance Program
- Int. No. 266 - Authorizing An Agreement With The FBI For The Fueling Of Vehicles
- Int. No. 285 - Establishing \$1,400 As Maximum Compensation For An Amendatory Professional

Services Agreement For Design Of A Pedestrian Trail Along The Genesee River

Int. No. 286 - Authorizing An Easement For Substation Access To RG&E

Respectfully submitted,  
Robert J. Stevenson  
Brian F. Curran  
Tony M. Thompson  
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.  
TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-239  
Re: Agreement - Bergmann Associates, Bridge Maintenance Program

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 28 E. Main Street, for construction inspection services for the 2000 Bridge Maintenance Project. The maximum cost of this agreement will be \$18,000, which will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services.

The project involves the following improvements:

1. Concrete repairs to the sidewalks and curbs on the following bridges:
  - a. Route I-490 and the Inner Loop
    - 1) Winton Road
    - 2) Culver Road
    - 3) S. Goodman Street
    - 4) Scio Street
  - b. E. Main Street railroad bridge
  - c. Pedestrian bridges
    - 1) Sister Cities
    - 2) Spring Street
2. Facade lighting on the Broad Street Aqueduct, which was approved by the Rochester Preservation Board on June 21 by a vote of 5-0; and
3. Repointing of the retaining wall along the Mt. Hope Avenue sidewalk.

The specifications for these improvements were prepared by Bergmann as part of the Annual Bridge Maintenance Program, pursuant to an agreement authorized by the City Council on June 17, 1997.

Bids for the project will be received in July. The engineering estimate for the work is \$145,000 with an additional \$15,000 allocated for contingencies.

The work is scheduled to begin in the summer and be completed in the fall. Bergmann is recommended to provide inspection services because of its familiarity with the project.

Respectfully submitted,  
William A. Johnson, Jr. Mayor  
Attachment No. Z-77

Ordinance No. 2000-239 (Int. No. 265)

**Establishing \$18,000 As Maximum Compensation For A Professional Services Agreement With Bergmann Associates For The Bridge Maintenance Program**

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

Section 1. The sum of \$18,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for construction inspection services for the 2000 Bridge Maintenance Program. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-240  
Re: Agreement - FBI, Vehicle Fueling

Transmitted herewith for your approval is legislation authorizing an agreement with the Federal Bureau of Investigation for the fueling of FBI vehicles at the City's Central Vehicle Maintenance Facility.

The City is involved in several cooperative fueling programs. Currently, it provides fueling services to Monroe County, U.S. Marshal, and Rochester Housing Authority under agreements authorized by the City Council on April 12, 1994, November 9, 1994, and May 12, 1998, respectively. It receives refueling services from the Rochester-Genesee Regional Transportation Authority under an agreement authorized by the Council on May 19, 2000.

Under the proposed agreement, the City will also provide fueling services to approximately 20 to 25 FBI vehicles. The FBI will reimburse the City for the actual cost of the fuel and pay an administrative and service charge of \$.15 per gallon, which is consistent with the provisions of the aforementioned agreement.

The agreement will have an initial term of one year with provision for renewal for two additional one-year periods.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-240  
(Int. No. 266)

**Authorizing An Agreement With The FBI For The Fueling Of Vehicles**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Federal Bureau of Investigation (FBI) whereby the City shall provide fueling for the FBI vehicles. The agreement shall obligate the FBI to reimburse the City at the rate of \$.15 per gallon over the City's cost of fuel. The agreement may extend for a term of one year, with two one-year

renewal options.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-241 and  
Ordinance No. 2000-242  
Re: Genesee River Pedestrian Trail

Transmitted herewith for your approval is legislation relating to the Genesee River Pedestrian Trail. This legislation will:

1. Authorize the granting of an easement on 182 Exchange Street to the Rochester Gas & Electric Corporation for access to Substation No. 26; and
2. Authorize an amendatory agreement with McCord Landscape Architecture, 2129 Penfield Road, for the provisions of additional services, at a maximum cost of \$1,400, which will be financed from the 1998-99 Cash Capital allocation.

The proposed easement will be the second authorized by the City Council for access to the substation. The first easement, on 25 Court Street, was authorized by the Council on August 10, 1999.

The easement will extend through 182 Exchange Street, the acquisition of which from Monroe County was authorized by the Council on October 12, 1999. Under the proposed amendatory agreement, McCord will prepare maps and legal descriptions relating to the easement.

The original agreement with McCord was authorized by the Council on June 25, 1998. Under this agreement, McCord designed the portion of the pedestrian trail on the west bank of the Genesee River between Court Street and the Corn Hill Landing site.

Construction of the trail is occurring in two phases. The first phase, which was completed in the fall of 1999, included the portion of the trail between Court Street and 182 Exchange Street; the second phase, which will be substantially completed by the Department of Environmental Services by this fall, will include the portion of the trail between the latter property and the south boundary of the I-490 bridge.

The phase I improvements included the repair of the river wall; repainting of the wrought iron fence along the river; construction of a concrete promenade and "pocket park"; installation of special lighting, benches and a kiosk; and landscaping. The phase II improvements will include construction of a 10' wide asphalt trail with wood guide rails and landscaping.

The estimated cost of the project is \$277,000, which is expected to be financed as follows:

NYS Environmental Protection	
Act Grant	\$100,000
Cash Capital	73,600
Operating Budget	<u>103,400</u>

Total \$277,000

If the proposed amendatory agreement is approved, the total cost of the agreement with McCord will increase to \$21,400.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-78

Ordinance No. 2000-241  
(Int. No. 285)

**Establishing \$1,400 As Maximum Compensation For An Amendatory Professional Services Agreement For Design Of A Pedestrian Trail Along The Genesee River**

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

Section 1. The sum of \$1,400, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and McCord Landscape Architecture for design of a pedestrian trail connection between Downtown and Corn Hill Landing along the west bank of the Genesee River. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project designated herein. In the event that the Project construction is not undertaken, the Agreement may terminate one year after the completion of the contract documents by the Consultant and the acceptance by the City of such contract documents. Said amount shall be funded from the 1998-99 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-242  
(Int. No. 286)

**Authorizing An Easement For Substation Access To RG&E**

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

Section 1. The Council hereby approves the granting of a permanent easement to the Rochester Gas & Electric Corporation (RG&E) for access through 182 Exchange Street to Substation No. 26.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
July 18, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 267 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$617,000 Bonds Of Said City To Finance Improve-

ments To The Meigs And Linden Playground And Humboldt Recreational Center Owned By The City

Int. No. 268 - Establishing \$65,000 As Maximum Compensation For A Professional Services Agreement For Architectural Services For Gymnasium Flooring Replacement

Int. No. 269 - Authorizing An Amendatory Agreement Relating To The 2000 Good Grades Pay Program

Int. No. 270 - Authorizing Amendatory Agreements For The Adolescent Pregnancy Prevention Services Program

Int. No. 271 - Authorizing An Agreement For Project CONNECT

Int. No. 272 - Authorizing An Amendatory Agreement For The James Madison Community Center

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-243  
Re: Bond - Playground Improvements

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$617,000 and appropriating the proceeds thereof to finance the costs of improvements at two playgrounds.

Humboldt Recreation Center	\$500,000
Meigs/Linden Street Playground	117,000
Total	\$617,000

The improvements for the first playground were designed by Bayer Associates, under an agreement authorized by the City Council on February 15, while the improvements for the second playground were designed by the Bureau of Architecture and Engineering. The improvements will include the installation of new playground apparatus, water play areas, safety surfaces, fencing, benches, and trash receptacles; court improvements; and landscaping.

Both projects are expected to be completed by late fall. Project inspection services will be provided by Bayer & Associates and the Bureau of Architecture and Engineering, respectively.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-243  
(Int. No. 267)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$617,000 Bonds Of Said City To Finance Improvements To The Meigs And Linden Playground And Humboldt Recreational Center Owned By The City**

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 improvements to the Meigs and Linden Playground and Humboldt Recreational Center owned by the City. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$617,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$617,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$617,000 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 \$617,000. 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 the Ordinance, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

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

hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-244  
Re Agreement - Pardi Partnership,  
Gymnasium Floor Replacement

Transmitted herewith for your approval is legislation authorizing an agreement with the Pardi Partnership, Architects, 399 Alexander Street, for architectural services relating to the replacement of the gymnasium floors at four recreation centers. The maximum cost of this agreement will be \$65,000, which will be financed from the 2000-01 Cash Capital allocation of the Department of Parks, Recreation and Human Services.

The four recreation centers - South Avenue, Flint Street, Adams Street and Clinton/Baden - were all constructed during the 1970's. The first three centers each have a single gymnasium; Clinton/Baden has both a full-size and a half-size gymnasium and a boxing room.

The floor material in each of these rooms is a urethane that was applied as a liquid. At the Clinton/Baden center, the material is reverting to a liquid and soft spots in the floor are forming.

This floor and the floors at the other centers are no longer serviceable. They will be replaced by new wood floors; doors will also be modified to accommodate the increased thickness of the floors and to meet the requirements of the Americans with Disabilities Act.

Proposals for the architectural services required for

the project were requested from seven architectural firms. Five proposals were received.

Pardi is recommended because of its past performance on previous renovation projects. It was involved with renovations at the Arnett, Charlotte, Maplewood, Monroe and Winton branch libraries and with ADA improvements at the South Avenue, Genesee Valley Park and Flint Street recreation centers.

The floor replacement will occur during the summer of 2001, when the schools connected to the centers are closed. The estimated cost of replacement is \$1,310,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-244  
(Int. No. 268)

**Establishing \$65,000 As Maximum Compensation For A Professional Services Agreement For Architectural Services For Gymnasium Flooring Replacement**

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

Section 1. The sum of \$65,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Pardi Partnership for architectural services for the replacement of flooring in City recreation centers. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project designated herein. In the event that the Project construction is not undertaken, the Agreement may terminate one year after the completion of the contract documents by the Consultant and the acceptance by the City of such contract documents. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-245, 2000-246  
and 2000-247  
Re: Agreements - Human Services and  
Good Grades Pay! Program

Transmitted herewith for your approval is legislation authorizing agreements or amendatory agreements for the following projects:

Organization	Project	Amount
Medical Motor Service of Rochester and Monroe County	Project Connect	\$ 8,000
Threshold Center for Youth	CONNECTS	(5,000)
Catholic Family Center	CONNECTS	4,763
Action for a Better Community		

Good Grades Pay! 5,871

The cost of the first agreement will be financed from the General Community Needs allocation of the 1999-00 Community Development Block Grant. The next two agreements involve funds received under the NYS Adolescent Pregnancy Prevention Services Grant Program. The last agreement will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Service.

The City has partially financed Project Connect since 1986. However, this is the first year in which the project will be partially financed with CDBG funds.

The project is classified as a project with matching funds. It therefore will be eligible for four additional years of CDBG funding under the human services funding guidelines approved by the City Council in June, 1988.

On January 18, 2000, the Council authorized amendatory agreements with Threshold and the Catholic Family Center, as well as the Urban League of Rochester, relating to the CONECTS project, which is a collaborative effort designed to reduce the rate of teen pregnancy. The amendatory agreements provided for an increase of \$35,030 in the allocation of funds for Threshold and reductions of \$26,000 and \$9,030, respectively, in the allocations for the Catholic Family Center and Urban League.

The reallocation of funds was recommended by the Monroe County on Teen Pregnancy to finance the costs of coordination of the Members Against Teen Pregnancy program at East, Franklin and Marshall high schools. Catholic Family Center consented to the reduction in its allocation.

Upon review, however, Catholic Family Center determined that it could not, as originally expected, accommodate the entire reduction. Under the proposed legislation, the amount of the reduction will decrease to \$21,238.

To finance this partial restoration of funds, the additional allocation to Threshold will be reduced by \$5,000. A total of \$237 will remain unallocated.

The proposed reallocation of funds has been approved by the MCTP.

On May 16, the Council authorized an agreement with ABC, among other agencies, for participation in the 2000 Good Grades Pay Program! Under this agreement, ABC was to provide summer employment opportunities for 25 youth; 20 hours of work experience per week were to be provided for seven weeks, or a total of 140 hours of work.

The Rochester Resource Alliance - the Chamber of Commerce/Industrial Management Council organization that manages the Workforce Investment Act program - subsequently also contracted with ABC for the provision of summer employment activities. However, under the agreement with RRA, ABC is providing 30 hours of work experience per week for six weeks, or a total of 180 hours of work.

The proposed amendatory agreement will permit ABC to provide uniform employment opportunities of 180 hours of work. If the agreement is approved, the total allocation to ABC will increase to \$45,185.

Respectfully submitted,  
William A. Johnson, Jr.

Mayor

Attachment No. Z-79

Ordinance No. 2000-245  
(Int. No. 269)

**Authorizing An Amendatory Agreement Relating To The 2000 Good Grades Pay Program**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Action for a Better Community, Inc. for the 2000 Good Grades Pay Program.

Section 2. The amendatory agreement shall obligate the City to pay an amount not to exceed \$5,871, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee at one of the affiliated agencies.

Councilwoman Griswold abstained vote because she is an employee at one of the affiliated agencies.

Ordinance No. 2000-246  
(Int. No. 270)

**Authorizing Amendatory Agreements For The Adolescent Pregnancy Prevention Services Program**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Threshold under the New York State Adolescent Pregnancy Prevention Services Grant Program whereby the amount authorized and appropriated in Ordinance No. 99-248, as amended by Ordinance No. 2000-13, shall be reduced by the sum of \$5,000, and with the Catholic Family Center whereby the amount authorized and appropriated in Ordinance No. 99-248, as amended by Ordinance No. 2000-13, shall be increased by the sum of \$4,763.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Councilwoman Griswold abstained vote because she is an employee at one of the affiliated agencies.

Ordinance No. 2000-247  
(Int. No. 271)

**Authorizing An Agreement For Project Connect**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Medical Motor Service of Rochester and Monroe County for Project Connect.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$8,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-248  
Re: Agreement - SWAN, James Madison  
Community Center

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Southwest Area Neighborhood Association relating to the James Madison Community Center. The maximum cost of this agreement will be \$26,500, which will be financed from the 1999-00 Community Development Block Grant.

The original agreement for operation of the community center was authorized by the City Council on August 10, 1999. Under this agreement, the City provided \$16,300 to finance a portion of the costs of operation from October 1, 1999 through September 30, 2000.

At that time, the total budget of the center was \$261,772. However, funding commitments were provided for only \$170,733 of this amount.

Since that time, the CHANGE Finance Team has reviewed the budget and determined that it was reasonable. The United Way, Monroe County and City will therefore each provide a supplemental contribution.

	Proposed	Original	Change
United Way	\$168,798	\$130,332	\$38,466
Monroe County	34,078	8,005	26,073
City CDBG	42,800	16,300	26,500
Other City	16,096	16,096	0

Total \$261,772 \$170,733 \$91,039

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-80

Ordinance No. 2000-248  
(Int. No. 272)

**Authorizing An Amendatory Agreement For  
The James Madison Community Center**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Southwest Area Neighborhood Association, Inc. for the James Madison Community Center.

Section 2. The amendatory agreement shall obligate the City to pay an amount not to exceed \$26,500, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood  
July 18, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 273 - Authorizing The Sale Of Real Estate

Int. No. 274 - Acquisition Of Real Estate For The City School District

Int. No. 276 - Accepting Donation Of Real Estate

Int. No. 277 - Authorizing The Lease Of Space In The South Avenue Garage Concourse

Int. No. 279 - Approving A Property Tax Exemption And Authorizing An In Lieu Of Tax Agreement For The Anthony Square Project, As Amended

Int. No. 280 - Appropriation Of Funds - Homebuyer Assistance Program

Int. No. 281 - Authorizing An Agreement For The Culture Builds Communities Program

Int. No. 282 - Appropriating Funds And Authorizing Agreements For The Neighbors Building Neighborhoods Program

Int. No. 283 - Authorizing An Agreement For Elevator Inspection Services

Int. No. 287 - Authorizing An Agreement With The

Enterprise Foundation

Int. No. 288 - Authorizing An Agreement For The Fair Housing Enforcement Project

Int. No. 289 - Resolution Approving Reappointment To The Rochester Preservation Board

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 275 - Approving The Acquisition Of 139-141 Fulton Avenue

Int. No. 278 - Amending Ordinance No. 2000-151, Authorizing The Lease Of Space In The High Falls Festival Site Sub-Terrace Area

Int. No. 237 - Changing The Zoning Classification Of 505-595 Highland Avenue From R-1 Single Family Residential To R-2 Two-Family Residential

Respectfully submitted,

Wade S. Norwood  
Benjamin L. Douglas  
Nancy K. Griswold

Lois J. Giess (Voted on Introductory No. 273 through Introductory No. 277).

Gladys Santiago  
HOUSING AND COMMUNITY DEVELOPMENT  
COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-249,  
2000-250, 2000-251, 2000-252,  
2000-260 and 2000-261

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of 38 properties,
2. Acquisition of two properties,
3. Acceptance of the donation of one property, and
4. Lease of commercial space in the South Avenue parking garage

The legislation will also revise the terms and conditions of a lease agreement that was previously authorized by the City Council.

Sales

The first six properties to be sold were included in the Homesteading Lottery of April 11. The purchasers will be required to rehabilitate the properties within 18 months and to reside at them for a minimum of five years.

The next property, 805 Atlantic Avenue, will be sold to the former owner. The purchase price includes all delinquent taxes, interest and penalties.

The next property, 35 Berlin Street, will be sold through the Tenant Ownership Program. The sale price was established by an independent appraiser, Steven Bruckner. The purchaser will be required to rehabilitate the property within 18 months and to reside in it for a minimum of seven years.

The next four properties are mixed-use properties that were included in the Request for Proposal Sale of April 3. The properties will be rehabilitated for the following uses.

Address	Use
1889 Clifford Avenue	Office and three apartments
512 Lyell Avenue	Laundromat and two apartments
207-209 Monroe Ave.	Antique store and two apartments
920 North Street	Office and two apartments

The next property, 104 Berlin Street, will be sold to the owner of the adjacent property for \$1.00. The parcel is unbuildable because of its narrow width.

The next property, 162 W. Main Street, is a vacant lot and was included in the public auction of September 29, 1999. The property will be developed as a landscaped courtyard that will be utilized for art exhibits and workshops.

The last 24 properties were included in the public auction of May 18. The purchasers will be required to rehabilitate the properties and obtain Certificates of Occupancy within nine months of the conditional closing.

Acquisitions

The first property to be acquired, 283 W. Ridge Road, contains a commercial office building. Acquisition of the property was requested by the Board of Education of the Rochester City School District on June 22.

Following acquisition, the building will be demolished. The property will be used to provide additional classroom space for Kodak Park School No. 41 at 279 W. Ridge Road.

The purchase price, \$100,000, was established by an independent appraiser, Kevin Bruckner. The total estimated cost of acquisition and demolition is \$110,000, which will be financed from the proceeds of bonds issued for the District.

The second property to be acquired, 139-141 Fulton Avenue, contains a vacant four-family structure that has been damaged by fire and that constitutes a blight upon the neighborhood. Acquisition of the property and demolition of the structure is recommended by the Fulton Avenue Renewal Committee to reduce the concentration of poverty and improve the quality of life in the area.

The purchase price was established by an independent appraiser, Stephen Ferrara. The costs of acquisition, along with estimated closing costs of \$3,000 and demolition costs of \$15,000, will be financed from the 2000-01 Cash Capital allocation.

The vacant lot resulting from the demolition will contain 6,200 square feet. The property will be used for construction of a single-family house that will be sold to an owner-occupant.

Donation

The property to be donated to the City, 192 Central Park, contains a vacant mixed-use structure that is in deteriorated condition. The property has a zoning classification of R-3 Low-Medium Residential.

Following acquisition of the property, the structure

will be demolished, at an estimated cost of \$7,500. The resultant vacant lot, which will contain 4,800 square feet, will be reserved for future residential development.

As a condition of the donation, City taxes and charges totaling \$532.07 will be canceled.

Lease

The proposed lease agreement with the Rochester Riverside Convention Center relates to approximately 1,776 square feet of space in the concourse level of the parking garage. The Convention Center, which already leases 480 square feet of space on the first floor of the garage, will use the concourse level space for storage.

The annual rental price, which was established by an independent appraiser, Bruckner, Tillett, Rossi Cahill and Leggett, will be \$1.50 per square foot or \$2,664 annually. The RRCC will be responsible for all renovation and maintenance costs.

The lease agreement will have an initial term of four years with provision for renewal for an additional four year period upon mutual consent. The City will have a right to terminate the agreement upon 60 days notice.

Lease Agreement Revision

On May 20, the Council authorized an agreement with the High Falls Development Corp. (principal: Ben Kendig) for lease of approximately 15,000 square feet of space at 40 Commercial Street. The space is located on two floors beneath the terrace area of the festival site.

Under the terms of the lease agreement, the corporation is responsible for the cost of all improvements within the building. Under the proposed legislation, it will be authorized to complete the following additional improvements outside the building:

1. Construction of stairs adjacent to the east facade of the building, from the basement level to the festival site level; and
2. Construction of an elevator from the sub-basement level to the terrace level.

The corporation will be provided pedestrian access over the festival site of the stairs and elevator.

The stairs will provide emergency access to the basement and sub-basement of the building. The elevator will provide access for persons with disabilities.

All other terms and conditions of the agreement will remain the same.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-81

Ordinance No. 2000-249  
(Int. No. 273)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcels of real estate through the Urban Homestead Lottery:

Address S.B.L.#	Price	Purchaser
88 Fillmore St. 120.48-2-38	\$1.00	Sandra Sanchez
321 First St. 106.43-2-9	1.00	Rider Velazquez
1571 Jay St. 105.77-1-9	1.00	Andrea Lawson
70 Kingston St. 107.71-1-77	1.00	Monica Stamps
137 Millbank St. 135.34-1-49	1.00	Blossom Moore
119 Seager St. 121.81-1-22	1.00	Cynthia Cruz

Section 2. The Council hereby approves the sale of the following parcel of real estate to the former owner:

Address: 805 Atlantic Ave.  
S.B.L.#: 122.23-1-7  
Price: \$7,125.77  
Purchaser: Laura L. Hemmerich

Section 3. The Council hereby further approves the sale of the following parcel of real estate through the tenant ownership program:

Address: 35 Berlin St.  
S.B.L.#: 106.23-3-14  
Price: \$12,700  
Purchaser: Willis McFadden

Section 4. The Council hereby further approves the sale of the following improved properties through the request for proposal sale:

Address S.B.L.#	Price	Purchaser
1889 Clifford Ave. 107.30-3-9	\$10,000	Betty & Jackson Lloyd
512 Lyell Ave. 105.65-1-56	10,000	Ronald Stebbins & Joseph Soldi
207-209 Monroe Ave. 121.41-2-13	6,000	Jack Darcy
920-922 North St. 106.34-3-54	5,000	Judith Dorsey

Section 5. The Council hereby further approves the sale of the following vacant unbuildable parcel of real estate for the sum of \$1.00:

Address: 104 Berlin St.  
S.B.L.#: 106.24-1-13  
Sq. Ft.: 5122+/-  
Purchaser: Vivian Murray

Section 6. The Council hereby further approves the sale of the following parcel of vacant land with proposal by public auction:

Address: 162-166 Main St. W.  
S.B.L.#: 121.30-1-4  
Price: \$2,000  
Purchaser: Michael Lesczinski

Section 7. The Council hereby further approves the sale of the following parcels of real estate by public auction:

Address S.B.L.#	Legal Use Purchaser	Price
30 Aebersold St 106.34-1-41	1 Family Gloria Steward	\$ 900
617 Avenue D 091.79-3-66	2 Family Winston Thomas	5,800
64 Averill Ave. 121.55-2-42	2 Family Robert D. Napier	16,000
46 Berlin St. 106.23-3-10	1 Family Clifton Thomas	6,400
6 Caffery Pl. 120.44-1-65	2 Family Allister Luke	3,900
9 Caffery Pl. 120.44-1-60	2 Family Jason Sanders	5,300
36 Casper St. 106.42-2-28.1	2 Family John R. Travis	4,800
498-502 Central Pk. 106.52-2-65	3 Family Prosper Dornelus	8,200
405-407 Champlain St. 120.59-2-70	2 Family Cory Reeves	7,300
439 Clifford Ave. 106.31-4-3	2 Family Richard Hinds	5,600
36 Epworth St. 120.51-3-77	1 Family Maria Wilson	8,400
9-11 Evergreen St. 106.37-1-20	2 Family George A. Woodard, Jr.	3,500
401 First St. 106.35-2-62	2 Family Michael Grisby	2,700
9 Gladys St. 106.29-1-43	1 Family Christopher McNair	1,500
111-113 Hamilton St. 121.55-2-22	2 Family Billy Newsome	35,000
118 Iceland Pk. 120.67-2-45	1 Family Richard Sanders	4,400
883 Jefferson Ave. 120.84-1-53	1 Family William Banks	3,500
73 Ketchum St. 106.23-1-44	1 Family Teresa Strong	3,500
14 Lang St. 091.62-2-50	2 Family Elizabeth R. Hughes	9,100
1 Langham St. 106.23-4-63	1 Family James D. Brown	2,800
26 Lill St. 106.30-3-2	2 Family John M. Lewis	11,600
72 Lowell St. 106.46-2-34	1 Family Meg Wirt	2,700
412 Murray St. 105.57-4-70	1 Family National Reality, Inc.*	4,600
386 Sixth St. 106.36-3-30	1 Family Robert D. Napier	8,200

\*Officer: Ed Hyman

Section 8. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 9. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-250  
(Int. No. 274)

**Acquisition Of Real Estate For The City School District**

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

Section 1. The Council hereby approves the acquisition of the parcel at 283 West Ridge Road from the current owner, Michael W. Whelehan, for an amount not to exceed \$100,000, for use by the City School District for School No. 41.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$100,000, and said amount, plus necessary closing costs, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said property are hereby cancelled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-251  
(Int. No. 276)

**Accepting Donation Of Real Estate**

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

Section 1. The Council hereby approves the acceptance of the donation of 192 Central Park, SBL #106.500-02-044, from the current owner, Leonard J. Noto. Upon acquisition by the City, outstanding City taxes and charges shall be cancelled. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled. Said parcel shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-252  
(Int. No. 277)

**Authorizing The Lease Of Space In The South Avenue Garage Concourse**

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement for a term of 4 years, with an additional 4 year option, with the Rochester Riverside Convention Center (RRCC) for the lease of approximately 1776 square feet of space in the South Avenue Garage Concourse. RRCC shall be responsible for all renovations. The City shall have the right to terminate the lease upon 60 days notice for any future development.

Section 2. The agreement shall obligate RRCC to pay to the City \$2,664 in annual rent.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-260  
(Int. No. 275)

**Approving The Acquisition Of 139-141 Fulton Avenue**

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

Section 1. The Council hereby approves the acquisition of 139-141 Fulton Avenue, SBL No. 105.430-2-43, from the current owners, Antoinette and Patsy Baccaro, for the sum of \$35,000.

Section 2. The acquisition, closing and demolition costs shall obligate the City to pay an amount not to exceed \$53,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Cash Capital Allocation.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran -1.

Ordinance No. 2000-261  
(Int. No. 278)

**Amending Ordinance No. 2000-151, Authorizing The Lease Of Space In The High Falls Festival Site Sub-Terrace Area**

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

Section 1. Ordinance No. 2000-151, authorizing the lease of space in the High Falls Festival Site Sub-Terrace Area, is hereby amended by further authorizing High Falls Development Corporation to construct stairs adjacent to the east facade of 40 Commercial Street from the basement level to the festival site level, to construct an elevator from the basement and sub-basement levels on and through a portion of the festival site terrace, and to allow pedestrian egress and ingress over the festival site to the elevator and stairs.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-253  
Re: Anthony Square Project

Transmitted herewith for your approval is legislation

relating to the Anthony Square rental project. This legislation will:

1. Approve the redevelopment plan for the project;
2. Authorize an exemption from real estate taxes for the three properties included in the project and an agreement for payments in-lieu of taxes thereon.

As you are aware, the Anthony Square project involves the redevelopment by the City and Housing Opportunities, Inc. of the former West Square Manor site. It includes the construction of 23 single-family houses through the Home Expo 2000 Program and the construction of 45 rental units by HOP.

The rental project will be developed by Anthony Square, L.P. a limited partnership formed by HOP. Under Article V of the NYS Private Housing, approval by the Planning Commission and City Council of the redevelopment plan for the project is required.

The Planning Commission held an informational meeting concerning the plan on June 5; there were two speakers, who supported the project. The Commission approved the plan by a vote of 5-0.

The plan provides for construction of the units to begin in the late fall of 2000 and be completed within 12 months. The estimated cost of construction is \$4,873,500, which will be financed as follows:

NYS Housing Trust Fund	\$1,013,000
Low-Income Housing Tax Credit	<u>3,860,500</u>
Total	\$4,873,500

The units will be available to families with incomes of 60% or less of the median family income for the Rochester metropolitan statistical area. Fifteen of the units will be public housing with rents of \$300 per month; the remaining 30 units will have rents ranging from \$370 to \$440, depending on the number of bedrooms.

Under the proposed in-lieu of tax payment agreement, a 25-year tax exemption will be authorized for the three properties on which the units will be constructed. In consideration of this exemption, an annual payment in-lieu of taxes equal to 5% of shelter rents (gross rents less utility costs) will be required. The initial PILOT amount is expected to be about \$9,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-253  
(Int. No. 279, As Amended)

**Approving A Property Tax Exemption And Authorizing An In Lieu Of Tax Agreement For The Anthony Square Project**

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

Section 1. The Council hereby approves the redevelopment plan for the Anthony Square Project in accordance with Article V of the New York State Private Housing Finance Law.

Section 2. Pursuant to Section 125 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 25 years, that portion of the assessed value of the

following parcels of real property of the Anthony Square Project which represents an increase over the assessed value of the parcels at the time of acquisition by Anthony Square, L.P.:

Address	S.B.L.#
501 West Main Street	120.44-02-01.31
58 Prospect Street	120.44-02-43.1
2 Reynolds Street	120.44-02-01.32

Section 3. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement with Anthony Square, L.P., for the affordable rental housing project, whereby Anthony Square, L.P. shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least [five] ten percent ([5] 10%) of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

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

Section 5. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-254  
Re: Homebuyer Assistance Program

Transmitted herewith for your approval is legislation relating to the Homebuyer Assistance Program. This legislation will:

1. Appropriate a total of \$218,000 from the 1999 HOME Program to finance the continuation of the program; and
2. Authorize any necessary agreements.

The program provides financial assistance of up to \$6,000 to families with low- or moderate incomes who purchase houses through the Housing Initiative. The financial assistance may be used for closing costs or down payments.

A recipient of assistance is required to provide a five-year promissory note. If recipient continues to reside in the house and the property is not resold during this period, the note expires.

Since inception of the program in September, 1993, \$1,428,161 has been disbursed or committed to 260 homebuyers. The total unencumbered balance of prior appropriations is \$223,600.

The proposed appropriations will supplement this amount and a \$90,000 appropriation from the City Development Fund that was included in the Consolidated Community Development Plan that was approved by the Council on May 16.

The HOME appropriation will be used to provide assistance to families whose income does not exceed 80% of the median family income of the Rochester metropolitan statistical area. The CDF appropriation will be used to provide assistance to families whose

income is between 80% and 100% of the median family income.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-254  
(Int. No. 280)

**Appropriation Of Funds - Homebuyer Assistance Program**

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

Section 1. The sum of \$218,000 is hereby appropriated from 1999 HOME Program Funds, or so much thereof as may be necessary, to fund the Homebuyer Assistance Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs funded herein. Such agreements shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-255  
Re: Agreement - Arts and Cultural Council,  
Culture Builds Communities

Transmitted herewith for your approval is legislation authorizing an agreement with the Arts and Cultural Council for Greater Rochester, 277 N. Goodman Street, for administration of the 2000 Culture Builds Communities program. The maximum cost of this agreement will be \$35,000, which will be financed from the Housing Stock and General Property Conditions allocations of the 1999-2000 Community Development Block Grant.

Culture Builds Communities is a joint venture with Citibank. It is designed to enhance neighborhood pride and promote participation in artistic activities.

The City has participated in the program since 1997; the most recent agreement for such participation was authorized by the City Council on August 10, 1999. The program has received the Millennium Award of The Arts & Business Council, a national service organization.

Proposals for the 2000 were solicited by the Arts Council through public advertisement. Eight proposals were received.

These proposals were reviewed by a panel of representatives from diverse segments of the community. Attached is a description of the proposals recommended by the panel.

As may be seen, under the program, grants ranging from \$1,000 to \$20,000 will be provided to six neighborhood or school organizations. These organizations will be able to use the grants to finance artists' fees, the cost of supplies and materials and reasonable administrative expenses.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-82

Ordinance No. 2000-255  
(Int. No. 281)

**Authorizing An Agreement For The Culture Builds Communities Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Arts and Cultural Council for Greater Rochester for the Culture Builds Communities Program.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$35,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-256  
Re: CDBG Appropriation - NBN Program

Transmitted herewith for your approval is legislation appropriating \$100,000 from the 1999-00 Community Development Block Grant for the Neighbors Building Neighborhoods Program.

The NBN planning process was initiated in 1993 and resulted in the presentation of 10 sector plans in 1995. Since that time, 698 (78%) of the 895 activities included in the plan have been completed.

In 1999, the sector committees began to update the plans. The update was completed in January, 2000 and resulted in 433 activities that are expected to be completed during the next 18 months.

The proposed appropriation will be used to support the completion of these activities.

Sector planning committees	\$ 50,000
Promotion and advertising	25,000
Technical assistance and training	<u>25,000</u>
Total	\$100,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-256  
(Int. No. 282)

**Appropriating Funds And Authorizing Agreements For The Neighbors Building Neighborhoods Program**

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

Section 1. There is hereby appropriated from the Neighbors Building Neighborhoods Allocation of the 1999-2000 Community Development Program the sum of \$100,000, or so much thereof as may be necessary, to support the Neighbors Building Neighborhoods Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of this Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-257  
Re: Agreement - National Elevator Inspection Services, Inc.

Transmitted herewith for your approval is legislation authorizing an agreement with National Elevator Inspection Services, Inc., of St. Louis, for the continued provision of elevator inspection and certification services. The maximum annual cost of this agreement will be \$20,000, which will be financed from the 2000-01 and future annual budgets of the Department of Community Development.

Under Chapter 50 of the City Code, any elevator in Rochester must be inspected and certified prior to its initial use and periodically thereafter. Since 1987, National has performed the required inspections and certifications for the City under periodic agreements. The most recent agreement was authorized by the City Council on July 22, 1997.

Under the proposed agreement, National will continue to provide the following services at the following designated rates:

1. Review and approval of all permit applications, plans and specifications related to the construction and installation of elevators (\$68 per hour);
2. Initial inspection or safety testing of new elevators (\$68 per hour);
3. Periodic re-inspections of existing elevators (\$58 per unit);
4. Periodic re-inspections of wheelchair lifts (\$45 per unit);
5. Issuance of certificates, as appropriate (no charge);
6. Investigation of complaints of improper maintenance referred by DCD (no charge); and
7. As necessary, decommissioning elevators for use when ordered by the Commissioner of DCD (\$55 per unit).

The fees for the review of permit applications, plans and specifications will be paid by the City. The fees for initial inspection, safety test and re-inspections will be paid directly by the applicant.

The agreement will have an initial term of one year with provision for renewal for two additional one-year periods.

At present, approximately 20 new permit applications for elevators are received each year. The total estimated cost to the City for review of these applications is \$20,000. This cost is offset by permit revenues.

Approximately 2900 certificates are issued each year, each of which requires an inspection or reinspection. The total estimated cost to applicants for these inspections is \$160,000.

Accordingly, total annual fees received by National, from both the City and applicants, are expected to be about \$180,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-257  
(Int. No. 283)

**Authorizing An Agreement For Elevator Inspection Services**

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

Section 1. The Mayor is hereby authorized to enter into the extension of an agreement with National Elevator Inspection Services, Inc. for the continued provision of elevator inspection services in the City of Rochester for a period of one year, with two additional one-year renewal options.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$20,000 annually for such services, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 and subsequent budgets of the Department of Community Development, contingent upon approval of said subsequent budgets. The agreement shall also establish the amounts to be paid for certain services by the permit applicants.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-258  
Re: Agreement - Enterprise Foundation, Housing Program Development

Transmitted herewith for your approval is legislation authorizing an agreement with the Enterprise Foundation, of New York City, for the provision of technical assistance relating to housing and economic development activities. The maximum cost of this agreement will be \$50,000, which will be financed from the 2000-01 Community Development Block Grant.

Enterprise, which was established in 1982 by philanthropists James and Patricia Rouse, is a national non-profit housing and community development organization. Its mission is to assist people in obtaining affordable housing and jobs.

Since its inception, it has - in collaboration with other foundations and financial institutions - leveraged \$3.4 billion for community development projects that have resulted in the construction of 107,000 houses and more than 31,000 jobs. At present, its membership includes approximately 1,500 community non-profit organizations.

Enterprise established an office in Rochester in 1987. In conjunction with the City, Daisy Marquis Jones Foundation, United Way of Greater Rochester, Citibank and Chase Manhattan Bank, it has formed the Rochester Community Development Collaborative, which has received commitments of \$3.0 million for grants and loans for community development corporations.

Proposals for use of these funds were recently solicited from such corporations. Eight proposals were received and the recommended projects will be announced later this month.

Under the proposed agreement, Enterprise will provide the following services:

1. Administer the RCDC program and provide technical assistance to the four agencies selected to receive the grants and loans (375 hours);
2. Assist the Department of Community Development in enabling housing developers to participate in the Homeownership Initiative Program (HUD Asset Control Program), including the formation of a Housing Development Fund Corporation (187.5 hours); and
3. Assist in the planning of the housing development initiatives along the Genesee River, including River Park Commons (187.5 hours).

The latter initiative represents a collaborative effort of the City, Enterprise, Rochester Housing Authority, Frederick Douglass Community Development Corporation, Signature Housing Solutions, The Finch Group, and Cornell University.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-258  
(Int. No. 287)

**Authorizing An Agreement With The Enterprise Foundation**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Enterprise Foundation for technical assistance for community development projects.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-259  
Re: Agreement - MCLAC, Fair Housing Enforcement Project

Transmitted herewith for your approval is legislation authorizing an agreement with the Monroe County Legal Assistance Corporation, 80 St. Paul Street, for continuation of the Fair Housing Enforcement Project. The maximum cost of this agreement will be \$46,500, which will be financed from the 1998 HOME Program allocation.

MCLAC, in collaboration with the Regional Center for Independent Living, is currently administering a Fair Housing Enforcement Project financed by a three-year grant from the U.S. Department of Housing and Urban Development. Since January, 1998, the project has produced the following results:

1. 132 housing discrimination cases have been initiated, with disabilities (45%), ethnicity (30%) and family status (16%) being the primary bases for complaints;
2. Seven enforcement actions have been initiated in federal court and two enforcement actions have been initiated through HUD and the NYS Division of Human Rights; and
3. 45 fair housing presentations have been provided to community agencies and real estate industry groups.

In conjunction with the project, MCLAC has received assistance from the Advertising Council of Rochester in the development of a public outreach campaign. The Ad Council is now willing to designate the fair housing project as a Community Impact project.

With such a designation, MCLAC would be eligible for additional technical assistance with an estimated value of \$100,000 and access to the Ad Council's printed public service announcements. However, to receive the designation, MCLAC must demonstrate that it has the capacity to implement the public outreach campaign.

The proposed agreement is designed to provide MCLAC with this capacity. Under the agreement, MCLAC will employ one person to work with the Ad Council and to otherwise perform public education and outreach duties.

The total budget for the campaign is approximately \$176,000. The Ad Council will receive an account management fee of \$7,500.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-259  
(Int. No. 288)

**Authorizing An Agreement For The Fair Housing Enforcement Project**

(Int. No. 237)

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Monroe County Legal Assistance Corporation for the Fair Housing Enforcement Project.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$46,500, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Section 3 of Ordinance No. 98-359.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-20  
Re: Appointment - Rochester Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of Cecil McClary, Jr., 128 Genesee Park Boulevard, to the Rochester Preservation Board.

Mr. McClary's original appointment, to fill an unexpired term, was confirmed by the City Council on July 23, 1996. His reappointment was confirmed on July 14, 1998.

Since that latter date, Mr. McClary has attended 17 of the 24 meetings of the Board. His reappointment will extend through July 31, 2003.

Sincerely,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-20  
(Int. No. 289)

**Resolution Approving Reappointment 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 reappointment of Cecil McClary, Jr., 128 Genesee Park Boulevard, to the Rochester Preservation Board for a term which shall expire on July 31, 2003.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Introductory No. 237 was introduced June 20, 2000 and appears in its original form with its transmittal letter on page 196 of the current Council Proceeding.

Attachment No. Z-83

Ordinance No. 2000-262

**Changing The Zoning Classification Of 505-595 Highland Avenue From R-1 Single Family Residential To R-2 Two-Family Residential**

Passed unanimously.

By Councilmember Mains  
July 18, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 284 - Resolution Approving Appointments And Reappointments To The Downtown Enhancement District Advisory Committee

Int. No. 34 - Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City I2

The following entitled legislation is being held in committee:

Int. No. 290 - Establishing \$32,895 As Maximum Compensation For A Professional Services Agreement For Civil Service Exam Development

Respectfully submitted,  
Tim O. Mains  
Brian F. Curran  
Nancy K. Griswold  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-21  
Re: Appointment - Downtown Enhancement District Advisory Committee

Transmitted herewith for your approval is legislation confirming the appointment or reappointment of nine people to the Downtown Enhancement District Advisory Committee.

Establishment of the committee was specified by the local improvement assessment legislation that was approved by the City Council on May 16, 1989. The prescribed responsibilities of the committee are to "... monitor the performance of district services [and] ... to review the annual budget for the district prepared by the Mayor, and to make a recommendation to the City Council with respect to that budget".

The committee consists of 13 persons representing property owners and tenants within the district. The members are intended to "...fairly represent large properties and small properties, owners and tenants, and Zone 1 and Zone 2 properties".

The people to be appointed will replace the following people, who have resigned.

<u>Appointee</u>	<u>Person Replaced</u>
Rodney Larsen	John Knope, Blue Cross/Blue Shield

Thomas Moonan Patrick White, Advance Quick Printing  
 Joseph Wierzowski Thomas Cahill, Wilmorite, Inc.  
 James Yarrington Valarie Akiulawon, Metro Centre Mini-Market

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Resolution No. 2000-21  
 (Int. No. 284)

**Resolution Approving Appointments And Re-appointments To The Downtown Enhancement District Advisory Committee**

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

Section 1. The Council hereby approves the appointment or reappointment of the following persons to the Downtown Enhancement District Advisory Committee for terms which shall expire as follows:

<u>Name</u> <u>Affiliation</u>	<u>Expiration</u>
James Yarrington Doran, Yarrington & Moran 183 E. Main St. Suite 1000	12/31/01
Thomas Moonan Monroe Title Insurance Corp. 47 W. Main Street	12/31/01
Joseph Wierzowski Plymouth Photo Studio 36 W. Main Street	12/31/00
Rodney Larsen Barrister's Pub 36 W. Main Street	12/31/00

Reappointment:

Steven White Rochester Hyatt	12/31/01
Eugene Lockart All Day Sunday	12/31/01
Dr. Quinton Bullock Damon City Center	12/31/01
Charles Cummings Xerox	12/31/01
Matt Pica Rochester Riverside Hotel	12/31/01

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Introductory No. 34 was introduced January 18, 2000, and appears in its original form with its transmittal letter on page 38 of the current Council Proceeding.

Ordinance No. 2000-263  
 (Int. No. 34)

**Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12**

Passed unanimously.

Councilman Mains moved to discharge Introductory No. 290 from committee.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-264  
 Re: Agreement - Linda Dunn, Civil Service Exam Development

Transmitted herewith for your approval is legislation authorizing an agreement with Linda Dunn, of New York City, for technical assistance in the development of job specifications and civil service examinations for various City positions. The maximum cost of this agreement will be \$32,895, which will be financed from the 1999-00 Undistributed Expense budget.

The Bureau of Human Resource Management historically has been assisted by personnel consultants in the development of certain job specifications and civil service exams. Consistent with this practice, it solicited proposals from five persons or organizations for assistance relating to various positions.

Proposals were received from three persons, none of whom reside in Monroe County. Ms. Dunn is recommended because of her experience. From 1988 to 1999, she was Assistant University Personnel Director for Civil Service Examinations for the City University of New York.

Under the proposed agreement, Ms. Dunn will provide the following services:

1. Analyze specified position responsibilities, including scope of work and critical tasks;
2. Develop job specifications and training and experience exams for these positions;
3. Develop rating systems for these exams; and
4. Consult with City personnel in the administration of these exams.

The positions for which the services are to be provided are:

- Assistant Director of Information Systems
- Assistant Geographic Information System Technician - Part Time
- Computer Communications Technician - Library
- Computer Operator
- Computer Programmer
- Computer Programmer Trainee
- GIS Applications Specialist
- Office Automation Specialist
- Programmer Analyst
- Senior Computer Programmer
- Senior Programmer Analyst
- Systems Programmer (job specification only)

The project is expected to be completed within 12

months. A copy of Ms. Dunn's resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-84

Ordinance No. 2000-264  
(Int. No. 290)

**Establishing \$32,895 As Maximum Compensation For A Professional Services Agreement For Civil Service Exam Development**

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

**Section 1. The sum of \$32,895, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Linda Dunn for the provision of technical assistance in the development of job specifications, and in the development, validation and rating of certain Civil Service examinations. Said amount shall be funded from the 1999-00 Undistributed Expense budget.**

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

**Passed unanimously.**

**The meeting was adjourned at 8:32 P.M.**

**CAROLEE A. CONKLIN**  
City Clerk

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**REGULAR MEETING**  
August 22, 2000

Present - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Douglas - 1.

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

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

**Recognition Ceremony**

**Retirement:**  
Richard Koehn, Department of Community Development

**Recognition:**  
Public Sector Leadership Award - Vincent Carfagna, Department of Finance

**APPROVAL OF THE MINUTES**

By Councilmember Griswold

RESOLVED, that the minutes of the Regular Meeting of July 18, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

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

The Mayor submits the following:  
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3647-7

Public Disclosure - CDBG Participation. 3648-7 and 3649-7

Quarterly Reports. 3650-7  
Homesteading Lottery - September 12, 2000. 3651-7

Corporation Counsel submits Settlement of Tax Assessment Proceedings. 3652-7

The Director of Zoning submits Notices of Environmental Determination.  
2259 Lake Avenue. 3653-7  
24 Spencer Street. 3654-7

**PUBLIC HEARINGS**

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Upgrading Of Street Lighting As A Part Of The Lake Avenue Public Improvement Project Int. No. 292 No speakers.

Approving Changes In The Pavement Width Of Pennsylvania Avenue Int. No. 293 No speakers.

Acquisition Of Parcels For The Brown Street Project By Negotiation Or Condemnation Int. No. 301 One speaker: John Accorso.

Changing The Zoning Classification Of 1650-1660 E. Main Street And 831-839 Culver Road From R-3 Low-Medium Residential/O-O Overlay Office To C-2 Community Commercial Int. No. 319 One speaker: Donald Robinson.

Changing The Zoning Classification Of 48 And 52 Parkdale Terrace From R-1 Single Family Residential

To C-2 Community Commercial Int. No. 320 Four speakers: Donald Robinson, Michael Barrett, Ron Ring and Jim Best.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-265  
Re: Moratorium Extension - Adult Uses  
Special Permit

Transmitted herewith for your approval is legislation extending the moratorium on all new and pending applications for Certificates of Zoning Compliance for the establishment, extension, expansion, enlargement or increase in intensity of adult entertainment establishments and adult bookstores.

As you are aware, in March, 1999, pursuant to a Stipulation and Order, the City was enjoined from requiring a special permit for the establishment of adult uses. Since the comprehensive revision of the zoning ordinance is not expected to be completed until October, 2000, a separate, accelerated revision of the provisions relating to adult uses was begun in November, 1999.

On November 9, 1999, the City Council imposed a moratorium on applications for adult use compliance certificates. This moratorium extended through May 31, 2000, the date by which the revision of the adult use provisions was expected to be completed.

On May 16, 2000, this moratorium was extended to August 31, since the revision required more time than originally anticipated. The proposed legislation will further extend the moratorium until the Council considers the proposed amendments to the Zoning Ordinance that incorporate the revisions.

The proposed amendments were presented to the public on July 26 and the Planning Commission held a hearing on the amendments on August 16. It is expected that the amendments will be submitted to the Council for consideration at its meeting on September 19, at which time an additional public hearing will be conducted.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-265  
(Int. No. 322)

**Continuing A Moratorium On Applications For Certificates Of Zoning Compliance For Adult Bookstores And Adult Entertainment Establishments**

WHEREAS, by Ordinance No. 99-408, a six (6) month moratorium on the acceptance of applications and action on pending applications for Certificates of Zoning Compliance for the establishment, extension, expansion, enlargement or increase in intensity of adult entertainment establishments and adult bookstores in the City was enacted in order to prevent the establishment of new adult uses while a comprehensive study of the impact of adult uses in the community can be conducted, and said moratorium has been continued by Ordinance No. 2000-125; and

WHEREAS, the study has been completed and proposed legislation has been drafted. Additional time

is now needed to review the proposed legislation and complete the legislative process.

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

Section 1. The moratorium on the acceptance of applications and action on pending applications for Certificates of Zoning Compliance for the establishment, extension, expansion, enlargement or increase in intensity of adult entertainment establishments and adult bookstores in the City, as established in Ordinance No. 99-408, and continued through August 31, 2000 by Ordinance No. 2000-125, shall continue until the effective date of amendments to the Zoning Ordinance relating to sexually oriented businesses. During this moratorium period, proposed revisions to the Zoning Ordinance and other sections of the Municipal Code may be reviewed by City Council.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Stevenson  
August 22, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 292 - Local Improvement Ordinance - Upgrading Of Street Lighting As A Part Of The Lake Avenue Public Improvement Project

Int. No. 293 - Approving Changes In The Pavement Width Of Pennsylvania Avenue

Int. No. 309 - Authorizing Agreements For Assistance In Selection Of A Fast Ferry Service Operator

Respectfully submitted,  
Robert J. Stevenson  
Brian F. Curran  
Tony M. Thompson  
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1472  
Re: Lake Avenue Street Lighting District

Transmitted herewith for your approval is legislation establishing a special assessment district along Lake Avenue to finance the annual incremental costs associated with the operation and maintenance of the pedestrian lighting enhancement that will be installed as part of the Lake Avenue Improvement Project.

The project, which extends from the north limit of the Stutson Street Bridge Replacement Project to a point west of the intersection of Lake and Beach Avenues, was designed by Bergmann Associates under agreements authorized by the City Council on October 10, 1998 and March 25, 1999. It is being constructed by Sealand Contractors at an estimated

cost of \$3,895,000, including inspection and contingencies.

The project includes various changes in pavement width, the realignment of the Beach Avenue intersection and installation of a raised pedestrian median at the intersection; reconstruction or rehabilitation of the pavement; installation of a new water main north of the CSX bridge and new water services and hydrants; replacement of curbs and driveway aprons; increases in the width of sidewalks and the installation of curb extensions at crosswalks and recessed parking areas; the installation of special street lights with decorative poles with banner fixtures; and landscaping. The special assessment district is proposed to finance the annual incremental costs for energy and maintenance of the special street lights. The annual assessments will be based upon the front footage of the properties included in the district.

The district will contain 67 properties, four of which are owned by the City. The owners of 43% of the properties signed a petition supporting the creation of the special assessment district. These properties contain 49% of the front footage within the district.

The total front footage within the district is 6,295 linear feet, of which 1,411 linear feet relates to the City properties. With a total estimated annual incremental cost of \$3,903, the estimated initial assessment will be \$.62 per front foot.

Construction of the project is expected to be substantially completed by the end of the year.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Local Improvement Ordinance No. 1472  
(Int. No. 292)

**Local Improvement Ordinance - Upgrading Of Street Lighting As A Part Of The Lake Avenue Public Improvement Project**

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

Section 1. The Council hereby authorizes the upgrading of street lighting as a part of the Lake Avenue Public Improvement Project for a period of fifteen (15) years, commencing with the 2000-01 year.

Section 2. The Council hereby finds that the upgrading of said street lighting will benefit the parcels of property within the district described in proportion to each parcel's front footage within the District as follows:

SBL No.	Lake Avenue Address	Front Footage
047.47-01-05.01	4795	100
047.47-01-10	4791	40
047.47-01-11	4783	50
047.47-01-09	4776	50
047.47-01-12	4769	125
047.47-01-08	4768	50
047.47-01-13	4753	102
047.55-01-01.01	4752	722
047.47-01-24	4739	52
047.47-01-25	4731	52
047.47-01-26	4725	30

047.47-01-27	4721	38
047.47-01-28	4717	35
047.47-01-36	4705	35
047.47-01-37	4699	40
047.47-01-38	4695	30
047.46-02-40	4693	104
047.54-01-23	4679	42
047.54-01-24	4669	46
047.54-01-25	4665	62
047.54-01-26	4653	62
047.55-01-06	4650	200
047.47-01-07	4640	389
047.54-01-34	4637	62
047.54-01-35	4631	47
047.54-01-36	4629	44
047.54-01-37	4619	66
047.54-01-38	4609	59
047.54-01-40	4585	110
047.55-01-05	4584	184
047.55-01-07	4576	45
047.54-01-41	4575	227
047.62-01-16	4560	66
047.62-01-17	4554	70
047.62-01-18	4550	66
047.54-01-53	4545	166
047.62-01-15	4531	55
047.62-01-36	4523	59
047.62-01-37	4509	99
047.62-01-38	4501	50
047.62-01-39	4495	50
047.62-01-35.01	4492	462
047.62-01-40.01	4489	99
047.62-01-34	4480	90
047.62-01-41.01	4477	100
047.62-01-32	4472	45
047.62-01-31	4450	173
047.62-01-42	4449	132
047.62-02-32	4440	38
047.62-02-31	4435	77
047.62-02-37	4429	26
047.62-02-36	4424	101
047.62-02-38	4421	45
047.62-02-35	4420	71
047.62-02-39	4415	50
047.70-02-09	4410	66
047.62-02-40	4409	66
047.62-02-41	4401	78
047.70-02-08	4400	56
047.70-02-07	4396	14
047.70-02-05	4387	56
047.70-02-04	4383	39
047.70-02-03	4373	60
047.70-02-06	4370	151
047.70-01-12	4359	56
047.70-01-13	4353	58
047.70-02-62	4352	105

Section 3. Such district is hereby defined to be the Special Assessment District for the payment of additional energy and maintenance costs relating to the upgrading of the street lighting. Such additional energy and maintenance costs shall be annually assessed against the parcels of property within such district for each of the next fifteen (15) years. The Council hereby finds that the upgrading of the street lighting benefits each parcel of property within the district on the basis of each parcel's front footage within the District, and the annual costs of such upgrading shall be allocated among the parcels in the district on that basis.

Section 4. The additional energy and maintenance costs relating to such street lighting upgrading shall be billed as Special Assessments against the parcels of property within the district. The energy and maintenance costs for the first full year are estimated to be \$3,903, which amount is appropriated from the

Special Assessments. The total amount to be billed for subsequent years for energy and maintenance shall be determined each year by a separate local improvement ordinance. Such amount shall be appropriated from the Special Assessments. Such assessments shall be billed each year on the regular tax bill and shall be due in one installment. If necessary, the first partial year may be billed separately and added to the next tax bill if not paid. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-266  
Re: Pavement Width Changes -  
Pennsylvania Avenue

Transmitted herewith for your approval is legislation authorizing various changes in the pavement width of Pennsylvania Avenue.

The changes relate to the Pennsylvania Avenue Improvement Project, which is being designed by The Sear-Brown Group under an agreement authorized by the City Council on December 14, 1999. The changes are intended to improve traffic flow and provide a recessed parking area.

The changes will occur within the existing right-of-way. The acquisition of adjacent properties will not be required.

Besides the changes in pavement width, the improvement project - which extends from Union Street to First Street - will involve the rehabilitation of the pavement; replacement of curbs, catch basins, and sidewalks; and landscaping. Construction is scheduled to occur in the spring of 2001.

The estimated cost of construction, including inspection and contingencies, is \$320,000.

Improvement	Estimated Cost
Street	\$270,300
Water	19,700
Sewer	27,500
Traffic	2,500
Total	\$320,000

These costs will be financed from the 1999-00 Cash Capital allocations, the proceeds of bond issues authorized by the Council on March 18, 1997 and anticipated reimbursements from Monroe County.

A public informational meeting concerning the improvement project was held on July 6. A copy of the minutes of the meeting is attached.

The proposed changes in pavement width were endorsed by the Traffic Control Board on July 18. A public hearing on the changes is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-85

Ordinance No. 2000-266  
(Int. No. 293)

**Approving Changes In The Pavement Width Of Pennsylvania Avenue**

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

Section 1. The Council hereby approves the following changes in the pavement width of Pennsylvania Avenue:

1. A taper from the existing width of 26 feet to 29 feet, beginning 50 feet east of Union Street to 65 feet east of Union Street; and
2. An increase in pavement width of 3 feet, from 26 feet to 29 feet beginning at the latter point to First Street; and
3. An 8-foot wide recessed parking lane along the south curb lane of Pennsylvania Avenue from 225 feet west of Niagara Street to 90 feet west of Niagara Street.

Section 2. The Council hereby further approves the rehabilitation of pavement, granite stone curbs, new concrete sidewalks, catch basins, landscaping and other improvements as a part of the Pennsylvania Avenue Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-267  
Re: Agreements - Fast Ferry Service

Transmitted herewith for your approval is legislation relating to the recruitment and selection of a fast ferry operator. This legislation will authorize agreements with...

1. Transystems, of Reston, Virginia, for assistance in the preparation of requests for proposals from prospective operators and in the evaluation of the proposals, at a maximum cost of \$200,000; and
2. Monroe County, City of Toronto and Toronto Port Authority for reimbursement of \$150,000 to partially finance this cost.

As you are aware, the possible development of fast ferry service between Rochester and Toronto is one element in the port improvement project. The recruitment and selection of an operator to provide such service is a joint effort of the City, County, City of Toronto and Toronto Port Authority.

In March, statements of qualifications and interests were solicited from 39 prospective operators. Such statements were received from four organizations.

Operational proposals are scheduled to be solicited

from these organizations in the fall. Because of the anticipated complexity of the operator selection process, expert assistance has been determined to be necessary.

Accordingly, in June, proposals for such assistance were solicited through public advertisement. Five proposals were received.

These proposals were evaluated by each of the municipalities or agencies participating in the project. Transystems is recommended because of the qualifications of the personnel to be assigned and its ability to provide the required services within the specified time period.

Under the first agreement, Transystems will:

- 1. Establish criteria for the ferry operation by:
  - a. Conducting an independent market analysis
  - b. Determining the vessel and equipment requirements
  - c. Determining the operational requirements
  - d. Determining the business requirements
- 2. Prepare the request for proposals for operators
- 3. Coordinate interviews and meetings
- 4. Assist in the evaluation of the proposals
- 5. Assist in the negotiation of the agreement or contract with the selected operator

Transystems will be assisted by Leeper, Cambridge & Campbell, of Reston, Virginia, and Seaworthy Systems, Inc., of Philadelphia, Pennsylvania.

The City will administer the agreement with Transystems. Under the second agreement, the County, City of Toronto and Toronto Port Authority will each reimburse the City \$50,000 (U.S. funds) to partially finance the cost of the project.

Selection of an operator is expected to occur early in 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-267  
(Int. No. 309)

**Authorizing Agreements For Assistance In Selection Of A Fast Ferry Service Operator**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the County of Monroe, the City of Toronto and the Toronto Port Authority for funding for an evaluation of proposals to operate a fast ferry service between Rochester and Toronto.

Section 2. The sum of \$200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Transystems for an evaluation of proposals to operate a fast ferry service between Rochester and Toronto. Of said amount, \$150,000 is hereby appropriated from funds to be received from the agreements authorized in Section 1 and \$50,000 shall be funded from the 2000-01 Budget

for Undistributed Expense.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
August 22, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 294 - Establishing \$124,877 As Maximum Compensation For A Professional Services Agreement For The Continuation Of Citizen Complaint Services For The Rochester Police Department

Int. No. 295 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement With Rochester Area Crimestoppers, Inc.

Int. No. 296 - Establishing \$92,840 As Maximum Compensation For A Professional Services Agreement For The 911 Center Telephone Systems

Int. No. 297 - Authorizing Agreements For Human Services Programs

Int. No. 298 - Authorizing Agreements For The Adolescent Pregnancy Prevention Services Program

Int. No. 311 - Authorizing An Agreement For COPS MORE '98 Funding

Int. No. 312 - Authorizing Agreements For The Livable Communities Program And Amending The 2000-2001 Budget

Int. No. 313 - Authorizing Agreements For The Weed & Seed Program And Amending The 2000-01 Budget

Int. No. 314 - Amending Ordinance No. 2000-98 Relating To An Amendment To The 1999-2000 Budget

Int. No. 315 - Providing The Benefits Of Section 384-e Of The Retirement And Social Security Law To Police Department Members

Respectfully submitted,  
Robert J. Stevenson  
Tony M. Thompson  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:  
Ordinance No. 2000-268  
Re: Agreement - Center for Dispute Settlement, Inc., Citizens Review Process

Transmitted herewith for your approval is legislation authorizing an agreement with the Center for Dispute Settlement, Inc., 242 Andrews Street, for

the continuation of services related to the citizens complaint review process of the Police Department. The maximum cost of these services will be \$124,877, which will be financed from the 2000-01 budget of the department.

CDS has provided services related to the review process for several years. Since 1977, it has trained citizens for assignment as panelists to the Civilian Review Board or its predecessor, the Complaint Investigation Committee, and to the Section 75 (of the Civil Service Law) Hearing Board. Since 1985, it has provided an alternate location to the Public Safety Building for the receipt of citizen complaints, and a complaint conciliation process.

The most recent agreement for such services was authorized by the City Council on July 14, 1998. Under the proposed agreement, CDS will continue to provide the above services during 2000-01.

The cost of these services will be the same as the cost of services provided in 1999-00. The annual report of CDS is available for review in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-86

Ordinance No. 2000-268  
(Int. No. 294)

**Establishing \$124,877 As Maximum Compensation For A Professional Services Agreement For The Continuation Of Citizen Complaint Services For The Rochester Police Department**

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

Section 1. The sum of \$124,877, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Center For Dispute Settlement, Inc. for the continuation of services relating to citizen complaints involving members of the Rochester Police Department. Said amount shall be funded from the 2000-2001 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-269  
Re: Agreement - Rochester Area  
Crimestoppers

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Area Crimestoppers, Inc., for continued financial support of the program. The maximum cost of the agreement will be \$50,000, which will be financed from the 1999-00 budget of the Police Department.

Rochester Area Crimestoppers is a not-for-profit organization that was established in 1983 to assist law enforcement agencies in the prevention and solution of crimes. Among its present activities are

the felony fugitive program and "Crime of the Week" television segment.

The first program involves the monthly publication in the Democrat & Chronicle of the names, description and photographs of alleged or convicted felons. The second program involves the re-enactment of crimes on WOKR TV-13.

Persons with information about these people and crimes are requested to call the Crimestoppers hotline or 9-1-1. Rewards are provided in certain instances.

The City has provided financial support for Crimestoppers since 1994. The most recent agreement for such support was authorized by the City Council on July 14, 1998.

Following is a summary of Crimestoppers performance since 1998.

	1998	1999	5 Months 2000
Citizen "Tips"	514	552	260
Arrests	80	133	67

Under the proposed agreement, the City will continue to provide financial support through December 31, 2000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-269  
(Int. No. 295)

**Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement With Rochester Area Crimestoppers, Inc.**

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Rochester Area Crimestoppers, Inc. for public information on serious crimes and aid in solving such crimes in 2000. Said amount shall be funded from the 1999-2000 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-270  
Re: Agreement - Frontier Telephone  
of Rochester, 9-1-1 Telephone  
Maintenance

Transmitted herewith for your approval is legislation authorizing an agreement with Frontier Telephone of Rochester for continued repair and maintenance of the telephone system at the emergency communications center. The maximum cost of this agreement will be \$92,840, which will be financed from the 2000-01 budget of the Office of Emergency Communications.

The telephone system for the new center was installed

by the Rochester Telephone Corporation (Frontier's predecessor) under an agreement with Monroe County, which had responsibility for the provision of all telecommunications equipment and systems for the center. The current agreement for maintenance and repair of this equipment and system was authorized by the City Council on June 15, 1999.

Under the proposed agreement, Frontier will continue to...

1. Perform preventative maintenance monthly, including the analysis of power supply voltages, circuit modules, internal data links and system alarms;
2. Test on-site and off-site backup systems semi-annually;
3. Perform unscheduled service as required, including diagnosis, adjustment, repair or replacement of equipment and systems;
4. For a critical system outage, contact the City within 30 minutes of notification and be on site within two hours of the contact (a critical system outage is a loss of automatic number information, automatic location information, more than two call taker positions or 25% or more of the trunks lines);
5. For a major system outage, contact the City within 30 minutes of notification and be on site within four hours of the contact (a major system outage is a network routing problem affecting at least one telephone exchange, or a loss of a ALI link or up to two call taker positions); and
6. For a system malfunction, respond within 24 hours of notification (a system malfunction includes all problems other than system outages).

The cost of the proposed agreement is the same as the cost of the current agreement. This cost will be reimbursed by the County under the 9-1-1 operating agreement authorized by the City Council on May 10, 1994.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-270  
(Int. No. 296)

**Establishing \$92,840 As Maximum Compensation For A Professional Services Agreement For The 911 Center Telephone Systems**

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

Section 1. The sum of \$92,840, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Frontier Telephone Company for repair and maintenance of the telephone systems at the 911 Emergency Communications Center. Said amount shall be funded from the 2000-01 Budget of the Office of Emergency Communications.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-271  
Re: Agreements - Human Services  
Projects

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human service projects.

<u>Organization Project</u>	<u>Amount</u>
The Health Association Genesee Street Outreach	\$50,000
Upstate Organizations Dev. Group Rochester Step Off	35,000
Grace Urban Ministries Shalom Family Life Center	20,000

The cost of the agreements will be financed from the General Community Needs allocation of the 2000-01 Community Development Block Grant.

All of the projects are classified as projects with matching funds and as such are eligible for up to five years of funding. The proposed agreements represent respectively the fourth, third, and second year of CDBG funding.

Project descriptions and budgets are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-87

Ordinance No. 2000-271  
(Int. No. 297)

**Authorizing Agreements For Human Services Programs**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for the following Human Services Programs:

<u>Organization Project</u>	<u>Amount</u>
The Health Association Genesee Street Outreach	\$50,000
Upstate Organizations Dev. Group Rochester Step Off	35,000
Grace Urban Ministries Shalom Family Life Center	20,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$105,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-2001 Community Development Program.

Section 3. The agreements shall contain such ad-

ditional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-272  
Re: Agreements - CONECTS Program

Transmitted herewith for your approval is legislation relating to the Adolescent Pregnancy Prevention Services Program. This legislation will:

1. Authorize agreements with...
  - a. The NYS Office of Children and Family Services for the receipt of a grant of \$319,696;
  - b. The seven agencies that comprise the CONECTS consortium; and
2. Appropriate the grant funds to finance the cost of the agreements and the costs associated with administration of the grant.

The CONECTS program, which was initiated in 1984, involves a consortium of the seven agencies listed below. The Council on Teen Pregnancy provides program coordination and direction to the consortium, while Baden Street serves as host agency.

CONECTS is designed to reduce the rate of teen pregnancy, enhance the sense of responsibility of young fathers and provide various services to pregnant or parenting teenagers. A project description is attached.

The costs of the program are financed from grants from the NYS Office of Children and Family Services (previously within the NYS Department of Social Services). An agreement for the receipt of the 1999-00 grant was authorized by the City Council on July 13, 1999.

The 2000-01 grant will be allocated among the members of the consortium as follows:

	<u>2000-01</u>	<u>1999-00</u>
Action for a Better Community	\$ 44,829	\$ 44,829
Baden Street Settlement	68,587	68,140
Catholic Family Center	12,500	24,603
Puerto Rican Youth Development	44,334	44,334
Threshold Center for Youth	46,367	35,030
Urban League of Rochester	36,000	35,994
YWCA of Rochester and Monroe County	47,429	47,429
Unallocated	0	237
Subtotal	<u>300,046</u>	<u>300,596</u>
Administration	19,650	19,100
Total	<u>\$319,696</u>	<u>\$319,696</u>

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-88

Ordinance No. 2000-272  
(Int. No. 298)

**Authorizing Agreements For The Adolescent Pregnancy Prevention Services Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services for the receipt and use of funding for the operation of the Adolescent Pregnancy Prevention Services Grant Program.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations in amounts not to exceed the following for services under the New York State Adolescent Pregnancy Prevention Services Grant Program:

<u>Organization</u>	<u>Amount</u>
Action for a Better Community	\$44,829
Baden Street Settlement	68,587
Catholic Family Center	12,500
Puerto Rican Youth Development	44,334
Urban League of Rochester	36,000
YWCA of Rochester & Monroe County	47,429
Threshold	46,367

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$300,046, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the New York State Office of Children and Family Services.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliated agencies.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-273, 2000-274,  
2000-275 and 2000-276

Re: Police Grants

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

1. Authorize agreements with the U.S. Department of Justice for the receipt of the following grants.

COPS MORE 98	\$241,420
Livable Communities	50,000
Weed and Seed	50,000

2. Amend the 2000-01 budget to reflect the receipt of the latter two grants.

Police Department	\$25,000
Cash Capital	75,000

- Further amend the 2000-01 budget to transfer \$10,000 from the Police Department to Pathways to Peace.

The first grant will be used to finance the cost of the part-time Public Safety Aides assigned to the 3-1-1 non-emergency call demonstration project. It will supplement a COPS MORE 98 grant of \$515,600 that was authorized by the Council on October 28, 1999.

As you are aware, the alternative (to 9-1-1) number is intended to reduce the total number of calls that are dispatched and, because of the reduction in dispatches, to improve the response times for the calls that continue to be dispatched. The reduction in required dispatches is expected to result from the provision of alternative response options, such as reports by telephone, reports by appointment, mail-in reports, and reports to alternative locations such as patrol section or NET offices.

The various agreements required for installation of the system were authorized by the Council on April 18 and June 20, 2000. The system is expected to be operational in September.

The second grant will be used to finance the costs of acquisition of the following equipment for the Special Investigation Section.

Covert camera, microwave transmitter/receiver and controller	\$25,000
Cellular transmitter and receiver	9,000
Other transmitters	4,000
Penlink Upgrades	12,000
Total	\$50,000

The third grant will be used to support the Section's participation in inter-agency task forces on drug and firearm interdiction:

Overtime - drug interdiction	\$25,000
Communications services and surveillance equipment	25,000
Total	\$50,000

During 1999, 17 drug interdiction details were conducted, which resulted in three arrests and the seizure of five kilograms of cocaine, 103 pounds of marijuana and one vehicle. The interdiction details were suspended in September because of a major narcotics investigation but were resumed in 2000.

During 1999-00, firearm interdiction efforts resulted in the seizure of 48 handguns, 29 shotguns and 19 rifles. Seventy-nine people were charged with 104 federal felonies, 47 state felonies, 11 misdemeanors and one violation.

The 1999-00 budget will be amended to reflect receipt of these grants. It will also be amended to correct the allocation of funds for the prevention or educational component of the Operation Safe Home Program of the U.S. Department of Housing and Urban Development.

Under this program, the City is eligible to receive funds to finance the costs of reducing violent crime and drug trafficking in public housing. Provision for receipt of \$44,800 of such funds is included in the 2000-01 budget of the Police Department.

However, a component of the program will actually

be provided by Pathways. This component will involve outreach efforts at designated public housing projects and anti-violence presentations to youth and parents.

The funds to be transferred to Pathways will be used to finance overtime payments associated with these activities. They will also be used to finance the cost of acquisition of two-way radios.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-273  
(Int. No. 311)

**Authorizing An Agreement For COPS MORE '98 Funding**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice Office of Community Oriented Policing Services for funding under the COPS MORE '98 Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-274  
(Int. No. 312)

**Authorizing Agreements For The Livable Communities Program And Amending The 2000-2001 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the US Attorney's Office, US Department of Justice, for funding under the Livable Communities Program.

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

Section 3. Ordinance No. 2000-232, the 2000-2001 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$50,000, which amount is hereby appropriated from the funds to be received from the Livable Communities Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-275  
(Int. No. 313)

**Authorizing Agreements For The Weed & Seed Program And Amending The 2000-01 Budget**

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the Immigration and Naturalization Service and the United States Marshal's Service of the Department of Justice for funding for enforcement activities of the Rochester Police Department under the Weed & Seed Grant Program.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000 and to the Cash Capital Allocation by the sum of \$25,000, which amounts are hereby appropriated from funds to be received under the grant agreements authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-276  
(Int. No. 314)

**Amending Ordinance No. 2000-98 Relating To An Amendment To The 1999-2000 Budget**

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

Section 1. Ordinance No. 2000-98, relating to agreements with the United States Department of Housing and Urban Development and the United States Treasury Department, Bureau of Alcohol, Tobacco and Firearms, for reimbursement of certain costs, is hereby amended by changing the amendment to Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, in Section 3 thereof, to increase the revenue estimates and appropriations to the Rochester Police Department by the sum of \$70,200 instead of \$80,200, and to increase the revenue estimates and appropriations to the Administration by the sum of \$10,000.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-277  
Re: NYS Retirement Plan - Police

Transmitted herewith for your approval is legislation authorizing certain police personnel to transfer their enrollment to a new retirement plan. Such authorization is required by section 384-e of the NYS Retirement and Social Security Law.

On May 11, an arbitration award was presented for police personnel represented by the Locust Club. Among other things, the award provided for the re-opening of the retirement plan described in section 384-e of the NYS RSSL to personnel currently enrolled in the plan described in section 384-d.

Under the latter plan, a police officer may retire after 20 years of service with a pension payment equal to 50% of his or her final average salary; the plan does

not provide any additional credit or benefit for service beyond 20 years. Under the former plan, an additional credit or benefit of 1.66% of the final average salary is provided for each year of service beyond 20 years; the maximum pension payment is 75% (for officers appointed prior to July 1, 1973) or 66% (for officers appointed between July 1, 1973 and July 1, 1976) of the final average salary.

At present, 425 police officers are enrolled in the section 384-e plan. 246 police officers are enrolled in the section 384-d plan; an additional 42 police recruits are also enrolled in the plan.

The transfer of 288 officers and recruits to the section 384-e plan is expected to result in an initial incremental cost of \$230,000. This cost will be financed from the Undistributed Expense budget.

All future police officers will be eligible for enrollment in the section 384e plan.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-277  
(Int. No. 315)

**Providing The Benefits Of Section 384-e Of The Retirement And Social Security Law To Police Department Members**

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

Section 1. The Council of the City of Rochester hereby elects to pay the additional costs for members of the Police Department to receive the additional benefit after twenty years of creditable service provided for under the provisions of Section 384-e of the Retirement and Social Security Law or any subsequent amendments thereto.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood  
August 22, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 299 - Authorizing The Sale Of Real Estate,  
As Amended

Int. No. 302 - Authorizing An Amendatory Agreement With The Housing Council In The Monroe County Area, Inc. For The Rehabilitation Of Investor Properties Program

Int. No. 303 - Designating Rev. J. D. Jackson Sr. Way

Int. No. 318 - Establishing \$10,000 As Maximum Compensation For An Amendatory Professional Services Agreement Relating To The Environmental Cleanup Of The Former West Square Manor Site

Int. No. 318A - Authorizing The Release Of A Lien For The Anthony Square Project And Authorizing

Agreements

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 300 - Acquisition Of Real Estate For The City School District

Int. No. 301 - Acquisition Of Parcels For The Brown Street Project By Negotiation Or Condemnation

Int. No. 319 - Changing The Zoning Classification Of 1650-1660 E. Main Street And 831-839 Culver Road From R-3 Low-Medium Residential/O-O Overlay Office To C-2 Community Commercial

Int. No. 320 - Changing The Zoning Classification Of 48 And 52 Parkdale Terrace From R-1 Single Family Residential To C-2 Community Commercial

Respectfully submitted,  
Wade S. Norwood  
Nancy K. Griswood  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-278, 2000-283  
and Introductory No. 301  
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of 42 properties and the acquisition of three properties.

Sales

The first 31 properties were sold at public auction on May 18. The purchasers of the first 24 properties will be required to rehabilitate the structures on the properties and obtain Certificates of Occupancy within nine months of the conditional closing. The other seven properties were sold subject to approval development proposals.

806-810 Genesee Street contains two structures: single-family and mixed-use buildings. The first structure will be rehabilitated as a single-family residence; the second structure will be rehabilitated as an office and apartment. 2-8 Home Place contains a four-unit structure that will be rehabilitated as such.

The next five properties are vacant lots, the first four of which will be combined with the purchasers' adjacent properties and landscaped. The other property, 1177 N. Clinton Avenue, will be developed as a parking lot for use by the Free Methodist Church, which is located on an adjacent property.

The last 11 properties are unbuildable vacant lots that will be sold to the owners of adjacent properties for \$1.00 and combined with the latter properties. All of the properties, except two, are considered unbuildable because of their size. 29 Henry Street is considered unbuildable because of its narrow width, while the portion of 99 Hoyt Street to be sold is landlocked and encumbered with easements.

Acquisitions

The first property to be acquired, 138-144 Rosewood Terrace, contains a mixed-use building. Acquisition of the property was requested by the Board of Education of the Rochester City School District on January 20.

Following acquisition, the building will be demolished. The property will be used to provide additional parking for the staff of and visitors to Audubon School No. 33, which is located at 500 Webster Avenue.

The purchase price, \$75,000, was established by an independent appraiser, Kevin Bruckner. This cost, along with estimated closing costs of \$5,000, will be financed from the proceeds of bonds issued for the District.

The other two properties to be acquired through negotiation or condemnation, 670 and 674 Brown Street, contain vacant mixed-use and single-family structures, respectively. The structures will be demolished and the resultant vacant lots will be combined for future residential development by Providence Housing Development.

The purchase prices were established by an independent appraiser, Kevin Bruckner. This cost, along with estimated closing costs of \$7,000 and estimated demolition costs of \$20,000, will be financed from the 2000-01 Cash Capital allocation.

Consideration by the City Council of the proposed legislation authorizing the acquisition of the latter two properties should be deferred pending the completion of determinations and findings for the proposed property purchases. A public hearing on the purchases is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-89

Ordinance No. 2000-278  
(Int. No. 299, As Amended)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by public auction:

Address S.B.L.#	Price	Legal Use Purchaser
711 Avenue D 091.80-4-16	\$1600	2 Family Anthony A. Wright
119 Evergreen St. 106.38-1-24	3,000	2 Family Mary Mitchell
4 Finney St. 106.65-2-57	3,400	1 Family John Joyner
219 Flint St. 120.76-2-77	3,000	1 Family Infinity Properties, Inc.*
8 Frederick St. 106.49-1-33.1	1,200	1 Family Steve Collyer
441 Genesee St. 120.66-3-42	18,000	1 Family Queen Ballard
35 Gilmore St. 106.40-4-23	900	2 Family Lakeith Jackson

216 Hayward Av. 106.67-2-23	3,900	1 Family Susan B. Albert
394-396 Hayward Av. 106.68-3-37	12,400	2 Family Nelson Allen
329 Jefferson Av. 120.51-2-19	3,700	1 Family Steve Olyer
5 LaSalle St. 105.66-3-34	5,000	1 Family Ronald Stebbins
763 North St. 106.41-4-28	3,700	1 Family Merico Millwood
250 Parkway 105.51-1-30	7,000	3 Family Khoi Nhu Doan
213 Rohr St. 106.35-3-13	5,500	2 Family David McMillion, Jr.
136 Roycroft Dr. 091.82-1-79	4,500	1 Family Mark Linzy
66 Scrantom St. 106.38-1-63	14,200	1 Family Teresa Strong
87 Scrantom St. 106.38-3-7	7,800	2 Family Tehia Bumbry
173 Sixth St. 106.52-1-12	9,800	2 Family Francis Barr
45 Tilden St. 120.44-2-35.1	7,200	1 Family Zeray W. Imaam
332 Tremont St. 120.52-2-56	7,600	2 Family Christopher & Johnnie Maxwell
308 Weaver St. 091.72-2-57	6,600	1 Family Noel & Sherri Santiago
101-105 Weeger St. 106.40-3-8 & 9	3,100	1 Single Fam. Steve Olyer
118-120 Weyl St. 091.72-4-30	7,500	2 Family Dawit Hasen
15 Zimbrich St. 091.74-4-3	3,600	1 Family Joseph Potocki

\*Officers: Anthony Mason, Felicia Sharpton

Section 2. The Council hereby further approves the sale of the following parcels of improved property by public auction with proposal:

Address S.B.L.#	Price	Purchaser
806-810 Genesee St. 135.26-2-23	\$15,100	Dewitt A. Quinn
2-8 Home Pl. 120.25-1-19	18,000	Ronald Stebbins

Section 3. The Council hereby further approves the sale of the following parcels of vacant land by public auction with proposal:

Address S.B.L.#	Sq. Ft.	Purchaser
437 Central Pk. 106.60-2-2	450	John Dortch
1177 Clinton Ave. N. 091.78-2-23	2,500	Peter Shafer
37 Finney St. & 65 Hartford St. 106.57-3-6.1 & 11	50	Housing Oppor- tuni- ties HDFC*
688 Garson Ave. 107.62-2-40	50	Darin Eshelman
1 Lorraine Pl. 105.73-1-19.1	550	Cheryl Sura

\*Officers: Julie Everitt, Michael Hanley, Bryan Hetherington, Judy Douglas

Section 4. The Council hereby further approves the sale of the following vacant unbuildable parcels of real estate for the sum of \$1.00:

Address S.B.L.#	Sq. Ft.	Purchaser
16 Friederich Pk. 106.24-2-54	2206+/-	Brenda Robinson
29 Henry St. 106.40-2-20	5031+/-	Ida J. Brown
Pt of 99 Hoyt Pl. Pt of 122.65-1-16	4895/-	Michael F. Woods
NH 42 Lill St. Pt of 106.30-4-13	1550+/-	Dennis & Deborah Brown
SH 42 Lill St. Pt of 106.30-4-13	1550+/-	Eula C. Dozier
445 Maple St. 120.34-2-4	312+/-	Jacob Long, Jr.
102 Mohawk St. 091.75-2-5	3483+/-	Loretha A. Caruthers
72 Reynolds St. 120.52-2-3	3,831	Lorenzo Sawyer
76 Ringle St. 120.56-3-11	2518+/-	Rose Mary Young
13 Riley St. 105.74-3-66	3,978	Christine Cottorone
29.5 Thomas St. 106.40-1-13	3483+/-	Roy & Susan C. Davy

Section 5. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 6. The Council hereby further approves the sale of the former portion of Mozart Place abandoned in Ordinance No. 97-119 to Scrantom Street Associates (Principal: Ruby Warren) for the sum of \$1.

Section 7. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2000-283  
(Int. No. 300)

**Acquisition Of Real Estate For The City School District**

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

Section 1. The Council hereby approves the acquisition of the parcel at 138-144 Rosewood Terrace from the current owner, Carmel P. Rizzo, for an amount not to exceed \$75,000, for use by the City School District for additional parking for School No. 33.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$75,000, and said amount, plus necessary closing costs, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said property are hereby cancelled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Norwood moved to return Introductory No. 301 to committee.

The motion was seconded by Councilman Curran.

The motion was adopted unanimously.

Introductory No. 301

**ACQUISITION OF PARCELS FOR THE BROWN STREET PROJECT BY NEGOTIATION OR CONDEMNATION**

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

Section 1. The Council hereby approves the acquisition of the following parcels from the current owners for maximum amounts not to exceed the following to implement the Brown Street Project:

Address	SBL#	Acquisition Amount
Reputed Owner		
670 Brown Street Lloyd Henry	120.35-2-47	\$22,000
674 Brown Street David Alexander	120.35-2-48	11,000

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed \$33,000, and said amount, plus necessary closing costs, in a total amount not to exceed \$40,000, shall be funded from the 2000-01 Cash Capital Allocation.

Section 3. In the event that said properties cannot be obtained by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to obtain said properties.

Section 4. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled.

Section 5. This ordinance shall take effect immediately.

Returned to committee.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-279  
Re: Agreement - Housing Council,  
Rehabilitation of Investor Properties  
Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Housing Council in the Monroe County Area, 183 E. Main Street, for continued administration of the Rehabilitation of Investor Properties Program. The maximum cost of this agreement will be \$200,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

The RIP program, which was initially authorized by

the City Council on June 18, 1996, provides matching grants of up to \$2,000 for exterior and home security related improvements and repairs of structures with 1-4 units. The Housing Council has administered the program since its inception; the most agreement for such administration was authorized by the Council on January 18.

To date, grants totaling \$399,825 have been provided for the improvement of 458 properties. An additional \$104,000 has been committed for the improvement of 52 other properties.

Under the proposed agreement, the Housing Council will continue to provide eligibility screening, pre- and post-construction inspections and grant disbursement services. Of the total amount allocated for the program, \$20,000 will be used to finance administrative costs; the remaining \$180,000 will be used for a minimum of 90 grants.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-279  
(Int. No. 302)

**Authorizing An Amendatory Agreement With The Housing Council In The Monroe County Area, Inc. For The Rehabilitation Of Investor Properties Program**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Housing Council in the Monroe County Area, Inc. for continued administrative services and grants through the Matching Grant for Materials component of the Rehabilitation of Investor Properties Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$200,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-2001 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-280  
Re: Rev. J.D. Jackson Sr. Way

Transmitted herewith for your approval is legislation designating as Rev. J.D. Jackson Sr. Way the portion of Joseph Avenue between Upper Falls Boulevard to its south end.

The designation is intended to honor the late Rev. Jackson, who served for 28 years as pastor of the Mt. Vernon Baptist Church, which is located at 345-385 Joseph Avenue. Rev. Jackson was a leader in the National Baptist Church Movement and the Rochester community.

The designation was requested by the Rev. J.D. Jackson Memorial Foundation as an alternative to renaming of the same portion of Joseph Avenue, which the Planning Commission declined to recommend. The Commission held an informational meeting concerning the designation on July 10; there were five speakers, all of whom supported the designation. The Commission recommended by a vote of 6-1 that the designation be approved.

If the designation is approved, signs will be installed under the street name signs along the length of the aforementioned portion of Joseph Avenue. The costs of the signage will be paid by the Foundation.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-90

Ordinance No. 2000-280  
(Int. No. 303)

**Designating Rev. J. D. Jackson Sr. Way**

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

Section 1. The portion of Joseph Avenue from the southerly end to Upper Falls Boulevard shall be designated "Rev. J. D. Jackson Sr. Way".

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-281  
and Ordinance No. 2000-282  
Re: Anthony Square Housing Project

Transmitted herewith for your approval is legislation relating to the Anthony Square housing project. This legislation will:

1. Authorize the release of the mortgage lien securing a \$1.5 million Community Development Block Grant float loan to Housing Opportunities, Inc.; and
2. Authorize an amendatory agreement with TriTech Environmental Health and Safety, Inc. (formerly C&O Technologies), 1100 University Avenue, for additional environmental remediation services at a maximum cost of \$10,000.

This cost will be financed from the proceeds of the bond issue authorized by the City Council on April 13, 1999.

As you are aware, the Anthony Square housing project involves the redevelopment by HOP and the City of the former West Square Manor site. The project includes the construction of 23 single-family houses through the Home Expo program and the construction of 45 rental units by HOP.

Construction of 10 model houses began in April and was completed in July. Construction of the rental units is expected to begin in November and be completed

within 12 months.

The units will be available to families with incomes of 60% or less of the median family income for the Rochester metropolitan statistical area. Fifteen of the units will be public housing.

The costs of construction of the rental units will be financed, in part, from the proceeds of the sale of low income tax credits. The tax credits, which were recently approved by the NYS Division of Housing and Community Renewal, require the release of the current mortgage lien on the properties on which the units are to be constructed.

The lien results from a \$1.5 million CDBG float loan that was authorized for the project by the Council on April 14, 1998. The loan is also secured with a promissory note from HOP, which will remain in effect, and will be repaid from a \$1.5 million grant to be received by the Rochester Housing Authority.

As part of the project, an environmental remediation plan for the site was developed by TriTech. The plan provided for the removal and disposal of about 3,240 tons of soil contaminated by petroleum and, in the northwest corner of the site, where soil could not be removed because of utilities, the development of an open space area.

Under the proposed amendatory agreement, TriTech will...

1. Evaluate the potential risks associated with this residual contamination;
2. Prepare a plan for the management of contaminated soil and water, if they are disturbed in the future; and
3. Technical assistance in support of negotiations and discussions with the owners and operators of the adjacent gasoline station, which is the apparent source of the contamination.

If the proposed amendatory agreement is approved, the total cost of the agreement with TriTech will increase to \$46,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-281  
(Int. No. 318)

**Establishing \$10,000 As Maximum Compensation For An Amendatory Professional Services Agreement Relating To The Environmental Cleanup Of The Former West Square Manor Site**

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

Section 1. The sum of \$10,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and TriTech Environmental Health and Safety, Inc. (formerly C&O Technologies) for environmental and resident project services relating to the environmental cleanup of the former West Square Manor site. Said amount shall be funded from Bond Ordinance No. 99-102.

Section 2 . This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-282  
(Int. No. 318A)

**Authorizing The Release Of A Lien For The Anthony Square Project And Authorizing Agreements**

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

Section 1. The Council hereby authorizes the release of the lien of the mortgage securing repayment of the float loan which was made to Housing Opportunities, Inc. in the amount of \$1,500,000 pursuant to Ordinance No. 98-136 for the development of housing as a part of the Anthony Square Project.

Section 2. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the Anthony Square Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-284 and  
Ordinance No. 2000-285  
Re: Zoning Map Amendments - Eckerd Drug  
Stores

Transmitted herewith for your approval is legislation amending the Zoning Map by approving the following changes in zoning classifications:

<u>Address</u>	<u>Current Classification</u>	<u>Proposed Classification</u>
1650-1660 E. Main Street and 831-839 Culver Road	R-3 Low Medium Residential/ O-O Overlay Office	C-2 Community Commercial
48 and 52 Parkdale Terrace	R-1 Single Family	C-2 Community Commercial

The changes in classification were requested by the Benderson Development Co., Inc. in conjunction with the proposed construction of two Eckerd Drug Stores with drive-through facilities. The first store would contain 11,400 square feet of space and have 68 parking spaces, while the second store would contain 13,200 square feet of space and have 62 parking spaces.

If the classification changes are approved, the properties would be combined with other, adjacent properties

that currently have C-2 zoning classifications. The first group of properties would be combined with one property, while the second group of properties would be combined with six properties. All of the structures on the properties would be demolished.

<u>Store Site 1</u>	
<u>Address</u>	<u>Current Use</u>
1650 E. Main St.	Office (converted residence)
1652 E. Main St.	Six-family residence
1660 E. Main St.	Single-family residence
1670 E. Main St.	Vacant lot
831-835 Culver Rd.	Three-family residence
839 Culver Rd.	Five-family residence

<u>Store Site 2</u>	
<u>Address</u>	<u>Current Use</u>
1470 Lake Ave.	Store and restaurant
1490 Lake Ave.	Tire sale and installation store
51 W. Ridge Rd.	Funeral home
59 W. Ridge Rd.	Parking lot
32 Parkdale Terr.	Parking lot
42 Parkdale Terr.	Single-family residence
48 Parkdale Terr.	Single-family residence
52 Parkdale Terr.	Single-family residence

The first store site is bordered to the north and east by R-3/O-O uses and to the south and west by C-2 uses. The second store site is bordered to the north and east by R-2 Two-Family Residential/O-O Overlay Office uses, to the south by C-2 and R-1 uses and to the west by C-2 uses.

The Planning Commission held informational hearings on the proposed rezonings on August 7. Four speakers spoke in support of each of the proposals.

The Commission recommended by votes of 4-2 that both rezoning requests be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the rezonings would not result in any significant effects. Conditioned negative declarations have been issued.

Public hearings are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-91

Ordinance No. 2000-284  
(Int. No. 319)

**Changing The Zoning Classification Of 1650-1660 E. Main Street And 831-839 Culver Road From R-3 Low-Medium Residential/O-O Overlay Office To C-2 Community Commercial**

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

Section 1. Chapter 115 of the Municipal Code, Zoning ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 1650-1660 E. Main Street and 831-839 Culver Road from R-3 Low-Medium Residential/O-O Overlay Office to C-2 Community Commercial:

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

Beginning at a point where the westerly line extended southerly of Lot 3 of the Chester D.U. Hobbie Subdivision as filed in the Monroe County Clerk's Office in Liber 11 of maps at page 8 intersects the center line of East Main Street;

Thence (1) Northerly along said extension and the westerly line of said Lot 3 a distance of 310 feet more or less to the northwest corner of said Lot 3;

Thence (2) Easterly along the northerly line of Lot 3 through Lot 1 and the easterly extension of same a distance of 375.62 feet more or less to the centerline of Culver Road;

Thence (3) Southerly along the centerline of Culver Road a distance of 100 feet to a point;

Thence (4) Westerly and parallel to the northerly line of said Lot 1 a distance of 194.74 feet more or less to a point 50 feet easterly of the westerly line of said Lot 1;

Thence (5) Southerly and parallel to the westerly line of said Lot 1 a distance of 182 feet more or less to the centerline of East Main Street;

Thence (6) Westerly along the centerline of East Main Street a distance of 150 feet more or less to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-285  
(Int. No. 320)

**Changing The Zoning Classification Of 48 and 52 Parkdale Terrace From R-1 Single Family Residential To C-2 Community Commercial**

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

Section 1. Chapter 115 of the Municipal Code, Zoning ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 48 and 52 Parkdale Terrace from R-1 Single Family Residential to C-2 Community Commercial:

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

Beginning at a point on the Northerly line of Parkdale Terrace at a distance of 320.01 feet easterly from the easterly line of Lake Avenue said point being the southwest corner of Lot 11 of the Louis C. Langies Subdivision as filed in the Monroe County Clerk's Office in Liber 22 of maps at page 3;

Thence (1) Northerly along the westerly line of said Lot 11 and its northerly extension a distance of 104.75 feet to a point;

Thence (2) Easterly and at right angles to course 1 a distance of 40 feet to a point;

Thence (3) Northerly and along the extension of the easterly line of said Lot 11 a distance of 25 feet to a point;

Thence (4) Easterly and parallel with the northerly line of Lot 13 of said Langies subdivision a distance of 40 feet to a point;

Thence (5) Southerly along the northerly extension of said Lot 13 and along the easterly line of said Lot 13 and its southerly extension a distance of 154.76 feet to the centerline of Parkdale Street;

Thence (6) Westerly along the centerline of Parkdale Street a distance of 80 feet to the southerly extension of the westerly line of said Lot 11;

Thence (7) Northerly along the southerly extension of said Lot 11 a distance of 25 feet to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains  
August 22, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 304 - Cancellation Of Taxes  
And Charges

Int. No. 305 - Adoption Of Amended And Restated Deferred Compensation Plan For City Employees

Int. No. 306 - Local Law Amending The City Charter To Change The Name Of The Bureau Of Data Processing To The Bureau Of Information Systems

Int. No. 307 - Local Law Amending The City Charter With Respect To The Emergency Communications Center

Int. No. 308 - Authorizing A Grant Agreement For City Records, Authorizing An Agreement With Lason Systems, Inc. And Amending The 2000-01 Budget

Int. No. 310 - Authorizing An Agreement For Maintenance Of The High Falls Festival Site And Amending The 2000-01 Budget, As Amended

Int. No. 316 - Authorizing Agreements For The Service Learning Institute Of Rochester

Int. No. 317 - Authorizing Agreements For The Workforce Investment Act Programs

Int. No. 321 - Amending The 1999-2000 Budget

Respectfully submitted,  
 Tim O. Mains  
 Brian F. Curran  
 Nancy K. Griswold  
 JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-286  
 Re: Cancellation or Refund of Erroneous  
 Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$111,756.94.

Of the total, \$100,017.55 (89.5%) relates to a property owned by DePaul that contains 85 residential units. Under section 420-a of the NYS Real Property Tax Law, the property is entitled to a mandatory exemption, for which no application has to be submitted.

Of the remaining amount, \$10,700 (9.6%) relates to code violation charges for two properties that were incurred by their former owners, while \$1,039.39 (.9%) relates to a property for which an Enhanced STAR exemption was omitted.

The proposed cancellations represent the first cancellations during 2000-01. They represent .56% of the taxes receivable as of July 1.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-286  
 (Int. No. 304)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- a. The properties were taken through mortgage foreclosure after fines were incurred. Fines need to be removed from taxes and collection reinstated against the former owners:

S.B.L.#	Class	Address	Tax Year	Amount Canceled
106.350-0002-015			2001	\$
8,100.00	H	92 Coleman Terrace		
107.620-0002-044			2000	
2,600.00	H	664 Garson Avenue		

- b. The owner of the property is entitled to an Enhanced STAR exemption for the 2000 Final Assessment Roll. The exemption was not recorded on that assessment roll:

S.B.L.#	Class	Address	Tax Year	Amount Canceled
122.047-0001-003/0216			2001	\$
1,039.39	N	1400-UN216 East Ave.		

Class	Address	Tax Year	Amount Canceled
122.047-0001-003/0216		2001	\$
1,039.39	N	1400-UN216 East Ave.	

- c. The property is owned by an organization that is exempt from general taxation. The current city and school tax and supplemental tax are to be cancelled:

S.B.L.#	Class	Address	Tax Year	Amount Canceled
15.420-0001-096			2001	
\$100,017.55	N	435 Dewey Ave.		
			Total	\$111,756.94

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-287  
 Re: Deferred Compensation Plan

Transmitted herewith for your approval is legislation approving an amended deferred compensation plan.

Deferred compensation plans are intended to encourage and assist people in saving funds for their retirement. Establishment of such plans by employers is authorized by sections 401 (private employers) and 457 (public employers) of the U.S. Internal Revenue Code.

Under such plans, an employee may elect to defer the receipt of a portion of his or her earnings. The maximum amount that may be deferred is \$8,000 or 33&1/3% of annual compensation, whichever is less.

The amount deferred is not subject to federal or state taxes in the year that it is earned. Rather, it is subject to taxes in the year that it is received, usually upon retirement of the employee. Between these years, the amount deferred is invested.

A deferred compensation plan for City employees was approved by the City Council on September 13, 1986. Amendments to this plan were approved by the Council on December 16, 1997 and November 10, 1998.

Under the proposed amendment, the plan will be further amended to eliminate the present requirement for the amount of the initial withdrawal by an employee to be equal to or less than the amount of any subsequent withdrawal. The amendment reflects recent revisions to the Internal Revenue Code.

Respectfully submitted,  
 William A. Johnson, Jr.

Mayor

Ordinance No. 2000-287  
(Int. No. 305)

**Adoption Of Amended And Restated Deferred Compensation Plan For City Employees**

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Model Deferred Compensation Plan for Employees of the City of Rochester (the "Model Plan") and offers the Model Plan for adoption by local employees;

WHEREAS, the City of Rochester, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the deferred Compensation Plan for Employees of the City of Rochester;

WHEREAS, effective January 1, 2000, the Board amended the Model Plan to include modifications required by the U.S. Department of Treasury Internal Revenue Service (the "Internal Revenue Service") in conjunction with a favorable letter ruling that it issued concerning the status of the Model Plan as an "eligible deferred compensation plan" under Section 457(b) of the Internal Revenue Code and to permit participants who elect to receive benefit distributions in the form of a large initial distribution followed by smaller installment payments to delay the commencement of installment payments for a period of just less than two years from the payment of the initial distribution;

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the City of Rochester has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the City of Rochester by adopting the amended and restated Model Plan.

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

Section 1. The City of Rochester hereby amends the Deferred Compensation Plan for Employees of the City of Rochester effective January 1, 2001 by adopting the amended and restated Model Plan effective January 1, 2000, in the form on file with the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Local Law No. 3 and  
Local Law No. 4  
Re: City Charter Amendment

Transmitted herewith for your approval is legislation amending the City Charter to make the following changes in the names of two organizational units.

Current Name  
Proposed Name

Bureau of Data Processing  
Bureau of Information Systems

Office of Emergency Communications  
Emergency Communications Department

The first change, which was previously presented in the 2000-01 budget, reflects a recognition that the responsibilities of the bureau are not limited to the processing of data. For example, the bureau is also responsible for Internet services.

In the future, it is likely that the bureau's responsibilities will be further expanded, as various information technologies "merge". The proposed change will accommodate such expansion.

The second change reflects a recognition of the size and significance of the emergency communications unit. The unit has 173 employees and an annual budget of \$7.9 million - which exceed the size of four departments - and provides service to 13 police agencies and 36 fire departments.

The unit, therefore, is an important component of the community's public safety system. Accordingly, its designation as a department is appropriate.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Local Law No. 3  
(Int. No. 306)

**Local Law Amending The City Charter To Change The Name Of The Bureau Of Data Processing To The Bureau Of Information Systems**

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by deleting the words "Data Processing" where they appear in the following sections and are included in the titles "Bureau of Data Processing," "Director of Data Processing" or "Assistant Director of Data Processing," and by inserting in their place the words "Information Systems":

- Section 2-18. Code of Ethics.
- Section 3-1. Mayor.
- Section 3-12. Director of Data Processing.
- Section 6-2. Director of Finance.

Section 2. This local law shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Local Law No. 4  
(Int. No. 307)

**Local Law Amending The City Charter With Respect To The Emergency Communications Center**

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by renumbering Section 3-7 thereof, Office of Emergency Communications, as Section 8D-1, and by adding said renumbered section to a new Article VIII D to be entitled "Emergency Communications Department", and by further amending said section to read in its entirety as follows:

§ 8D-1. Emergency Communications Department.

The head of the Emergency Communications Department shall be the Emergency Communications Center Manager. The Emergency Communications Center Manager shall be responsible for the receipt of requests for emergency services and the dispatching of members of the Police Department, Fire Department and such other emergency agencies as may be established by the city or provided by agreement. The Emergency Communications Center Manager shall also be responsible for the provision of 911 emergency communication services under agreement with the County of Monroe. The Emergency Communications Center Manager shall be the appointing authority for employees of the Emergency Communications Department.

Section 2. Section 2-3 of the City Charter, Administrative departments, as amended, is hereby further amended by adding the words "an Emergency Communications Department", after the words "a Fire Department", where they appear therein.

Section 3. Section 3-1 of the City Charter, Mayor, as amended, is hereby further amended by deleting the words "the Office of Emergency Communications, the head of which shall be the Emergency Communications Center Manager", where they appear in the third paragraph thereof.

Section 4. This local law shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL"  
Ladies and Gentlemen:

Ordinance No. 2000-288  
Re: Marriage Licenses

Transmitted herewith for your approval is legislation relating to marriage licenses. This legislation will:

1. Authorize an agreement with the NYS Archives and Records Administration for receipt of a grant of up to \$75,000;
2. Amend the 2000-01 budget of the Department of Finance to reflect the receipt and use of this grant; and
3. Authorize an agreement with Lason Systems, Inc., 3543 Winton Place, for conversion of marriage licenses data into an electronic format, at

a maximum cost of \$48,586.

As you are aware, anyone who intends to be married within Rochester must obtain a license from the City Clerk. The City has approximately 390,000 records of licenses for marriages that have occurred since 1876.

From the latter date through 1907, the records include not only information concerning the bride and groom and date of their wedding, but also other demographic information such as occupation and place of birth. From 1908 to the present, the records contain only the basic marriage information.

Presently, the marriage license information is available to the public only during regular business hours and only at either the City Clerk's Office at City Hall or the Records Management Unit at 400 Andrews Street. The aforementioned grant will be used to convert the information into an electronic format to permit the public to also access it through the City's web site.

The grant will be provided under the NYS Local Government Records Management program, which involves the annual solicitation of proposals for improvements to municipal records management systems.

The budget for the conversion project is as follows:

Salary - Records Analyst (part-time)	\$11,610
Employee Benefits	
Personnel	3,372
Computer equipment and supplies	11,432
Professional services	48,586
Total	\$75,000

Volunteers from the Rochester Genealogical Society will assist in the project. The Records Analyst will serve as liaison between the volunteers and the Records Management Unit.

Proposals for scanning and data-entry services were solicited from four organizations. Three proposals were received.

Lason is recommended to provide the required services based upon comparative cost and past performance. Lason has been involved in various City records management projects for approximately 15 years.

The project is expected to be completed by July 1, 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-288  
(Int. No. 308)

**Authorizing A Grant Agreement For City Records, Authorizing An Agreement With Lason Systems, Inc. And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Archives and Records Administration for funding for improved access to City marriage records.

Section 2. The sum of \$48,586, or so much thereof

as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lason Systems, Inc. for the transfer of hard copy marriage data to electronic format. Said amount shall be funded from the 2000-01 Budget of the Department of Finance.

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

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Finance by the sum of \$75,000, which amount is hereby appropriated from the funds to be received from the grant agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-289  
Re: High Falls Festival Site  
Maintenance

Transmitted herewith for your approval is legislation relating to the maintenance of the High Falls Festival Site. This legislation will:

1. Authorize an agreement with the High Falls Development Corporation (principal: Ben Kendig), 1 Mt. Hope Avenue, for additional maintenance services at an annual cost of \$15,000, which will be financed from the current and future budgets of the Department of Environmental Services.
2. Amend the 2000-01 budget of the department by \$12,000 to partially finance this cost with revenues to be received from the lease of property at the High Falls site.

As you are aware, the corporation is the owner, developer and operator of the High Falls (formerly Gorsline) Building, which is adjacent to the festival site. Under agreements authorized by the City Council on October 14, 1997 and May 20, 2000, it leases the festival site and the two floors of the building over which the festival site terrace is located.

The corporation therefore has a significant interest in the maintenance of the festival site areas. Because of the proximity of the High Falls Building, it also has a capability to provide maintenance services.

Under the first aforementioned lease, the corporation already has responsibility for normal maintenance of the festival site and terrace areas, except after festivals. Under the proposed agreement, the corporation will provide the following additional services in certain designated areas:

In areas A, B and C:

- Litter and trash removal
- Routine graffiti removal
- Repair and reset pavers as needed
- Reseal pavers every two years
- Annual fertilizing and mulching of landscape beds and watering and weeding as needed

In addition, in area A:

- Cleaning and removal of grease, oil stains and tire marks on pavers and concrete surfaces
- Painting of metal surfaces
- Snow plowing and removal and deicing as needed

In addition, in area C:

- Repoint stone walls as needed
- Repair and paint plastered walls on terrace as needed
- Paint fences and railings as needed
- Replace light bulbs as needed
- Provide weekly cleanup of the "shelf" area contiguous to the terrace

As indicated above, a portion of the annual costs of the agreement will be financed from the proceeds of lease agreement with the corporation that was authorized by the Council on May 20.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-92

Ordinance No. 2000-289  
(Int. No. 310, As Amended)

**Authorizing An Agreement For Maintenance Of The High Falls Festival Site And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the High Falls Development Corporation for maintenance services at the High Falls Festival Site.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$15,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Environmental Services.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The agreement may be extended from year to year, contingent upon approval of funding in the annual budget.

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Environmental Services by the sum of \$12,000, which amount is hereby appropriated from the funds to be received from the agreement authorized in Ordinance No. 2000-151.

Section 5. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-290 and  
Ordinance No. 2000-291

Re: Jobs Programs

(Int. No. 316)

Transmitted herewith for your approval is legislation relating to various jobs programs. This legislation will authorize agreements with:

1. NYS Corps Collaboration, for receipt and use of up to \$219,000 under the AmeriCorps program;
2. Urban League of Rochester, 265 N. Clinton Avenue, for use of these funds for continued operation of the Service Learning Institute; and
3. Rochester Resource Alliance, 34 St. Paul Street, for continued administration by the City of the residual Job Training Partnership Act projects, at a total cost of \$294,895.

Projects	\$104,619
Administration	180,276
Total	\$284,895

The Service Learning Institute was established in December, 1994. Since its inception it has been operated by the Urban League under periodic agreements, the most recent of which was authorized by the City Council on August 10, 1999.

The Institute provides educational instruction, employment skills training and community service opportunities to economically disadvantaged youth. The allocation from the AmeriCorps program is used to finance the cost of the community service portion of the program. The 2000-01 allocation is \$8,500 more than the 1999-00 amount.

A description, assessment and budget for the program is attached.

The Rochester Resource Alliance, a joint effort of the Chamber of Commerce and Industrial Management Council, is the entity that has been established to administer local programs under the Workforce Investment Act, the successor to the JTPA. The provisions of the WIA became effective on July 1, 2000. It was expected that, on that date, any JTPA programs that were still in existence would be transferred to RRA.

However, to avoid program disruption, it is now proposed that the remaining programs continue to be administered by the City until they are completed. These programs, which were authorized by the City Council on May 11 and October 12, 1999 involve the projects indicated in the attachment.

Under the provisions of WIA, RRA is entitled to receive the \$102,918 remaining JTPA funds to be expended by these agencies. In return, RRA will allocate an equal amount of WIA funds, as well as an additional \$1,700 to finance processing costs.

RRA will also allocate \$180,276 for the provision of case management services for youth enrolled in the WIA Summer 2000 Employment program. Provision for the receipt of these funds is included in the City's 2000-01 budget.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-93

Ordinance No. 2000-290

#### **Authorizing Agreements For The Service Learning Institute Of Rochester**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Corps Collaborative for the receipt and use of AmeriCorps funding for the operation of the Service Learning Institute of Rochester.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester, Inc. for the continued operation of the Service Learning Institute of Rochester.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$219,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the AmeriCorps funds to be received from the New York State Corps Collaborative.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-291  
(Int. No. 317)

#### **Authorizing Agreements For The Workforce Investment Act Programs**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Resource Alliance, Inc. to receive funding in the amount of \$180,276 for the City to administer the Workforce Investment Act Summer 2000 Employment Program.

Section 2. The Mayor is hereby further authorized to enter into an agreement with Rochester Resource Alliance, Inc. to receive funding for the City to administer additional Workforce Investment Act Programs in exchange for Job Training Partnership Act funds.

Section 3. The agreement shall obligate the City to pay to Rochester Resource Alliance, Inc. the unexpended Job Training Partnership Act funds appropriated in Ordinances No. 99-162 and 99-368 in an amount not to exceed \$102,918.23, and Rochester Resource Alliance, Inc. to pay to the City an equal amount in Workforce Investment Act funds which is appropriated to reimburse the Job Training Partnership Act funds, and the sum of \$1,700 which is appropriated for administrative costs.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-292  
Re: 1999-00 Budget Amendment

Transmitted herewith for your approval is legislation amending the 1999-00 budget by transferring appropriations totaling \$3,831,900 from the Contingency Account or the Undistributed Expense budget to the following departments:

Police	\$1,017,100
Fire	1,370,000
Library	19,200
Undistributed Expense	217,600
Environmental Services	1,208,000
Total	\$3,831,900

The appropriation transfers are authorized by section 6-13 of the City Charter.

The City Council has previously authorized 40 other amendments to the 1999-00 budget. These amendments have involved four appropriation transfers and 36 appropriation increases based upon the receipt of additional revenues.

Actual receipts and expenditures for 1999-00 will be audited by the City's certified public accountants, Deloitte Touche. The audit is scheduled to be completed by September 30, with the report available in October. The proposed amendment is required to complete the audit and ensure adherence to section 6-16 of the Charter, which prohibits expenditures in excess of authorized appropriations.

The first component of the amendment, totaling \$2,453,900, involves the transfer of funds for salary and wage increases for uniform employees and part-time library employees. All of the increases are or will be retroactive to July 1, 1999.

The increases for police personnel reflect the arbitration award of May 11, which provided for salary increases of 2% on July 1, 1999 and January 1, 2000, doubling of service longevity payments, additional compensation for the K-9 unit and changes in health care insurance. The increases for fire personnel, which have not been approved by Local 1071 of the International Association of Firefighters or an arbitrator, are comparable to the increases for police personnel.

The increase negotiated for part-time employees of the Library are scheduled to be considered by the Board of Trustees in September. The increase is 2.5%.

Salaries	\$2,236,300
Employee Benefits	217,600
Total	\$2,453,900

The second component of the amendment, totaling \$170,000, reflects additional personnel expenses of the Fire Department that reflect fewer retirements and higher expenses for disabled firefighters than anticipated

Retirement Overestimation	\$ 18,000
Disabled Underestimation	152,000
Total	\$170,000

The third component of the amendment, totaling \$1,208,000, reflects higher than anticipated purchases of water from the Monroe County Water Authority and lower than anticipated charge-backs to departments for motor vehicle and telephone expenses.

Water Purchases	\$ 665,300
Motor Vehicle Charge-backs	660,600
Telephone Charge-backs	115,200
Other	(233,100)
Total	\$1,208,000

The higher than anticipated purchases of water reflect low levels of water at Hemlock and Canadice Lake. The lower than anticipated motor vehicle charge-backs reflect the limitations of the current motor vehicle management information system.

The system, which was originally installed in 1983 and upgraded in 1994, is obsolete. Provision for replacement of the system is included in the 2000-01 budget.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-94

Ordinance No. 2000-292  
(Int. No. 321)

**Amending The 1999-2000 Budget**

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

Section 1. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$2,453,900 from the Contingency Account to the following to finance salary and wage increases:

Police Department	\$1,017,100
Fire Department	1,200,000
Rochester Public Library	19,200
Undistributed Expense	217,600

Section 2. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$170,000 from the Contingency Account to the Rochester Fire Department to fund additional expenses.

Section 3. Ordinance No. 99-208, the 1999-2000 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$803,800 from the Contingency Account and \$404,200 from Undistributed Expense to the Department of Environmental Services to fund additional expenses.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:40 P.M.

**CAROLEE A. CONKLIN**  
City Clerk

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**REGULAR MEETING**  
**September 19, 2000**

**Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.**

**Absent - none.**

**The Council President requested the Council to**

rise for a Moment of Silence. In Memoriam  
Blake Faus McKelvey  
Pledge of Allegiance to the Flag of the United  
States of America.

Public Auction - September 28, 2000 3656-7.  
Public Disclosure - CDBG Participation 3657-  
7.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on  
the following matter:

Approving Changes In Traffic Flow On Martin Street  
Between Hartel Alley And Upper Falls Boulevard  
From Two-Way To One-Way Southbound And On  
Hartel Alley Between St. Paul Street And Martin  
Street From Two-Way To One-Way Eastbound Int.  
No. 326 Two speakers: Dan Glacey and James C.  
M. Dunphy.

Authorizing Changes In The Pavement Width Of  
Laburnam Crescent Int. No. 327 No speakers.

Dedication Of Additional Right-Of-Way At 890 Mon-  
roe Avenue Int. No. 329 No speakers.

Approving Changes In Traffic Flow On Suter Terrace,  
Luzerne Street And Laburnam Crescent Int. No.  
330 No speakers.

Authorizing Changes In The Pavement Width Of Lake  
Avenue, River Street, Latta Road And Stutson Street  
As A Part Of The Stutson Street Bridge Replacement  
Project Int. No. 359 No speakers.

Dedication Of Additional Right-Of-Way For Stutson  
Street And River Street As A Part Of The Stutson  
Street Bridge Replacement Project Int. No. 360  
No speakers.

Amending Chapter 115 Of The Municipal Code, Zon-  
ing Ordinance, With Respect To Sexually Oriented  
Businesses Int. No. 355 Two speakers: Jim  
Shepard and Jennifer Grubana.

Amending The 2000-01 Community Development  
Block Grant And Approving A Section 108 Business  
Loan And An Economic Development Initiative Grant  
For The Genesee Brewing Company Inc. Project Int.  
No. 343 No speakers.

Amending The 2000-01 Community Development  
Block Grant And Approving A Section 108 Business  
Loan And A Brownfields Economic Development  
Initiative Grant For The Rochester Midland Corpora-  
tion Project Int. No. 344 No speakers.

Amending The Municipal Code with Respect To The  
Senior Citizens Tax Exemption Int. No. 346 No  
speakers.

Authorizing Amendatory Applications And Agree-  
ments For The 1993-94, 1994-95 And 1995-96  
Community Development Programs To Terminate  
Section 108 The Microloan Program And Authorize  
Additional Funding For The Section 108 Business  
Loan Program Int. No. 354 No speakers.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

Councilman Stevenson motioned to change the order  
of the Committees. He asked that the Housing and  
Community Development Committee be heard first  
and afterward the Committees be returned to its  
original order.

The motion was seconded by Councilman Nor-  
wood.

Recognition Ceremony

Retirement:

- Fire Department
- Thomas Dillion
- Richard Scanio
- \*Jonathan Grossi
- Environmental Services
- \*Junior Frazier
- Finance Department
- \*Mary Ann Sellitto
- Library
- \*Thuy Dao
- Police Department
- \*Juanita Barnes
- \*Scott Hill

\*Not attending meeting.

APPROVAL OF THE MINUTES

By Councilmember Stevenson

RESOLVED, that the minutes of the Regular Meet-  
ing of August 22, 2000, be approved as published in  
the official sheets of the proceedings.

Adopted unanimously.

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

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

- The Mayor submits the following:
- Administrative Cancellation or Refund of Errone-  
ous Taxes and Charges 3655-7.

The motion was adopted unanimously.

By Councilmember Norwood  
September 19, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 337 - Authorizing The Sale Of Real Estate

Int. No. 338 - Accepting Donations Of Real Estate

Int. No. 339 - Appropriating Funds For The Flower Planting Project

Int. No. 340 - Authorizing An Agreement For The South River Corridor Land Use Plan

Int. No. 341 - Determinations And Findings Relating To The Acquisition Of Two Properties As Part Of The Brown Street Development Project

Int. No. 301 - Acquisition Of Parcels For The Brown Street Project By Negotiation Or Condemnation And Sale Of Said Parcels, As Amended

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 355 - Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Sexually Oriented Businesses

Int. No. 356 - Amending The Municipal Code By Providing For Licensing And Regulation Of Sexually Oriented Businesses And Certain Employees And Prohibiting Body Rub Parlors And Sexual Encounter Centers And Adult Hotels And Adult Motels

Respectfully submitted,  
Wade S. Norwood  
Nancy K. Griswold  
Lois J. Giess  
Gladys Santiago (Voted on Introductory No. 355 & Introductory No. 356.)  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-293 and  
Ordinance No. 2000-294  
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of 16 properties and the acceptance of the donation of four properties.

Sales

The first six properties to be sold were included in the public auction of May 18. The purchasers will be required to complete rehabilitation of the structures and obtain Certificates of Occupancy within nine months of the conditional closing.

The next three properties were included in the public auction of May 18, but were subject to the acceptance of development proposals. 266 Glenwood Avenues is a former rooming house that will be rehabilitated as a four-unit structure; 479-481 Jefferson Avenue will be rehabilitated as one office and two apartments; 533-535 State Street will be rehabilitated as two stores and six apartments.

The next two properties will be sold for their appraised values. 1152 N. Clinton Avenue is a mixed-use structure that will be rehabilitated as one store and two apartments; 40 Jay Street is an industrial building that will be rehabilitated to accommodate food distribution and video production companies.

The next property to be sold, 962 Clifford Avenue, is a vacant lot. It will be utilized as an outdoor recreation area for the Eugenio Maria De Hostos Charter School, which is located at 938 Hudson Avenue.

The last four properties are considered unbuildable because of their size, except for 29 Hughes Place, which is landlocked. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

Donations

The first three properties to be donated contain residential structures that have been damaged by fire. Following acquisition, each of the structures will be demolished.

<u>Address</u>	<u>Demolition Cost</u>	<u>Parcel Size</u>
<u>Structure</u>	<u>Disposition</u>	
13 Delmar St. One-family	\$ 6,000	1,800 sq. ft. Sale to adjacent owner
73 Evergreen St. Two-family	20,000	9,365 Future development
448 Garson Ave. One-family	8,500	2,496 Sale to adjacent owner

The fourth property to be donated, 962-968 St. Paul Street, is a vacant lot containing 11,580 square feet. It will be reserved for future residential development.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-95

Ordinance No. 2000-293  
(Int. No. 337)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by public auction:

<u>Address</u>	<u>Price</u>	<u>Legal Use</u>
<u>S.B.L.#</u>	<u>Purchaser</u>	
276 Bronson Ave. 120.50-2-30	\$13,900	2 Family Pamela White
628 Goodman St. N. 106.68-2-98	8,400	1 Family Michael Harris

17 Herbert St. 091.80-1-36	3,700	1 Family Charles Jess
42 Weaver St. 091.71-2-50	4,500	1 Family Brian Abramson
13 Weld St. 106.65-3-66	3,500	1 Family Richard Himes
186 Wilkins St. 106.24-1-86	9,300	2 Family Clifton Thomas & Beverly Campbell

Section 2. The Council hereby further approves the sale of the following parcels of improved property by public auction with proposal:

<u>Address</u> <u>Purchaser</u>	<u>S.B.L.#</u>	<u>Price</u>
266 Glenwood Ave. National Realty, Inc.*	105.26-3-59	\$4,400
479-481 Jefferson Ave. Paul & Henry Davis	120.59-2-28	4,500
533-535 State St. Yolanda S. Smith	106.61-1-43	8,000

\*Officer: Edward Hyman

Section 3. The Council hereby approves the negotiated sale of the following improved properties with proposal:

<u>Address</u> <u>Purchaser</u>	<u>S.B.L.#</u>	<u>Price</u>
1152 Clinton Ave. N. Gaye Parker	091.78-3-58	\$ 6,000
40 Jay St. Julio Ahumada	106.69-1-14	35,000

Section 4. The Council hereby further approves the negotiated sale through proposal of the following parcel of vacant land:

<u>Address</u> <u>Purchaser</u>	<u>S.B.L.#</u>	<u>Price</u>
962 Clifford Ave. Ibero-American Development Corp.*	106.33-2-42	\$500

\*Officers: Julio Vasquez, Edward Sigler, Jose Cruz, Rafael E. Cestero, Diana Ortiz, Juan Lugo

Section 5. The Council hereby further approves the sale of the following vacant unbuildable parcels of real estate for the sum of \$1.00:

<u>Address</u> <u>Purchaser</u>	<u>S.B.L.#</u>	<u>Sq. Ft.</u>
29 Hughes St. Bridget Cahill	061.29-2-7.4	4,600
38 Mark St. Russell S. & Eleanor H. Gollaher	106.41-2-15	3,050
111-113 Roth St. Milton & Gladys Bryant	106.21-3-19	3,563+/-
20 Sullivan St. David Santiago	106.31-4-56	3,292+/-

Section 6. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 7. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-294  
(Int. No. 338)

**Accepting Donations Of Real Estate**

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

Section 1. The Council hereby approves the acceptance of the donation of 13 Delmar Street, SBL #105.490-0001-027, from the current owners, Matthew J. Nesci and Ronald A. Garrow, Jr.

Section 2. The Council hereby further approves the acceptance of the donation of 73 Evergreen Street, SBL #106.380-0001-001.1, from the current owner, Gustazo Venosa.

Section 3. The Council hereby further approves the acceptance of the donation of 448 Garson Avenue, SBL #107.610-0002-048, from the current owner, Albatross Properties LLC.

Section 4. The Council hereby further approves the acceptance of the donation of 962-968 St. Paul Street, SBL #106.370-0001-040.1, from the current owner, Anthony D'Aries.

Section 5. Upon acquisition by the City, City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled. Said parcels shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-295  
Re: CDBG Appropriation - Neighborhood  
Flower Planting Project

Transmitted herewith for your approval is legislation appropriating \$10,000 from the 2000-01 Community Development Block Grant to finance the costs of the Neighborhood Flower Planting Project.

The City has numerous programs to promote the planting of flowers in neighborhoods to enhance their attractiveness. These programs include the free use by residents of City-owned vacant lots for gardening, garden contests, spring and fall planting days, perennial "swaps", flower days at the Public Market and seminars and workshops.

The proposed appropriation will permit the purchase and distribution to neighborhood groups of about 17,000 flowers, 3,000 bulbs, topsoil and other plant material for planting in tree lawn areas and common spaces.

Flowers \$ 5,500

Bulbs	3,500
Topsoil	500
Plant Material	500
Total	\$10,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-96

Ordinance No. 2000-295  
(Int. No. 339)

**Appropriating Funds For The Flower Planting Project**

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

Section 1. There is hereby appropriated from the Neighbors Building Neighborhoods Allocation of the 2000-01 Community Development Program the sum of \$10,000, or so much thereof as may be necessary, to fund the Neighborhood Beautification-Flower Planting Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-296  
Re: Agreement - Cornell University,  
South River Corridor Land Use Plan

Transmitted herewith for your approval is legislation authorizing an agreement with Cornell University, of Ithaca, for preparation of a land use and development plan for selected sites in the South River Corridor. The maximum cost of this agreement will be \$30,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

The present land use and development plan for the South River Corridor was approved by the City Council on December 9, 1986. This plan, among others, was incorporated as an implementing strategy in the new Comprehensive Plan that was approved by the Council on April 19, 1999.

Since the Corridor plan was adopted, there have been numerous changes in the conditions along the river. The proposed project is intended to document the present conditions, identify potential development sites and determine infrastructure requirements in the portion of the Corridor between the Troup-Howell and Elmwood Avenue bridges.

Under the proposed agreement, students and faculty of the Department of City and Regional Planning of Cornell University will:

1. Review the South River Corridor and other relevant plans, including any by the Rochester Housing Authority for housing in the area;
2. Inventory and survey of all parcels within the area to determine ownership, use and occupancy, condition, property assessments, tax payment status, and possible environmental concerns, among other characteristics;

3. Prepare a land use and development plan that ...
  - a. Correlates previous plans with current conditions,
  - b. Identifies five to ten potential development sites,
  - c. Includes concept plans for each of these sites, cost estimates and potential funding sources,
  - d. Identifies infrastructure improvements required to support development and their estimated costs, and
  - e. Presents a recommended implementation schedule.

The project will include meetings with representatives of the applicable community development corporations and other relevant community agencies. The project is expected to be completed in January, 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-97

Ordinance No. 2000-296  
(Int. No. 340)

**Authorizing An Agreement For The South River Corridor Land Use Plan**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Department of City and Regional Planning of Cornell University for a South River Corridor Land Use Plan.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$30,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-2001 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-297  
Re: Determinations and Findings -  
Brown Street

Transmitted herewith for your approval is legislation making the determinations and findings relating to the acquisition, by negotiation or condemnation, of 670 and 674 Brown Street. Such determinations and findings are required by Article 2 of the NYS Eminent

Domain Procedure Law.

A public hearing concerning the proposed acquisitions was conducted by the City Council on August 22. There was one speaker, who supported the acquisitions.

Based upon the comments presented at the hearing, the following determinations and findings are proposed:

1. Project description - that the project include the acquisition of 670 and 674 Brown Street, which contain mixed-use and single-family residential structures, respectively.
2. Project purpose - that the acquisitions are required for the Brown Street Development Project, which involves the construction of 82 new housing units by Providence Housing Corporation, Urban League of Rochester Economic Development Corporation, or Flower City Habitat for Humanity.
3. Project effect - that the project will have no significant adverse effects and indeed will contribute to the revitalization of the neighborhood and expansion of the City's tax base.

If these determinations and findings are approved, the legislation authorizing the acquisition of the properties (Introductory 301) may be considered for approval.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-297  
(Int. No. 341)

**Determinations And Findings Relating To The Acquisition Of Two Properties As Part Of The Brown Street Development Project**

WHEREAS, the City of Rochester proposes to acquire two (2) properties as part of the Brown Street Development Project, and

WHEREAS, the Council of the City of Rochester held a public hearing on August 22, 2000 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels.

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

Section 1. The Council hereby makes the following determination and findings concerning the acquisition of these properties as part of the Brown Street Development Project:

- a. Project Location: The City proposes the public acquisition of the following parcels:

Address	SBL#
670 Brown Street	120.35-2-047
674 Brown Street	120.35-2-048

- b. Public purpose and general effect:

1. These parcels have been designated for acquisition to further the objectives of the Brown Street Development Project which calls for the development of new residential units. The City has already acquired other properties through various tax foreclosure

actions and donations. In order to continue implementation of the plan, the City proposes to acquire these privately owned parcels to complete the development sites on Brown Street. The new units will result in an increase of residential units within the Brown Street neighborhood. The units will also enable the expansion of the City's tax base and will enhance the value of the nearby private properties by eliminating blighted property.

2. The general effects of the acquisition of these parcels on the environment and the residents of the immediate area will be beneficial. The project will have no significant adverse environmental effects. The acquisitions will lead to creating more residential units within the Brown Street Neighborhood, and the elimination of a blighting effect of the sites.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 301 was introduced August 22, 2000, and appears in its original form with its transmittal letter on page 240 of the current Council Proceeding.

Attachment No. Z-89

Ordinance No. 2000-298  
(Int. No. 301, As Amended)

**Acquisition Of Parcels For The Brown Street Project By Negotiation Or Condemnation And Sale Of Said Parcels**

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

Section 1. The Council hereby approves the acquisition of the following parcels from the current owners for maximum amounts not to exceed the following to implement the Brown Street Project:

Address	SBL#	Acquisition Amount
670 Brown Street	120.35-2-47	\$22,000
Lloyd Henry		
674 Brown Street	120.35-2-48	11,000
David Alexander		

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed \$33,000, and said amount, plus necessary closing costs, in a total amount not to exceed \$40,000, shall be funded from the 2000-01 Cash Capital Allocation.

Section 3. In the event that said properties cannot be obtained by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to obtain said properties.

Section 4. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled.

Section 5. The Council hereby further approves the sale at their appraised values of said parcels to Flower City Habitat for Humanity, Providence Housing Development Corporation or the Urban League of Rochester Economic Development Corporation for the development of housing as part of the Brown Street Project.

Section 6. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-299 and  
Ordinance No. 2000-300  
Re: Sexually Oriented Businesses

Transmitted herewith for your approval is legislation amending the provisions of the Zoning Ordinance and City Code relating to sexually oriented businesses.

As you are aware, section 115-29.E.(1) of the present Zoning Ordinance requires that a special permit be obtained from the Planning Commission for the use of properties within specified zoning districts for adult purposes. In February, 1999, an action challenging this requirement was brought in federal court by a person whose special permit application had been denied by the Commission.

The case was settled by a Stipulation and Order in March, 1999. The Order permanently enjoined the City from requiring a special permit for the establishment of adult uses.

To permit the development of new regulations concerning adult uses, on November 9, 1999, the City Council approved a moratorium on applications for adult use compliance certificates. This moratorium originally had a term of six months.

Because the development of the new regulations required more time than originally anticipated, the Council twice extended the moratorium, on May 16 and August 22, 2000. The moratorium now extends until the new regulations are approved.

The proposed legislation includes the new regulations. The legislation was developed by a task force consisting of representatives of the Office of the Mayor, Police and Law Departments and Department of Community Development, in conjunction with Duncan Associates, which is completing a comprehensive revision of the Zoning Ordinance under an agreement authorized by the Council on January 19, 1999. The task force held two public meetings, reviewed the experience and regulations of other municipalities, inspected local sexually-oriented businesses and met with their representatives, and conducted surveys of the community and local property appraisers.

The recommendations of the task force were forwarded to the Planning Commission on July 24 and presented to affected businesses and the public on July 26, 2000. The recommendations, which are incorporated within the proposed legislation, are based upon the Sexually-Oriented Business Study that was forwarded to the Council on August 22.

The proposed legislation provides for:

1. Various revisions in definitions and classifications, in recognition that there are different types of sexually-oriented businesses;
2. Differing regulations for the different types of businesses, in recognition of their differing effect upon the community;
3. An increase in the required distance separation of sexually-oriented businesses from sensitive uses such as schools and churches;
4. The establishment of vertical and horizontal separation requirements to prevent physical contact between entertainers and customers in adult cabarets;
5. Licensing of the owners, managers and entertainers of certain sexually-oriented businesses;
6. The prohibition of body rub parlors and adult hotels or motels; and
7. Various other requirements and restrictions.

The Planning Commission held a public hearing on the proposed amendment to the Zoning Ordinance on August 16. Besides representatives of the Law Department and Department of Community Development, there were eight speakers, seven of whom supported the amendment and one of whom opposed the amendment. The Commission recommended by a vote of 6-1 that the amendment be approved.

A public hearing on the amendment of the Zoning Ordinance is required.

A copy of the task force report, along with a copy of a presentation relating to sexually oriented businesses that will be presented to the New York State Bar Association on September 17, are available for review in the Office of the City Clerk. The applicable files of the task force and Planning Commission and other reference materials are also available upon request.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-98

Ordinance No. 2000-299  
(Int. No. 355)

**Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To Sexually Oriented Businesses**

WHEREAS, the Mayor and City Council of the City of Rochester, New York, find that a substantial need exists to significantly revise the ordinances regarding sexually oriented businesses within the City of Rochester; and

WHEREAS, the Mayor and City Council retained consultants and worked with staff to conduct a study of certain sexually oriented businesses in the City of Rochester; and

WHEREAS, the completed study contains an analysis of existing sexually oriented businesses in the City of Rochester and recommendations and conclusions; and

WHEREAS, a separate survey of local appraisers was conducted, the results analyzed, and recommendations

and conclusions provided; and

WHEREAS, the study found that some businesses offering sexually oriented materials create undesirable secondary effects and are disruptive to the established land use patterns of the City; and

WHEREAS the survey of local appraisers found that separation of sexually oriented businesses from residential uses and other sexually oriented businesses helps to ameliorate the negative impacts of such uses; and

WHEREAS, as part of that study, the City examined the regulatory practices of other communities and examined studies of sexually oriented businesses in those communities and also reviewed court decisions involving such studies and sexually oriented businesses; and

WHEREAS, the Mayor and City Council find that these studies and decisions are of direct relevance to the problems confronting the citizens of Rochester regarding the secondary effects on the surrounding neighborhoods of said sexually oriented businesses and believe that the regulations which currently exist and which follow are aimed at reducing these secondary effects.

WHEREAS, the United States Supreme Court and New York State Court of Appeals have held that a local government may rely upon the experiences of other cities and court decisions as well as its own studies in enacting local legislation to regulate sexually oriented businesses; and

WHEREAS, the Mayor and City Council have determined that it is essential to the public health, safety and welfare and to implementation of the City's comprehensive plan that it adopt revised zoning ordinances for sexually oriented businesses and for businesses offering sexually oriented materials.

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

Section 1. Findings. The City Council finds the following:

- A. The City has historically used zoning and land use controls to address the secondary effects of sexually oriented businesses;
- B. The City's current zoning ordinance does not include special provisions applicable to sexually oriented businesses that carry large numbers of sex toys and novelties and that are clearly, by nature of their operation and by public perception, sexually oriented businesses;
- C. A recent study by the City found that there are several different types of businesses that include a significant amount of sexually oriented material;
- D. The study recommends treating these different types of businesses differently, based on their land-use character and secondary impacts;
- E. A recent survey of local appraisers supports the separation of sexually oriented businesses from residential areas and other similar uses;
- F. The study also recommends bringing under the scope of such regulations certain "adult retail stores" that carry significant quantities of sexually

oriented toys and novelties but that are not now treated as sexually oriented businesses under the zoning ordinance;

- G. The study recommends that some sexually oriented businesses be made permitted uses in appropriate commercial and manufacturing districts in the City, based on the compatibility of different types of uses with the designated zoning districts;
- H. The study also recommends addressing the operating issues of the most intensive sexually oriented businesses through a separate licensing ordinance which has been drafted to be coordinated with these zoning amendments as part of a comprehensive scheme for the regulation of sexually oriented businesses;
- I. The requirements of this ordinance advance the public health, safety and welfare by providing content neutral regulations governing conduct of sexually oriented businesses within the City of Rochester.

Section 2. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended as follows:

- A. § 115-13, Definitions, is amended by:
  1. Deleting the definitions of "Adult Bookstore" and "Adult Entertainment Establishment".
  2. Adding the use "Massage establishment" to the list set forth in the definition of "Consumer Service Establishment" where it should appear in alphabetical order.
  3. Amending the following definitions to read in their entirety:

PREMISES - A lot, plot or parcel of land, together with the buildings and structures thereon. For the purposes of §115-94, premises means the building in which a sexually oriented business is conducted as well as its surrounding yard and parking area and any additional parking areas required for compliance with the Zoning Ordinance.

SPECIFIED ANATOMICAL AREAS - Any showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

SPECIFIED SEXUAL ACTIVITIES - Actual or simulated acts of masturbation, sexual intercourse, oral or anal copulation or sado-masochism; fondling or other erotic touching of or physical contact with one's own or another's genitals, pubic area, buttocks or female breasts, whether clothed or unclothed; human male or female genitals when in a state of sexual stimulation or arousal; or excretory functions or acts with animals as part of or in conjunction with any of the activities set forth herein. Activities which are commonly referred to by the slang terms "lap dance," "straddle dance," "face dance" or "table dance" shall be included in this definition. For the purposes of this definition, "sado-masochism" means infliction of pain, flagellation

or torture, or the condition of being bound, fettered or otherwise physically restrained.

4. Inserting in appropriate alphabetical order the following new definitions:

**ADULT ARCADE** - Any business enterprise which offers or maintains one or more adult video viewing booths.

**ADULT CABARET** - Any business enterprise which regularly features or offers to the public, customers or members, performances by persons who appear nude or semi-nude or live performances that are characterized by their emphasis on the exposure, depiction or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

**ADULT MOVIE THEATER** - Any business enterprise which regularly features or offers to the public the presentation of motion picture films, movies or sound recordings which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities and which are presented to a common audience of more than five (5) persons in an enclosed common area or are presented in a common area of more than one hundred fifty (150) square feet.

**ADULT RETAIL STORE** - A business enterprise which meets any of the following tests:

- (1) offers for sale or rental items from any two (2) of the following categories:
  - (a) sexually oriented materials;
  - (b) lingerie; or
  - (c) leather goods which are marketed or presented in a context to suggest their use in connection with specified sexual activities;
- (2) offers for sale sexually oriented toys and novelties, except a business enterprise which devotes less than ten percent (10%) of its stock in trade and sales and display area to sexually oriented materials, with all sexually oriented toys and novelties separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter the area;
- (3) devotes more than ten percent (10%) of its stock in trade or sales and display area to sexually oriented materials without having all sexually oriented materials separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter the area;
- (4) devotes more than forty percent (40%) of its stock in trade or sales and display area to sexually oriented materials; or
- (5) offers sexually oriented materials and

advertises or holds itself out in signage visible from the public right of way as "X...", "adult," "sex" or otherwise as a sexually oriented business.

**ADULT RETAIL STORE, LIMITED** - Any business enterprise which offers for sale or rental sexually oriented materials, and which devotes at least ten percent (10%) and not more than forty percent (40%) of its stock in trade or sales and display area to sexually oriented materials, provided that:

- (1) the following items are not also offered for sale:
  - (a) lingerie; or
  - (b) leather goods which are marketed or presented in a context to suggest their use in connection with specified sexual activities;
- (2) all sexually oriented materials are separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter the area; and
- (3) the business enterprise does not advertise or hold itself out in signage visible from the public right of way as "X..." "adult," "sex" or otherwise as a sexually oriented business.

**ADULT VIDEO VIEWING BOOTH** - Coin- or slug-operated, or electronically or mechanically controlled, still or motion-picture machines, projectors or other image-producing devices which present visual or audio material of any kind which is characterized by its emphasis on the description or depiction of specified anatomical areas or specified sexual activities and which are designed to be viewed by five (5) or fewer persons per machine at any one time or are located in a room or booth of less than one hundred fifty (150) square feet. No part of this definition shall be construed to permit more than one (1) person to occupy an adult video viewing booth at any time.

**ANATOMICAL AREAS, SPECIFIED** - See "Specified Anatomical Areas".

**ESCORT** - A person who, for consideration as part of a business enterprise, agrees, offers to, or models lingerie, performs a striptease, or performs nude or semi-nude for another person at a location other than a sexually oriented business.

**ESCORT AGENCY** - A person or business enterprise that furnishes, offers to furnish, or advertises to furnish, for consideration, escorts who perform any escort services in the City. An escort agency that advertises or holds itself out in signage visible from the public right-of-way as "X...", "adult", or "sex" shall be considered an "Adult Retail Store".

**MESSAGE ESTABLISHMENT** - A business enterprise offering massage conducted by persons engaged in the practice of medicine, nursing, osteopathy, physiotherapy,

chiropractic, podiatry or massage therapy for which they are licensed by the State of New York, or persons under the direct supervision and control of such licensed persons.

NUDE - The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the covered male genitals in a discernibly turgid state.

SEMI-NUDE - The showing of the female breast with less than a full opaque covering of any portion thereof below the top of the areola, or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

SEXUALLY ORIENTED BOOKS AND VIDEOS - Books, magazines, pamphlets, pictures, drawings, photographs, video tapes, digital video disks, motion picture films or sound recordings, or printed, visual and audio material of any kind, which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities.

SEXUALLY ORIENTED BUSINESS - An adult retail store, limited adult retail store, adult arcade, adult cabaret, adult movie theater or escort agency.

SEXUALLY ORIENTED MATERIALS - All sexually oriented toys and novelties and sexually oriented books and videos.

SEXUALLY ORIENTED TOYS AND NOVELTIES - Instruments, devices or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs, except medical devices approved by the Food and Drug Administration.

- B. Amending § 115-29, Special Permit Uses, as follows:
1. By deleting subsection E(1)(f) and relettering subsection E(1)(g) as subsection E(1)(f).
- C. Amending § 115-31, Variances as follows:
1. By adding a new subsection F(5)(i), Specified Variances Prohibited, as follows:
    - (i) Permit the establishment of a sexually oriented business which is not permitted by the use regulations applicable in the district.
- D. Amending § 115-45, R-1 Single-Family Residential District, by adding a new subsection F(3)(f) as follows:
- (f) Distance separation from sexually oriented businesses. Any day-care center established after the effective date of this subsection shall be located a minimum of one thousand feet (1,000') from any existing sexually oriented business, except that this requirement may be waived by the Planning Commission when warranted by reason of unique physical conditions, the nature of the occupancy or the location of the property.
- E. Amending § 115-54, C-1 Neighborhood Commercial District, by amending subsection C(10), Prohibited Uses, to read as follows:
- (10) Sexually oriented businesses.
- F. Amending § 115-55, C-2 Community Commercial District as follows:
1. By inserting in subsection B, Permitted Uses, the following new subsection:
    - (5) Limited adult retail stores, subject to the standards set forth in § 115-94.
  2. By amending subsection C(7), Prohibited Uses, to read as follows:
    - (7) Sexually oriented businesses, with the exception of limited adult retail stores.
- G. Amending § 115-56, C-3, General Commercial District, as follows:
1. By inserting in subsection B, Permitted Uses, the following new subsections:
    - (7) Adult retail stores, subject to the standards set forth in § 115-94.
    - (8) Escort agencies, subject to the standards set forth in § 115-94.
  2. By adding a new subsection C(7), Prohibited Uses, to read as follows:
    - (7) Adult arcades, adult cabarets and adult movie theaters.
  3. By deleting subsection G(2) and renumbering subsections G(3)-(6) as G(2)-(5) respectively.
- H. Amending § 115-57, C-4 Central Business District as follows:
1. By inserting in subsection B, Permitted Uses, the following new subsections:
    - (23) Limited adult retail stores, subject to the standards set forth in § 115-94.
  2. By amending subsection C(1), Prohibited Uses, to read as follows:
    - (1) Sexually oriented businesses, with the exception of limited adult retail stores.
- I. Amending § 115-57.1, C-4A Central Business District, as follows:
1. By inserting in subsection B, Permitted Uses, the following new subsection:
    - (7) Limited adult retail stores, subject to the standards set forth in § 115-94.
  2. By amending subsection C(1), Prohibited Uses, to read as follows:

- (1) Sexually oriented businesses, with the exception of limited adult retail stores.
- J. Amending §115-59.4, E-MUG East Avenue Mixed Use Gateway District, by amending subsection C(1) to read as follows:
- (1) Sexually oriented businesses.
- K. Amending §115-59.5, M-MUG Main Street Mixed Use Gateway District, by amending subsection C(1) to read as follows:
- (1) Sexually oriented businesses.
- L. Amending §115-61, M Manufacturing-Industrial District, as follows:
1. By amending subsection B(7)(e) to read in its entirety as follows:
    - (e) Day-care centers and nursery schools, subject to the standards set forth in subsections 115-45F(3) and (4).
  2. By adding to subsection B, Permitted Uses, the following new subsections:
    - (8) Adult arcades, adult cabarets, adult movie theaters and adult retail stores, subject to the standards set forth in §115-94.
    - (9) The following uses, when located in existing nonresidential structures of two (2) or more stories:
      - (a) Escort agencies; and
      - (b) Limited adult retail stores.
  3. Deleting subsection F(7) and renumbering subsections F(8)-(10) as subsections F(7)-(9).
- M. Amending §115-71, B-R Brown's Race District, by deleting subsection C(2) and by renumbering subsections C(3)-(7) as subsections C(2)-(6), and by amending subsection C(1) to read as follows:
- (1) Sexually oriented businesses.
- N. Amending §115-72, R-H River Harbor District, by amending subsection F(5) to read as follows:
- (5) Sexually oriented businesses.
- O. Amending §115-82, Urban Renewal Development District, by adding the following sentence to the end of the opening paragraph:
- No sexually oriented business shall be established in any urban renewal development district.
- P. Amending §115-85, O-C Overlay Cultural District, by deleting subsection D(2) and by renumbering subsections D(3)-(5) as subsections D(2)-(4), and by amending subsection D(1) to read as follows:
- (1) Sexually oriented businesses.
- Q. Adding the following new §115-94:
- § 115-94. Sexually Oriented Businesses.
- A. Purpose. It is the purpose of the provisions of the Zoning Ordinance regulating sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the City. The provisions of this chapter have neither the purpose nor effect of imposing a limitation or restriction on the content of any speech, including sexually oriented speech. Similarly, it is not the intent nor effect of this chapter to restrict or deny access by adults to speech protected by the First Amendment and New York Constitution, or to deny access by the distributors and exhibitors of sexually oriented speech to their intended market. Neither is it the intent nor effect of this chapter to condone or legitimize the distribution of obscene material.
- B. General.
- (1) Single Adult Use Per Location. There shall be only one sexually oriented business permitted on a single premises.
  - (2) Use Variance Prohibited. No sexually oriented business shall be established through the use variance process.
  - (3) Measurement. "Stock in trade" and "sales and display area" shall be measured as follows:
    - (a) Stock in trade: the number of items in stock in the sales and display area at the time of a site inspection. The number of sexually oriented items shall be calculated as a percentage of the total items.
    - (b) Sales and display area: the entire interior floor space of a business establishment devoted to sales and display, including aisles, measured in square feet at the time of a site inspection. The floor space devoted to sales and display of sexually oriented materials shall be calculated as a percentage of the total sales and display area.
      - [1] Separated Sexually Oriented Materials. Where sexually oriented materials are physically separated from other materials by an eight-foot (8') wall, the separate sales and display floor area (including any aisles) shall be compared to the total sales and display floor area.
      - [2] Mixed Sexually Oriented Materials. Where floor area includes a mixture of sexually oriented material with any other material, it shall be counted as sexually oriented. Any such area shall include one-half (1/2) of the area of any aisles adjacent to the display or sales of sexually oriented materials.
- C. Supplemental Use Standards.
- (1) Adult Arcade. An adult arcade shall be licensed by the City of Rochester and operated in accordance with Chapter 98.

- (2) Adult Cabaret. An adult cabaret shall be licensed by the City of Rochester and operated in accordance with Chapter 98.
- (3) Adult Movie Theater.
  - (a) An adult movie theater shall be licensed by the City of Rochester and operated in accordance with Chapter 98.
  - (b) All aisles in adult movie theaters shall have theater runway/aisle lighting which illuminates the entire floor surface of the aisle at a level of not less than 0.2 foot-candles.
- (4) Adult Retail Store. A adult retail store shall be licensed by the City of Rochester and operated in accordance with Chapter 98.
- (5) Adult Retail Store, Limited.
  - (a) A limited adult retail store shall be operated in accordance with Chapter 98.
  - (b) A limited adult retail store shall separate all sexually oriented material from other sales and display areas using an opaque wall at least eight feet (8') in height. Such an area shall incorporate a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter.
  - (c) The owner or operator shall have the affirmative duty to prevent the public display of sexually oriented material at or within the portions of the business open to the general public.
  - (d) A limited adult retail store shall not advertise or hold itself out in any forum as "X..." "adult," "sex," or otherwise as a sexually oriented business.

D. Separation Requirements

- (1) Measurement. The following separation requirements shall be measured from the lot line of a sexually oriented business to the lot line of a protected use or other sexually oriented business listed below. Where a multi-tenant facility such as a shopping center is involved, measurement shall occur from the boundary of the leasehold interest instead of the property line.
- (2) Protected Uses. For the purpose of measuring separation from adult establishments, "protected uses" shall include the following:
  - (a) Public or private elementary or secondary schools;
  - (b) Public parks and playgrounds;

- (c) Public or private community centers;
- (d) Indoor or outdoor stadiums;
- (e) Churches, synagogues and other religious institutions;
- (f) Hospitals;
- (g) Public libraries;
- (h) Chartered museums; and
- (i) Cultural entertainment facilities.

(3) Distance Requirements

Adult Establishment

<u>Distance Requirement (distance from)</u>			
Any Protected Use	Any Residential District	Other Type 1 Adult Use	Other Type 2 Adult Use

Type 1: Limited Adult Retail Store, Escort Agency

N/A	N/A	N/A	N/A
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Type 2: Adult Arcade, Adult Cabaret, Adult Movie Theater, Adult Retail Store

1,000 feet	500 feet	N/A	1,000 feet
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E. Transitional provisions for existing sexually oriented businesses.

- (1) Uses that conform to this Zoning Ordinance. Any business enterprise that could lawfully exist pursuant to the provisions of this Chapter following adoption of the amendments which include this Section shall be allowed to continue, provided that the use continues to comply with the provisions of this Zoning Ordinance and Chapter 98.
- (2) Uses Requiring Modifications. Any business enterprise that does not meet the requirements of this Zoning Ordinance following adoption of the amendments which include this Section shall come into compliance with the amendments prior to January 31, 2001. This compliance date shall expressly include improvements to or replacement of existing signs, internal improvements such as physical separation of stock in trade, or reduction in the quantity or floor area of sexually oriented materials.
- (3) Exemption for distance requirements. The distance and separation requirements of §115-94 D shall not apply to any existing, lawfully established use regulated by this Section which otherwise meets the requirements of this Section. Such use shall be allowed to continue subject to the provisions of §115-96 involving lawfully existing nonconformities.
- (4) Exemption for nonconforming uses. The use requirements set forth in this Chapter shall not apply to legally established nonconforming uses, except that such uses shall be subject to the provisions of §115-96 involving lawfully existing nonconformities and Chapter 98.

F. A sexually oriented business lawfully operating in conformance with the Zoning Ordinance and Chapter 98 shall not be ren-

dered a nonconforming use by the location, subsequent to its lawful establishment and licensing, if required, of a protected use listed in subsection D(2) of this Section within one thousand feet (1,000') of the sexually oriented business.

G. Sexually Oriented Businesses.  
Summary of Uses and Permitted Districts.

USE	C-1	C-2	C-3	C-4	M
Adult Arcade	—	—	—	—	P
Adult Cabaret	—	—	—	—	P
Adult Movie Theater	—	—	—	—	P
Retail Store (up to 10% sexually oriented materials)	P	P	P	P	P
Escort Agency	—	—	P	—	P
Limited Adult Retail Store (10 to 40% sexually oriented material)	—	P	P	P	P
Adult Retail Store (40% or more sexually oriented materials)	—	—	P	—	P

P = Permitted by Right  
— = Not Permitted

Section 3. This Ordinance shall take effect immediately, except that compliance with certain provisions is delayed as expressly set forth herein.

Passed unanimously.

Ordinance No. 2000-300  
(Int. No. 356)

**Amending The Municipal Code By Providing For Licensing And Regulation Of Sexually Oriented Businesses And Certain Employees And Prohibiting Body Rub Parlors And Sexual Encounter Centers And Adult Hotels And Adult Motels**

WHEREAS, sexually oriented businesses often require special supervision from public safety agencies in order to protect and preserve the health, safety, morals and welfare of the patrons and employees of such businesses as well as the citizens of the City; and

WHEREAS, the Mayor and City Council find that sexually oriented businesses are frequently used for sexual activities, including prostitution and sexual liaisons of a casual nature; and

WHEREAS, the concern over sexually transmitted diseases is a legitimate health concern of the City which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of the citizens; and

WHEREAS, licensing is a legitimate and reasonable means of accountability to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators do not allow their establishments to be used as places of illegal sexual activity or solicitation; and

WHEREAS, sexually oriented businesses, because of their very nature, can have a deleterious effect

on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values; and

WHEREAS, it is recognized that sexually oriented businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area; and

WHEREAS, the Mayor and City Council desire to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizenry; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods and deter the spread of urban blight; and

WHEREAS, the Mayor and City Council have determined that locational criteria alone do not adequately protect the health, safety, and general welfare of the people of this City; and

WHEREAS, it is not the intent of this ordinance to suppress any speech activities protected by the First Amendment, but to enact a content neutral ordinance which addresses the secondary effects of sexually oriented businesses.

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

Section 1. The current Chapter 98 of the Municipal Code, Shooting galleries, is hereby renumbered as Chapter 99 and all Sections thereof shall be renumbered accordingly, as well as the reference to said Chapter in Section 68-1 and any references to said chapter elsewhere in the Municipal Code. There is hereby added to the Municipal Code the following new Chapter:

Chapter 98. Sexually Oriented Businesses.

Section 98-I. Purpose and findings.

- A. Purpose. It is the purpose of this chapter to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of the City. The provisions of this chapter have neither the purpose nor effect of imposing a limitation or restriction on the content of any speech, including sexually oriented speech. Similarly, it is not the intent nor effect of this chapter to restrict or deny access by adults to speech protected by the First Amendment and New York Constitution, or to deny access by the distributors and exhibitors of sexually oriented speech to their intended market. Neither is it the intent nor effect of this chapter to condone or legitimize the distribution of obscene material.
- B. Findings. The Mayor and members of the City Council of the City of Rochester are all residents of the City and represent one of the four districts in the City or the City at-large. The Mayor and members of the Council are familiar with the City, the locations of sexually oriented businesses in the City, and the issues raised by those types of businesses in the City and throughout the country. The Mayor and Council are also cognizant that AIDS, hepatitis and other sexually transmitted diseases are serious health concerns in the local community. Based on the Mayor and Council's local knowledge and evidence concerning the impacts or "secondary effects" of adult uses on

the community, as presented in hearings and in reports made available to the Council, in cases and proceedings involving businesses in the City, on findings involving the effects of sexually oriented businesses and public nudity incorporated in judicial decisions such as, but not limited to, *Town of Islip v. Caviglia*, 73 N.Y.2d 544 (1989); *Stringfellow's of New York, Ltd. v. City of New York*, 91 N.Y.2d 382 (1998); *City of Erie v. Pap's A.M.*, 146 L. Ed.2d 265 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 426 U.S. 50 (1976); and *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); and on studies in other communities including, but not limited to, Kansas City, Missouri; Newport News, Virginia; St. Paul, Minnesota; Whittier, California; Phoenix, Arizona; Indianapolis, Indiana; Austin, Texas; Seattle, Washington and Tucson, Arizona; and from manuals and books such as "An Educational Manual on How to Regulate the Location of Adult Businesses Through Zoning," developed by the Massachusetts Chapter of American Planning Association and the Massachusetts City Solicitors and Town Counsel Association; "Location of Adult Businesses, 2000 Edition," by Jules B. Gerard (West Group 1999); "Protecting Communities from Sexually Oriented Businesses," by Len L. Munsil (Southwest Legal Press, Inc. 1996); and also on findings from the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Mayor and Council find:

- (1) Sexually oriented businesses lend themselves to ancillary unlawful and unhealthy activities that are not properly controlled by the operators of the establishments. Further, there are not adequate legal provisions making the owners of these establishments responsible for the activities that occur on their premises.
- (2) Employees of sexually oriented businesses engage in or may be requested to engage in sexual behavior as a result of the type of employment in which they are engaged.
- (3) Sexual acts, including masturbation, occur at sexually oriented businesses, especially those which provide private or semi-private booths or cubicles for viewing films, videos, or live sex shows.
- (4) The "entertainment" offered at sexually oriented businesses often encourages sexual activities, which create unhealthy conditions.
- (5) Persons frequent certain sexually oriented businesses for the purpose of engaging in sexual activities within the premises of such sexually oriented businesses.
- (6) Communicable diseases may be spread by sexual activities, including, but not limited to, human immunodeficiency virus (HIV), AIDS, hepatitis B, and venereal diseases.
- (7) AIDS, HIV, hepatitis B and venereal diseases are serious health concerns in the local community.
- (8) Sanitary conditions in some sexually oriented businesses are unhealthy, in part, because the

activities conducted there are unhealthy, and, in part, because of the unregulated nature of the activities and the failure of the owners and the operators of the facilities to regulate those activities and maintain those facilities.

- (9) Numerous studies and reports have determined that semen is found in certain areas of sexually oriented businesses, particularly where persons view "adult" oriented films or "adult" entertainment, and similar findings have been made in sexually oriented businesses in the City. In addition, an adult theatre in the City has been the setting for sexual acts, and live performers in sexually oriented businesses in the City have performed acts of masturbation in front of customers for pay and have encouraged the customers to do the same, and have performed "lap dances" for customers and/or encouraged touching of or by customers while they were in various stages of undress.
- (10) Sexually oriented businesses have operational characteristics which should be reasonably regulated in order to protect the substantial governmental concerns raised by the various findings herein.
- (11) A licensing procedure is an appropriate mechanism to place the burden of reasonable regulation on the owners and the operators of the sexually oriented businesses. Further, such a licensing procedure will place an incentive on the operators to see that the sexually oriented business is run in a manner consistent with the health, safety and welfare of its patrons and employees, as well as the citizens of the City. It is appropriate to require reasonable assurances that the licensee is the actual operator of the sexually oriented business, and fully in possession and control of the premises and activities occurring therein.
- (12) Requiring licensees of sexually oriented businesses to keep information regarding current employees will help reduce the incidence of certain types of behavior by facilitating the identification of potential witnesses or participants and by preventing minors from working in such establishments.
- (13) The disclosure of certain information by those persons ultimately responsible for the day-to-day operation and maintenance of the sexually oriented business, where such information is substantially related to the significant governmental interest in the operation of such uses, will aid in assuring that the sexually oriented business is operated appropriately.
- (14) It is desirable in the prevention of illegal activities and the spread of communicable diseases to obtain a limited amount of information regarding certain employees who may engage in the conduct which this chapter is designed to prevent or who are likely to be witnesses to such activity.
- (15) The fact that an applicant for an adult license has been convicted of a sexually related crime leads to the rational assumption that the applicant may engage in that conduct in sexually oriented businesses in which sexual

activities often occur.

- (16) The barring of such individuals from association with adult uses for a period of years serves as a deterrent to and prevents conduct which leads to unwanted sexual activities.
- (17) Regulations separating the performers who appear nude or semi-nude in sexually oriented businesses from the patrons or customers protect the performers, reduce the opportunity for illegal activities between performers and patrons or customers and do not interfere with the content of any performance.
- (18) Information from the Rochester Police Department shows that acts of prostitution have frequently occurred in body rub parlors in the City and that licensing provisions have not been effective in controlling such activities, and the Council thus determines that body rubs should only be conducted for compensation by certain licensed professionals or athletic trainers.
- (19) The Council further determines that sexual encounter centers, as defined herein, do not serve a legitimate purpose, offer a location at which sexual activities and acts of prostitution can readily occur, and provide a location at which sexually transmitted diseases may be spread. The Council thus determines that sexual encounter centers should be prohibited.
- (20) The Council further determines that adult hotels or motels, as defined herein, offer a location at which sexual activities and acts of prostitution can readily occur due to the offering of short-term or hourly rooms with beds, and provide a location at which sexually transmitted diseases may be spread. The Council thus determines that adult hotels or motels should be prohibited.
- (21) The general welfare, health, morals and safety of the citizens of the City will be promoted by the enactment of this chapter.

SECTION 98-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADULT ARCADE means a business enterprise which offers or maintains one or more adult video viewing booths.

ADULT CABARET means a business enterprise which regularly features or offers to the public, customers or members, performances by persons who appear nude or semi-nude or live performances that are characterized by their emphasis on the exposure, depiction or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

ADULT HOTEL or ADULT MOTEL means a hotel, motel or similar business enterprise which offers a sleeping room for rent for a period of time that is less than ten (10) hours or allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten (10) hours.

ADULT MOVIE THEATER means a business enterprise which regularly features or offers to the

public the presentation of motion picture films, movies or sound recordings which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities and which are presented to a common audience of more than five (5) persons in an enclosed common area or are presented in a common area of more than one hundred fifty (150) square feet.

ADULT RETAIL STORE means a business enterprise which meets any of the following tests:

- (1) offers for sale or rental items from any two (2) of the following categories:
  - (a) sexually oriented materials;
  - (b) lingerie; or
  - (c) leather goods which are marketed or presented in a context to suggest their use in connection with specified sexual activities;
- (2) offers for sale sexually oriented toys and novelties, except a business enterprise which devotes less than ten percent (10%) of its stock in trade and sales and display area to sexually oriented materials, with all sexually oriented toys and novelties separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter the area;
- (3) devotes more than ten percent (10%) of its stock in trade or sales and display area to sexually oriented materials without having all sexually oriented materials separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter the area;
- (4) devotes more than forty percent (40%) of its stock in trade or sales and display area to sexually oriented materials; or
- (5) offers sexually oriented materials and advertises or holds itself out in signage visible from the public right of way as "X...," "adult," "sex" or otherwise as a sexually oriented business.

ADULT RETAIL STORE, LIMITED, means a business enterprise which offers for sale or rental sexually oriented materials, and which devotes at least ten percent (10%) and not more than forty percent (40%) of its stock in trade or sales and display area to sexually oriented materials, provided that:

- (1) the following items are not also offered for sale:
  - (a) lingerie; or
  - (b) leather goods which are marketed or presented in a context to suggest their use in connection with specified sexual activities;
- (2) all sexually oriented materials are separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of eighteen (18) years are allowed to enter the area;

and

- (3) the business enterprise does not advertise or hold itself out in signage visible from the public right of way as "X...", "adult," "sex" or otherwise as a sexually oriented business.

**ADULT VIDEO VIEWING BOOTH** means coin- or slug-operated, or electronically or mechanically controlled, still or motion-picture machines, projectors or other image-producing devices which present visual or audio material of any kind which is characterized by its emphasis on the description or depiction of specified anatomical areas or specified sexual activities and which are designed to be viewed by five (5) or fewer persons per machine at any one time or are located in a room or booth of less than one hundred fifty (150) square feet. No part of this definition shall be construed to permit more than one (1) person to occupy an adult video viewing booth at any time.

**BODY RUB PARLOR** means a business enterprise where body rub services are provided in order to induce relaxation or for other purposes, and which is not a massage establishment.

**BUSINESS ENTERPRISE** means any business, or place where, for consideration, goods, merchandise, services or entertainment are offered.

**CONSIDERATION** means the payment of money or the exchange of any item or services of value for:

- (1) The right to enter the business premises, or any portion thereof;
- (2) The right to remain on the business premises, or any portion thereof;
- (3) The right to purchase any item permitting the right to enter, or remain on, the business premises, or any portion thereof;
- (4) The right to a membership permitting the right to enter, or remain on, the business premises, or any portion thereof; or
- (5) The right to obtain any services, buy or rent any items or view any entertainment in a sexually oriented business.

**CUSTOMER** means any person present in a sexually oriented business when open for business, except an employee of the business or a person making deliveries or performing maintenance or repairs to the premises.

**EMPLOYEE** means any person who works or performs in or at, or renders any services directly related to the operation of, a sexually oriented business, whether such person is denominated an employee, independent contractor, agent, or otherwise, and whether or not said person is paid a salary, wage or other compensation by the operator of the business.

**LICENSEE** means a person in whose name a license to operate a sexually oriented business has been issued, as well as individuals listed as applicants on the application for a license; and in the case of a manager or employee, a person in whose name a sexually oriented business manager license or a sexually oriented business employee license has been issued authorizing such employment.

**MANAGER** means any person who manages, directs, administers or is in charge of the affairs or conduct of any activity occurring at a sexually oriented business, either in conjunction with a licensee or in the absence of the licensee.

**MASSAGE ESTABLISHMENT** means a business enterprise offering massage conducted by persons engaged in the practice of medicine, nursing, osteopathy, physiotherapy, chiropractic, podiatry or massage therapy for which they are licensed by the State of New York, or persons under the direct supervision and control of such licensed persons.

**NUDE** means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the covered male genitals in a discernibly turgid state.

**OPERATOR** means a licensee or any person operating, conducting or maintaining a sexually oriented business.

**PERSON** means an individual, proprietorship, partnership, corporation, association, or other legal entity.

**PREMISES** means the building in which a sexually oriented business is conducted as well as its surrounding yard and parking area and any additional parking areas required for compliance with the Zoning Ordinance.

**SEMI-NUDE** means the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the areola, or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

**SEXUAL ENCOUNTER CENTER** means a business enterprise in which a person may view, or may participate in, specified sexual activities.

**SEXUALLY ORIENTED BOOKS AND VIDEOS** means books, magazines, pamphlets, pictures, drawings, photographs, video tapes, digital video disks, motion picture films or sound recordings, or printed, visual and audio material of any kind, which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities.

**SEXUALLY ORIENTED BUSINESS** means an adult retail store, adult arcade, adult cabaret or adult movie theater, and except for purposes of business and manager licensing, a limited adult retail store.

**SEXUALLY ORIENTED MATERIALS** means all sexually oriented toys and novelties and sexually oriented books and videos.

**SEXUALLY ORIENTED TOYS AND NOVELTIES** means instruments, devices, or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs, except medical devices approved by the Food and Drug Administration.

**SPECIFIED ANATOMICAL AREAS** means any showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

**SPECIFIED CRIMINAL ACTIVITY** means any of the following offenses as defined in the New York State Penal Law, or any similar offenses under the criminal or penal code of other states or countries:

- (1) prostitution offenses; obscenity and related offenses; sexual performance by a child; possession or distribution of child pornography; offenses against public sensibilities; enterprise corruption; money laundering; sex offenses; unlawfully dealing with a child; gambling offenses; controlled substances offenses or offenses involving marijuana, other than unlawful possession of marijuana;
- (2) for which:
  - (a) less than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;
  - (b) less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or
  - (c) less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any two (2) year period.
- (3) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant.

**SPECIFIED SEXUAL ACTIVITIES** means actual or simulated acts of masturbation, sexual intercourse, oral or anal copulation or sadomasochism; fondling or other erotic touching of or physical contact with one's own or another's genitals, pubic area, buttocks or female breasts, whether clothed or unclothed; human male or female genitals when in a state of sexual stimulation or arousal; or excretory functions or acts with animals as part of or in conjunction with any of the activities set forth herein. Activities which are commonly referred to by the slang terms "lap dance," "straddle dance," "face dance" or "table dance" shall be included in this definition. For purposes of this definition, "sadomasochism" means infliction of pain, flagellation or torture, or the condition of being bound, fettered or otherwise physically restrained.

**TRANSFER OF OWNERSHIP OR CONTROL** of a sexually oriented business means and includes any of the following:

- (1) the sale, lease, or sublease of the business;

- (2) the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- (3) the establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Section 98-3. Classification of sexually oriented businesses.

- A. Sexually oriented businesses which are required to be licensed hereunder are classified as follows:
  - (1) adult retail store;
  - (2) adult arcade;
  - (3) adult cabaret; and
  - (4) adult movie theater.
- B. A sexually oriented business license shall issue for only one classification. However, a limited adult retail store or adult retail store which offered or maintained on November 11, 1999 one or more adult video viewing booths and has continued to offer or maintain any such adult video viewing booths through the effective date of this chapter may still offer the same number of booths which have been so continued and may be issued an adult arcade license for such booths, which for such an adult retail store shall not be considered an additional classification. Such rights shall terminate if the adult video viewing booths are discontinued or upon transfer of ownership or control.

Section 98-4. License required.

- A. It is unlawful:
  - (1) For any person to operate a sexually oriented business without a valid sexually oriented business license issued by the City pursuant to this chapter.
  - (2) For any person who operates or manages a sexually oriented business to employ or allow to work or perform in a sexually oriented business a manager or a person who appears nude or semi-nude who is not licensed as required by this chapter.
  - (3) For any person who operates a sexually oriented business to allow the business to be open without a designated manager licensed by the City pursuant to this chapter on duty. The name of the manager on duty at any time shall be prominently displayed at or near the manager's station in the public area of the sexually oriented business.
  - (4) For any person to act as a manager of a sexually oriented business without having secured a sexually oriented business manager license pursuant to this chapter.
  - (5) For any employee to appear nude or semi-nude at a sexually oriented business without having secured a sexually oriented business employee license pursuant to this chapter.
- B. The requirement to obtain a sexually oriented business employee license shall not apply to a

person residing outside the Rochester Standard Metropolitan Statistical Area who appears nude or semi-nude at a sexually oriented business for a single engagement in any year extending less than ten (10) consecutive days. Such person shall supply to the licensee and manager of the sexually oriented business his or her name, address, date of birth, social security number and dates of engagement. The licensee and manager shall maintain a record containing such information which is secured in the premises of the sexually oriented business so that it may be immediately retrieved and shown to a police officer upon demand during all hours that the sexually oriented business is open.

Section 98-5. Application for sexually oriented business license.

- A. An application for a sexually oriented business license must be made to the City Clerk on a form provided by the City.
- B. All applicants must be qualified according to the provisions of this chapter. The application may request and the applicant shall provide such information as to enable the City to determine whether the applicant meets the qualifications established in this chapter.
- C. If a person who wishes to operate a sexually oriented business is an individual, the person must sign the application for a license as applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each individual who has a twenty percent (20%) or greater interest in the business must sign the application for a license as applicant. Each applicant must be qualified according to the provisions of this chapter and each applicant shall be considered a licensee if a license is granted.
- D. The completed application for a sexually oriented business license shall contain the following information and shall be accompanied by the following documents:
  - (1) If the applicant is:
    - (a) an individual, the individual shall state his/her legal name and any aliases and submit proof that he/she is at least eighteen (18) years of age;
    - (b) a partnership, the partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;
    - (c) a corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers, directors and principal stockholders, and the name of the registered corporate agent and the address of the registered office for service of process.
  - (2) If the applicant intends to operate the sexually oriented business under a name other than that of the applicant, he or she must state (a) the sexually oriented business's fictitious name and (b) submit copies of the registration

documents.

- (3) Whether the applicant has been convicted of a specified criminal activity as defined in this chapter, and, if so, the specified criminal activity involved, and the date, place, and jurisdiction of each.
- (4) Whether the applicant has had a previous personal or business license under this chapter or other similar sexually oriented business chapters from another city or county denied, suspended or revoked, including the name and location of any sexually oriented business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant has been a partner in a partnership or an officer, director or principal stockholder of a corporation that is licensed under this chapter whose license has previously been denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.
- (5) Whether the applicant holds any other personal or business licenses under this chapter or other similar sexually oriented business chapter from another city or county and the names and locations of any such other licensed businesses.
- (6) The classification of license for which the applicant is filing.
- (7) The location of the proposed sexually oriented business, including a legal description of the property, street address, and telephone number(s), if any.
- (8) The applicant's mailing address and residential address.
- (9) Not fewer than four (4) unmounted, unretouched colored photographs of the applicant clearly showing the applicant's face, taken within thirty (30) days preceding the filing of the application. Each photograph shall be two by three (2 x 3) inches in size.
- (10) The applicant's driver's license number, Social Security number, and state or federally issued tax identification number.

Section 98-6. Application for manager or employee license.

- A. An application for a sexually oriented business manager license or a sexually oriented business employee license must be made to the City Clerk on a form provided by the City.
- B. All applicants must be qualified according to the provisions of this chapter. The application may request and the applicant shall provide such information as to enable the City to determine whether the applicant meets the qualifications established in this chapter.
- C. Before any applicant may be issued a sexually oriented business manager license or a sexually oriented business employee license, the applicant shall submit on a form to be provided by the City the following information:

- (1) The applicant's name or any other name (including "stage" names) or aliases used by the individual;
  - (2) Age, date, and place of birth;
  - (3) Height, weight, hair and eye color;
  - (4) Present residence address and telephone number;
  - (5) Present business address and telephone number;
  - (6) Date, issuing state and number of driver's license or other identification card information;
  - (7) Social Security number; and
  - (8) Proof that the individual is at least eighteen (18) years of age.
- D. Attached to the application form for a sexually oriented business manager license or a sexually oriented business employee license shall be the following:
- (1) Not fewer than four (4) unmounted, unretouched colored photographs of the applicant clearly showing the applicant's face, taken within thirty (30) days preceding the filing of the application. Each photograph shall be two by three (2 x 3) inches in size.
  - (2) Whether the applicant has had a previous personal or business license under this chapter or other similar sexually oriented business chapters from another city or county denied, suspended or revoked, including the name and location of any sexually oriented business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant has been a partner in a partnership or an officer, director or principal stockholder of a corporation that is licensed under this chapter whose license has previously been denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.
  - (3) Whether the applicant holds any other personal or business licenses under this chapter or other similar sexually oriented business chapter from another city or county and the names and locations of any such other licensed businesses.
  - (4) A statement whether the applicant has been convicted of a specified criminal activity as defined in this chapter and, if so, the specified criminal activity involved, and the date, place and jurisdiction of each.

Section 98-7. Entertainment center and amusement licenses.

A licensee holding a sexually oriented business license shall not also be required to obtain an entertainment center license or a dance license for the same premises, but shall obtain any necessary amusement center and amusement game licenses.

Section 98-8. Issuing authority.

The Chief of Police shall be the issuing authority for a sexually oriented business license, a sexually oriented business manager license and a sexually oriented business employee license.

Section 98-9. Grant or denial of manager or employee license.

- A. Upon the filing of an application for a sexually oriented business manager license or a sexually oriented business employee license, the Chief of Police shall issue a temporary license to said applicant unless it can be immediately determined that the applicant does not meet one or more of the requirements that would justify a denial.
- B. The application process shall be completed within thirty (30) days from the date the completed application for a sexually oriented business manager license or a sexually oriented business employee license is filed. After the investigation, the Chief of Police shall issue a license, unless it is determined that one or more of the following is true:
  - (1) The applicant has failed to provide information reasonably necessary for issuance of the license or has falsely answered a question or request for information on the application form;
  - (2) The applicant is under the age of eighteen (18) years;
  - (3) The applicant has been convicted of a specified criminal activity;
  - (4) The license is to be used for employment in a business prohibited by local or state law, statute, rule or regulation, or prohibited by a particular provision of this chapter;
  - (5) The license fee required by this chapter has not been paid; or
  - (6) The applicant has had a sexually oriented business license, a sexually oriented business manager license or a sexually oriented business employee license revoked by the City within two (2) years, or denied by the City within one (1) year, of the date of the current application.
- C. If the license is denied, a temporary license previously issued is immediately deemed null and void.
- D. When the Chief of Police denies a license, the applicant shall not be issued a license for one (1) year from the date of denial.
- E. The denial of a license shall be subject to the restriction set forth in Section 98-17.

Section 98-10. Grant or denial of sexually oriented business license.

- A. Upon the filing of an application for a sexually oriented business license, the application shall be referred to the Police Department, Fire Department, Department of Community Development and Neighborhood Empowerment Team for an investigation to be made for compliance with this chapter and with applicable fire, building, zoning, property conservation, health and safety

codes. The investigation process shall be completed within thirty (30) days from the date the completed sexually oriented business application is filed. After the investigation, the Chief of Police shall issue a license, unless it is determined that one or more of the following is true:

- (1) An applicant has failed to provide information reasonably necessary for issuance of the license or has falsely answered a question or request for information on the application form;
  - (2) An applicant is under the age of eighteen (18) years;
  - (3) An applicant has been convicted of a specified criminal activity;
  - (4) The license is to be used for a business prohibited by local or state law, statute, rule or regulation, or prohibited by a particular provision of this chapter;
  - (5) An applicant has had a sexually oriented business license, a sexually oriented business manager license or a sexually oriented business employee license revoked by the City within two (2) years, or denied by the City within one (1) year, of the date of the current application;
  - (6) The premises to be used for the sexually oriented business is in violation of applicable fire, zoning, building, property conservation or health and safety laws and ordinances;
  - (7) The license fee required by this chapter has not been paid; or
  - (8) An applicant or the proposed establishment is in violation of or is not in compliance with any of the provisions of this chapter.
- B. The sexually oriented business license shall state on its face the name of the person or persons to whom it is granted, the expiration date, the address of the sexually oriented business and the classification for which the license is issued pursuant to Section 98-3.
- C. When the Chief of Police denies a license, the applicant shall not be issued a license for one (1) year from the date of denial. This provision shall not apply if the reason for the denial relates to the business premises or location and all identified problems have been corrected.
- D. The denial of a license shall be subject to the restriction set forth in Section 98-17.

Section 98-11. Fees.

- A. Every application for a sexually oriented business license (whether for a new license or for renewal of an existing license) and shall be accompanied by the following fee:

Floor Space (square feet)	Annual Fee
Not exceeding 2,400	\$225.
Over 2,400	275.

- B. Every application for a sexually oriented business manager license or a sexually oriented business

employee license (whether for a new license or for renewal of an existing license) shall be accompanied by an annual fee of twenty dollars (\$20.), of which five dollars (\$5.) shall constitute a non-refundable application fee.

- C. All license applications and fees shall be submitted to the City Clerk.
- D. Fees for an initial sexually oriented business license, sexually oriented business manager license or sexually oriented business employee license that is issued for less than a full year shall be prorated on a quarterly basis.
- E. The fee for replacement of a license which has been lost or destroyed shall be ten dollars (\$10.).

Section 98-12. Inspections.

An applicant, licensee or manager shall permit representatives of the Police Department, Fire Department, Department of Community Development and Neighborhood Empowerment Team to inspect the premises of a sexually oriented business for the purpose of insuring compliance with this chapter and applicable fire, building, zoning, property conservation, health and safety codes, prior to its initial opening for business and at any time it is occupied or open for business.

Section 98-13. Expiration of license.

- A. Each license shall expire on January 31 following the date of issuance and may be renewed by making application for renewal at least thirty (30) days and not more than forty-five (45) days before the expiration date. When application for renewal is made less than thirty (30) days before the expiration date, the expiration of the license will not be affected. Initial licenses issued in year 2000 may extend until January 31, 2002.
- B. A license granted pursuant to this section shall be subject to annual renewal unless the Chief of Police finds information since the last time the license had been approved which would constitute grounds to deny an initial license application or that there have been violations of this chapter since the last time the license was approved or an accumulation of violations within the last two (2) license years which would be grounds for suspension or revocation of the license. The renewal of the license shall be subject to the payment of the renewal fee.
- C. When the Chief of Police denies renewal of a license, the applicant shall not be issued a license for one (1) year from the date of denial. This provision shall not apply if the reason for the denial relates to the business premises or location and all specified problems have been corrected.
- D. The denial of renewal of a license shall be subject to the restriction set forth in Section 98-17.

Section 98-14. Procedure for denial of license or renewal.

If the investigation reveals cause to believe that a license or renewal of a license may be denied in accordance with this chapter, the Chief of Police shall, within thirty (30) days after a completed application is filed, inform the applicant in writing sent by first class mail to the address provided by the applicant in the

application of the possible reasons for the denial, and provide the applicant with ten (10) days within which to review evidence, respond in writing and provide documentary evidence to the contrary. The Chief of Police may extend the time limit for response upon request of the applicant and for good cause. If no response is made in a timely fashion, the Chief of Police shall make a final determination within five (5) days after the expiration of the time to reply. If response is made in a timely fashion, the Chief of Police shall make a final determination within five (5) days after the response is received. The final determination shall be in writing and provide specific reasons for the denial. The status quo shall be maintained until the final determination is made.

#### Section 98-15. Suspension.

- A. The Chief of Police may suspend a license for a period not to exceed ninety (90) days, after a hearing held in accordance with Chapter 68 of the Municipal Code, if he or she determines that a licensee, manager or employee of a licensee has, within one (1) year, violated or is not in compliance with any section of this chapter.
- B. A suspension determination shall be subject to the restriction set forth in Section 98-17.

#### Section 98-16. Revocation.

- A. The Chief of Police may revoke a license, after a hearing held in accordance with Chapter 68 of the Municipal Code, if he or she determines that a licensee, manager or employee of a licensee has violated or is not in compliance with any section of this chapter and the license has been suspended within the preceding twelve (12) months.
- B. The Chief of Police may also revoke a license, after a hearing held in accordance with Chapter 68 of the Municipal Code, if he or she determines that:
  - (1) a licensee within two (2) years gave false or misleading information in the material submitted during the application process;
  - (2) a licensee, manager or employee of a licensee has violated or is not in compliance with any section of this chapter within one (1) year; or
  - (3) there has been an accumulation of violations of this chapter within two (2) years.
- C. When the Chief of Police revokes a license, the revocation shall continue for two (2) years, within which time period the licensee shall not be issued a sexually oriented business license, sexually oriented business manager license or sexually oriented business employee license. This provision shall not apply if the reason for the revocation relates to the business premises or location and all specified problems have been corrected.
- D. A revocation determination shall be subject to the restriction set forth in Section 98-17.

#### Section 98-17. Determinations no broader than necessary.

Determinations resulting from a person's background, or activities at a sexually oriented business, with respect to the denial, suspension or revocation of a license, which incidentally burden free expression,

shall be no broader than needed to achieve City goals. The Chief of Police is authorized to issue warning notices and/or grant conditional licenses as a means of allowing expression while curbing unwanted activities where violations are found but denial, suspension or revocation is deemed not justified.

#### Section 98-18. Notices.

All notices required to be sent by the City shall be in writing sent by first class mail to the address provided by the applicant in the application.

#### Section 98-19. Prompt judicial review.

Upon denial of an application, or denial of a renewal of a license, or suspension or revocation of any license, the applicant or licensee may seek prompt judicial review of such administrative action pursuant to Article 78 of the Civil Practice Law and Rules. The denial of a renewal of a license, or suspension or revocation of any license shall be stayed for a period of twenty (20) days and, if a proceeding is brought to challenge the administrative action, throughout the pendency of the proceeding in the trial court. The administrative action shall be promptly reviewed by the court.

#### Section 98-20. Transfer of license.

A licensee shall not transfer his/her license to another, nor shall a licensee operate a sexually oriented business under the authority of a license at any place other than the address designated in the application.

#### Section 98-21. Additional regulations.

- A. No person in or on the premises of a sexually oriented business shall engage in any specified sexual activities.
- B. No person shall appear semi-nude in or on the premises of a sexually oriented business unless the person is an employee who, while semi-nude, shall be on a stage or platform in the premises which is at least eighteen inches (18") above the immediate floor level and which is removed at least six (6) feet from the nearest customer.
- C. No person shall appear nude in or on the premises of a sexually oriented business unless the person is an employee who, while nude, shall be on a stage or platform in the premises permanently anchored to the floor at least eighteen inches (18") above the floor level of the areas to which customers have access and separated from the areas to which customers have access by a continuous permanently affixed barrier at least three feet (3') in height and located at least six feet (6') from the areas to which customers have access, which barrier shall consist of horizontal or vertical members spaced no more than nine inches (9") apart and no more than nine inches (9") from the floor or the walls to which it is attached.
- D. No person shall be permitted or allowed to view another person in a sexually oriented business who is nude or semi-nude from within a room or booth in the premises which is not continuously open and visible to persons in an adjacent public area of the premises, or from a viewing area that is not at least one hundred fifty (150) square feet in size.
- E. No person shall appear nude or semi-nude, or knowingly allow another to appear nude or semi-nude, in an area of a sexually oriented business

which can be viewed from off the premises.

- F. No person in or on the premises of a sexually oriented business shall, while nude or semi-nude, touch a customer or the clothing of a customer.
- G. No employee in or on the premises of a sexually oriented business shall, while nude or semi-nude, solicit any compensation or gratuity from any customer.
- H. No person shall pay or give a gratuity to an employee in or on the premises of a sexually oriented business by giving the payment or gratuity to, or placing the payment or gratuity on the body of, or inside the clothing of, the employee, while the employee is nude or semi-nude.
- I. No person shall allow a person under the age of eighteen (18) years in or on the premises of a sexually oriented business.
- J. No person shall consume or possess any alcoholic beverage in or on the premises of a sexually oriented business, other than an alcoholic beverage legally sold in the sexually oriented business for on-premises consumption pursuant to the Alcoholic Beverage Control Law of the State of New York.
- K. No person shall bring any animal, except a guide dog, hearing dog, service dog or police work dog, in or on the premises of a sexually oriented business.
- L. Additional regulations relating to adult video viewing booths in sexually oriented businesses are found in Section 29-15 of the Municipal Code.

Section 98-22. Additional regulations for licensees and managers.

- A. No licensee or manager of a sexually oriented business shall knowingly or through reckless disregard:
  - (1) Allow or permit persons to appear or act on the premises of the sexually oriented business in violation of the regulations set forth in Section 98-21;
  - (2) Allow or permit any building on the premises of the sexually oriented business to be occupied by more than the number of persons established by the City as the legal occupancy;
  - (3) Allow or permit the possession, use, or sale of controlled substances, marijuana, hypodermic instruments or drug paraphernalia in or on the licensed premises;
  - (4) Allow or permit prostitution in or on the premises of the sexually oriented business;
  - (5) Operate the sexually oriented business without a sexually oriented business license;
  - (6) Allow or permit any specified sexual activities to occur in or on the premises of the sexually oriented business;
  - (7) Allow or permit alcoholic beverages in or on the premises of the sexually oriented business, other than alcoholic beverages offered

or sold pursuant to an on-premises license issued pursuant to the Alcoholic Beverage Control Law of the State of New York;

- (8) Allow or permit illegal or excessive consumption of alcoholic beverages to occur in or on the licensed premises;
  - (9) Allow or permit gambling to occur in or on the licensed premises;
  - (10) Allow or permit the premises of the sexually oriented business to become the focal point for fighting, assaults or other illegal activities;
  - (11) Allow or permit amplified noise in or on the premises of the sexually oriented business in excess of the levels established in Section 75-12 of the Municipal Code;
  - (12) Allow or permit animals, except guide dogs, hearing dogs, service dogs or police work dogs, in or on the premises of the sexually oriented business;
  - (13) Allow or permit a sexually oriented business to be open unless the sexually oriented business license is posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time; or
  - (14) Allow or permit a sexually oriented business to be open unless a list of all employees, with managers designated, and copies of all required sexually oriented business manager and employee licenses, are secured in the premises of the sexually oriented business so that they may be immediately retrieved and shown to a police officer upon demand during all hours that the sexually oriented business is open.
- B. For purposes of the denial of the renewal of a sexually oriented business license, or the suspension or revocation of such a license, the licensee shall be deemed responsible for the actions of the managers and employees of the sexually oriented business.

Section 98-23. Body rub parlors prohibited.

- A. No person shall own, operate, or maintain a body rub parlor in the City.
- B. No person shall give a body rub to another person in the City for compensation.
- C. The prohibitions found in this Section shall not apply to persons engaged in the following activities for which they are licensed by the State of New York or persons under the direct supervision and control of such licensed persons:
  - (1) Persons engaged in the practice of medicine, nursing, osteopathy, physiotherapy, chiropractic podiatry or massage.
  - (2) The practice of that massage which is customarily given in barbershops or beauty parlors for the purpose of beautification by a licensed barber or beauty culturist.
  - (3) Persons enrolled in a program of a school or institute registered by the state to provide training for any of the occupations enumerated

ated in this section.

- (4) The practice of massage by any person duly employed as a trainer by an athletic association, club or team, or as a member of the physical education department of a university, college or school.
- (5) The practice of massage by any person employed by a corporation or association organized exclusively for the moral or mental improvement of men, women or children.
- (6) Persons performing body rubs in body rub parlors duly licensed pursuant to Chapter 36A of the Municipal Code, Body Rub Parlors, and in accordance with the provisions of said Chapter, provided that this exception shall expire on January 1, 2001.

Section 98-24. Sexual encounter centers prohibited. No person shall own, operate, or maintain a sexual encounter center in the City.

Section 98-25. Adult hotels and adult motels prohibited.

No person shall own, operate, or maintain an adult hotel or adult motel in the City.

Section 98-26. Severability.

If any section, subsection, or clause of this chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Section 98-27. Conflicting provisions.

The provisions of this chapter shall be controlling in the event of any conflict between the provisions of this chapter and any other provisions of the Municipal Code.

Section 98-28. Penalties for offenses.

The Municipal Code Violations Bureau shall hear and determine charges involving violations of this chapter. Any person who violates this chapter shall be subject to the penalties set forth in Section 13A-11G of the Municipal Code.

Section 2. Section 13A-2 of the Municipal Code, relating to the jurisdiction of the Municipal Code Violations Bureau, as amended, is hereby further amended by adding the following new Chapter to its jurisdiction where it should appear in the chart in subsection A thereof:

Code Reference	Type of Regulation
Chapter 98	Sexually Oriented Businesses

Section 3. Section 13A-11 of the Municipal Code, Penalties for offenses, as amended, is hereby further amended by adding the words and numbers "and Chapter 98 of the Municipal Code, Sexually Oriented Businesses," after the reference to "Chapter 75 of the Municipal Code, Noise," where it is contained in subsection G thereof.

Section 4. Section 68-1 of the Municipal Code, relating to licenses and permits, as amended, is hereby further amended by adding the following new Chapter where it should appear in the chart therein:

Chapter 98 Sexually Oriented Businesses

Section 5. Chapter 36A of the Municipal Code, Body Rub Parlors, and the reference to said chapter found in Section 13A-2, are hereby repealed.

Section 6. This ordinance shall take effect on January 31, 2001, except that Section 5 hereof shall take effect on January 1, 2001. Application for the initial licenses required hereunder shall be made on or before December 29, 2000.

Passed unanimously.

**INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.**

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-22  
Re: Appointment - Civil Service  
Commission

Transmitted herewith for your approval is legislation confirming the appointment of Dolores Gonzalez-Habes, 25 Brockton Street, to the Municipal Civil Service Commission.

Ms. Gonzalez-Habes, who served on the Commission from November, 1992 to November, 1998, will replace Dr. Dwight Cook, whose term has expired. Her term will extend through September 30, 2006.

A copy of Ms. Gonzalez-Habes' resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-22  
(Int. No. 361)

**Resolution Approving An Appointment To The Municipal Civil Service Commission**

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

Section 1. The Council hereby approves the appointment of Dolores Gonzalez-Habes, 25 Brockton Street, to the Municipal Civil Service Commission for a term which shall expire on September 30, 2006. Ms. Gonzalez-Habes will replace Dr. Dwight Cook, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Stevenson  
September 19, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 323 - Authorizing Applications And Agreements For Grant Funds

Int. No. 324 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement With Optimization Technology Inc. For Services For The Hemlock Filtration Plant

Int. No. 325 - Authorizing An Agreement With The Rochester Housing Authority For Refuse Collection

Int. No. 328 - Approving The Acquisition Of A Portion Of 890 Monroe Avenue For Sidewalk Easement By Negotiation Or Condemnation

Int. No. 347 - Establishing \$7,500 As Maximum Compensation For An Amendatory Professional Services Agreement For Design Of The Water Sports Center

Int. No. 348 - Continuing A Franchise For The Distribution Of Steam By Rochester District Heating Cooperative, Inc. In A Portion Of The City

Int. No. 349 - Continuing A Membership And Use Agreement With Rochester District Heating Cooperative, Inc. For Thermal Energy At Various City Buildings

Int. No. 358 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The Jay Street Public Improvement Project

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 326 - Approving Changes In Traffic Flow On Martin Street Between Hartel Alley And Upper Falls Boulevard From Two-Way To One-Way Southbound And On Hartel Alley Between St. Paul Street And Martin Street From Two-Way To One-Way Eastbound

Int. No. 327 - Authorizing Changes In The Pavement Width Of Laburnum Crescent

Int. No. 329 - Dedication Of Additional Right-Of-Way At 890 Monroe Avenue

Int. No. 330 - Approving Changes In Traffic Flow On Suter Terrace, Luzerne Street And Laburnum Crescent

Int. No. 359 - Authorizing Changes In The Pavement Width Of Lake Avenue, River Street, Latta Road And Stutson Street As A Part Of The Stutson Street Bridge Replacement Project

Int. No. 360 - Dedication Of Additional Right-Of-Way For Stutson Street And River Street As A Part Of The Stutson Street Bridge Replacement Project

Respectfully submitted,  
 Brian F. Curran  
 Tony M. Thompson  
 Lois J. Giess (Voted on Introductory No. 323.)  
 Gladys Santiago  
 PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-301  
 Re: Waterfront Development Grants

Transmitted herewith for your approval is legislation authorizing applications with the following agencies for the receipt and use of grants totaling \$1,500,000.

<u>Agency</u> <u>Project</u>	<u>Amount</u>
NY Department of State Charlotte Historic Lighthouse Access Improvements	\$ 250,000
Corn Hill Landing Public Improvements	1,000,000
River Street Promenade	150,000
NYS Office of Parks, Recreation and Historic Preservation Triphammer Water Turbine Excavation	100,000

The first three grants would be provided under the Local Waterfront Revitalization Program. The last grant would be provided under the Heritage Area Program.

The first grant would be used to partially finance the costs of pedestrian enhancements on Lighthouse Street and improvements to the accessibility of the lighthouse from River Street and Lake Avenue. The second grant would be used to finance a portion of the planned public improvements to be included in the Corn Hill Landing Projects, which include a riverfront promenade, benches, pedestrian lighting and public parking areas. The third grant would be used to finance the costs of final design of the riverfront promenade on River Street.

The last grant would be used to finance the costs of archeological excavation and documentation of the Triphammer Forge water turbine. The excavation would involve the turbine shaft, south side race and purported stairs and the brick penstock area.

A report would be prepared documenting the artifacts found and recommending methods for displaying them. If sufficient funds are available, accessibility improvements will also be designed and constructed.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-301  
 (Int. No. 323)

#### **Authorizing Applications And Agreements For Grant Funds**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Department of State for funding for a Charlotte Historic Lighthouse Access Improvement Project.

Section 2. The Mayor is hereby further authorized to submit an application to and enter into an agreement with the New York State Department of State for funding for a Corn Hill Landing Public Improvement Construction Project.

Section 3. The Mayor is hereby further authorized to submit an application to and enter into an agreement with the New York State Department of State for funding for a River Street Riverfront Promenade Construction Project.

Section 4. The Mayor is hereby further authorized

to submit an application to and enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for a Triphammer Water Turbine Excavation Project.

Section 5. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-302  
Re: Agreement - Optimation Technology, Inc. Water Automation System

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Optimation Technology, Inc., 50 High Tech Drive, for maintenance and enhancement of the computer equipment and systems relating to the water automation system at the Hemlock filtration plant. The maximum cost of this agreement will be \$30,000, which will be financed from the current and future budgets of the Department of Environmental Services (Water Fund).

The automation system is designed to control and monitor all processes at the filtration plant, at the reservoirs and at various other locations throughout the distribution system. It includes programmable logic devices, remote terminals and various operating programs.

Optimation designed and is presently completing installation of the system under an agreement authorized by the City Council on December 15, 1998. Under the terms of this agreement, there will be three-year warranties on the equipment that is being installed. Under the proposed agreement, Optimation will provide on-going maintenance, support and enhancement services.

The cost of the services will be based on the following specified unit fees:

Professional engineers	\$81 per hour
Senior engineers	71
Engineers	61

(Four hour minimum for same or next day response)

Travel	\$.30 per mile
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Proposals for the services were solicited from two other organizations, both of which did not make a submission.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-302  
(Int. No. 324)

**Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement With Optimation Technology Inc. For Services For The Hemlock Filtration Plant**

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Optimation Technology Inc. for troubleshooting, repair and enhancement of hardware and software systems and associated appurtenances at the Hemlock Filtration Plant. The agreement may extend for a term of three years. Said amount shall be funded from the 1999-2000 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-303  
Re: Agreement - RHA, Refuse Collection Services

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Housing Authority for the continued collection of refuse and recyclable materials from RHA facilities. This agreement is authorized by section 119-o of the NYS General Municipal Law.

The City currently provides refuse collection services for all of RHA's 298 homestead and 45 non-homestead properties under an agreement authorized by the City Council on August 11, 1998. This agreement expired on July 31, 2000.

Current collection volumes and revenues are as follows:

	<u>Tons</u>	<u>Revenues</u>
Homestead	500	\$ 95,000
Non-Homestead	1,500	250,000
Total	2,000	\$345,000

The homestead (three units or less) properties are required to utilize City services, but RHA may contract with any refuse collector for service to its non-homestead properties.

Under the proposed agreement, RHA will continue to commit to the use of all of its non-homestead properties through July 31, 2002. The City will guarantee that the fees charged to RHA for service to both its homestead and non-homestead properties will remain unchanged. Accordingly, the City will be assured of stable revenues, while RHA will be assured of stable costs.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-303  
(Int. No. 325)

**Authorizing An Agreement With The Rochester Housing Authority For Refuse Collection**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Authority (RHA) for the City to collect refuse and

recyclables from all RHA facilities through July 31, 2002.

Section 2. The agreement shall obligate the RHA to pay the City of Rochester for these services at the current fees.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.  
TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-304, 2000-310,  
2000-311 and 2000-312

Re: Laburnam Crescent/Luzerne  
Street/Suter Terrace Improvement  
Project

Transmitted herewith for your approval is legislation relating to the Laburnam Crescent/Luzerne Street/Suter Terrace Improvement Project. This legislation will authorize...

1. The following changes in pavement width on Laburnam Crescent:
  - a. An increase of 4', from 20' to 24', from Monroe Avenue to a point 110' north of Monroe Avenue, and
  - b. A decrease of 8', from 20' to 12' from the latter point to a point 150' north of Monroe Avenue.
2. The acquisition, by negotiation or condemnation, of a portion of 890 Monroe Avenue, at a cost of \$2,000;
3. Amendment of the Official Map to dedicate this parcel as additional public right-of-way; and
4. The following changes in traffic direction:
  - a. Suter Terrace - from one-way southbound to one-way northbound,
  - b. Luzerne Street - from one-way eastbound to one-way westbound, between Suter Terrace and Laburnam Crescent, and
  - c. Laburnam Crescent -
    - 1) One-way southbound from Luzerne Street to a point 125' north of Monroe Avenue, and
    - 2) Two-way from the latter point to Monroe Avenue.

The changes in pavement width relate to the Laburnam Crescent/Luzerne Street/Suter Terrace Improvement Project, which was designed by the Bureau of Architecture and Engineering. The changes are intended to facilitate traffic flow to and from the parking lot for the Wilson Farm neighborhood convenience store at the corner of Laburnam Crescent and Monroe Avenue.

Besides the changes in pavement width, the improvement project will involve rehabilitation or reconstruction

of the pavement; installation of a new water main, water service and hydrants on Laburnam Crescent and Luzerne and Harwood Streets; replacement of curbs, catch basins, driveway aprons and sidewalks; traffic modifications; and landscaping. The acquisition of 408 square feet of 890 Monroe Avenue is required for sidewalk installation.

The changes in traffic direction were requested by 65% of the residents on the affected streets. The changes will permit vehicles exiting the convenience store parking lot to travel to Monroe Avenue without traversing the neighborhood.

Construction of the project is scheduled to begin in the fall and be completed in the spring of 2001. The estimated cost of construction, including inspection and contingencies, is \$627,300.

Street	\$401,800
Water	148,800
Sewer	71,500
Traffic	<u>5,200</u>
Total	\$627,300

This cost will be financed from the proceeds of bond issues previously authorized by the City Council, existing Cash Capital allocations, and anticipated reimbursements from Monroe County.

Public informational meetings concerning the project were held on April 25 and August 29. Copies of the minutes of these meetings are attached.

The proposed changes in pavement width and traffic direction are scheduled to be considered by the Traffic Control Board on September 5; the proposed amendment to the Official Map is scheduled to be considered by the Planning Commission on September 11. The Council will be advised of the recommendation of the Board and Commission immediately after these dates.

Public hearings on the changes in pavement width and traffic direction and Official Map amendment are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-99

Ordinance No. 2000-304  
(Int. No. 328)

**Approving The Acquisition Of A Portion Of 890 Monroe Avenue For Sidewalk Easement By Negotiation Or Condemnation**

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

Section 1. The Council hereby approves the acquisition of a portion of the parcel at 890 Monroe Avenue for municipal purposes for the sum of \$2,000 from the current owner, Mafri Holdings.

Section 2. The acquisition cost and necessary closing costs shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. In the event that said parcel cannot be obtained by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to obtain said parcel.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-310  
(Int. No. 327)

**Authorizing Changes In The Pavement Width Of Laburnam Crescent**

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

Section 1. The Council hereby approves the following changes in the pavement width of Laburnam Crescent:

- a. An increase of 4 feet, from 20 feet to 24 feet, from Monroe Avenue to a point 110 feet north of Monroe Avenue;
- b. A decrease of 8 feet, from 20 feet to 12 feet, from the latter point to a point 150 feet north of Monroe Avenue.

Section 2. Such changes and additional improvements as a part of the Harwood Street, Overdale Park, Palisade Park, Suter Terrace, Laburnam Crescent and Luzerne Street Improvement Project, shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-311  
(Int. No. 329)

**Dedication Of Additional Right-Of-Way At 890 Monroe Avenue**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and by adding said parcel to Monroe Avenue:

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

Beginning at the point of intersection of the northerly line of Monroe Avenue and the westerly line of Laburnam Crescent;

- Thence 1) Northeasterly along the westerly line of Laburnam Crescent a distance of 99.89 feet to the northerly line of lands owned by Mafri Holdings Inc. As per a deed recorded in the Monroe County Clerk's Office in Liber 6625 of deeds at page 273;
- Thence 2) Northwesterly along the northerly line of said lands of the Mafri Holdings Inc. a distance of 4.00 feet to a point;
- Thence 3) Southwesterly and parallel to the

westerly line of Laburnam Crescent and 4.00 feet northwesterly therefrom a distance of 95.89 feet to a point;

Thence 4) Westerly and forming an interior angle of 225° 18' 52" a distance of 5.63 feet to a point on the northerly right-of-way of Monroe Avenue;

Thence 5) Southeasterly along the northerly line of Monroe Avenue a distance of 8.00 feet to the point or place of beginning.

Being part of the same premises acquired by Mafri Holdings Inc. by a deed recorded in the Monroe County Clerk's Office on October 16, 1984 and filed in Liber 6603 of deeds at page 311.

Section 2. This ordinance shall take effect upon acquisition of said parcel by the City.

Passed unanimously.

Ordinance No. 2000-312  
(Int. No. 330)

**Approving Changes In Traffic Flow On Suter Terrace, Luzerne Street And Laburnam Crescent**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Suter Terrace between Monroe Avenue and Luzerne Street from one-way southbound to one-way northbound.

Section 2. The Council hereby approves a change in direction of the traffic flow on Luzerne Street between Suter Terrace and Laburnam Crescent from one-way eastbound to one-way westbound.

Section 3. The Council hereby approves a change in direction of the traffic flow on Laburnam Crescent from one-way northbound to one-way southbound from Luzerne Street to 110 feet north of Monroe Avenue and to two-way from 110 feet north of Monroe Avenue to Monroe Avenue.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-305  
Re: Agreement - Cavendish Partnership,  
Water Sports Center

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Cavendish Partnership, 80 St. Paul Street, for additional design services relating to the water sports center. The maximum cost of the agreement will be \$7,500, which will be financed from the proceeds of the bond issue authorized by the City Council on September 15, 1999.

The center consists of the former canoe livery and maintenance facility in Genesee Valley Park. Under an agreement authorized by the City Council on October 13, 1998, it is leased to Genesee Waterways Center, Inc., an organization that was established to develop, promote, and provide water sports activities

- particularly canoeing, kayaking and rowing - within the community.

Cavendish designed the improvements required for conversion of the livery and maintenance facility into the center under an agreement authorized by the Council on September 15, 1999. Construction of the improvements began in May and is expected to be completed by September.

The original estimated cost of construction was \$295,000, excluding contingencies. The actual bid amount was \$265,740.

The favorable variance in the actual cost will permit additional improvements to be made. Under the proposed amendatory agreement, Cavendish will investigate alternatives to the present trail configuration and deck design and the reuse, rather than the recycling, of the existing docks and will prepare additional contract specifications.

If the amendatory agreement is approved, the maximum cost of the agreement with Cavendish will increase to \$52,500.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-305  
(Int. No. 347)

**Establishing \$7,500 As Maximum Compensation For An Amendatory Professional Services Agreement For Design Of The Water Sports Center**

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

Section 1. The sum of \$7,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and the Cavendish Partnership for design services for the development of the Water Sports Center. Said amount shall be funded from Bond Ordinance No. 99-320.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-306 and  
Ordinance No. 2000-307  
Re: Rochester District Heating Cooperative

Transmitted herewith for your approval is legislation relating to the Rochester District Heating Cooperative. This legislation will:

1. Extend the franchise period for RDHC for operation and maintenance of a district steam heating system, from 2010 to 2035; and
2. Authorize an agreement extending the City's membership in RDHC to 2015.

On September 3, 1985, the City Council authorized a franchise for RDHC for the operation and maintenance of a steam distribution system in the center city area. The system, formerly operated by the Rochester

Gas & Electric Company, was acquired by RDHC at public auction on September 23, 1985.

The initial term of the franchise was 25 years, through 2010. Under the proposed legislation, this term will be extended for an additional 25 years, through 2035, to permit RDHC to execute long-term contracts with its members.

At present, RDHC has 32 members with 40 buildings, to which it provides 315,800,000 pounds of steam annually. The City's membership in RDHC was authorized by the Council on September 26, 1985.

The following City buildings are served by RDHC:

- Blue Cross Arena at the War Memorial
- Central Library (Rundel and Bausch & Lomb buildings)
- City Hall
- Genesee Crossroads Parking Garage
- Manhattan Square Park
- Public Safety Building (through Monroe County)
- South Avenue parking garage

Annual consumption of steam by these buildings is approximately 28,448,700 pounds, at a cost of about \$442,400.

The City's present membership agreement is scheduled to expire on September 30, 2000. Under the proposed amendatory agreement, its term of membership will be extended through September 30, 2015.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-306  
(Int. No. 348)

**Continuing A Franchise For the Distribution Of Steam By Rochester District Heating Cooperative, Inc. In A Portion Of The City**

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

Section 1. The Council hereby approves the continuation, for a term of 25 years, of the franchise for the distribution of steam in a portion of the City as granted to Rochester District Heating Cooperative, Inc. in Ordinance No. 85-396.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-307  
(Int. No. 349)

**Continuing A Membership And Use Agreement With Rochester District Heating Cooperative, Inc. For Thermal Energy At Various City Buildings**

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

Section 1. The Mayor is hereby authorized to enter into the continuation, for a term of 15 years, of the membership and use agreement with Rochester District Heating Cooperative, Inc. for the supply of thermal energy at various City Buildings as approved in Ordinance No. 85-395.

Section 2. The agreement shall contain such ad-

ditional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-308  
Re: Agreement - CSX Transportation,  
Jay Street Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with CSX Transportation, of Jacksonville, Florida, for the provision of various services for the Jay Street Improvement Project. The maximum cost of the agreement will be \$30,000, which will be financed from the proceeds of a bond issue authorized by the City Council on April 18.

The improvement project extends from the railroad crossing to Colvin Street. It involves changes in pavement width; reconstruction of the pavement; installation of new water services and hydrants and water main improvements on side streets; replacement of curbs, catch basins, driveway aprons and sidewalks; traffic modifications; and landscaping.

The project is currently being constructed by Villager Construction, Inc., at a cost of \$1,307,000, including inspection and contingencies. Construction is expected to be substantially completed in the fall.

Under the proposed agreement, CSX will provide various services during construction relating to the railroad crossing. These services include flagging, engineering and the relocation of a crossing gate.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-308  
(Int. No. 358)

**Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The Jay Street Public Improvement Project**

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and CSX Transportation for flagging and engineering services and relocation of a crossing gate as a part of the Jay Street Public Improvement Project. Said amount shall be funded from Bond Ordinance No. 2000-107.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-309  
Re: Traffic Direction Change - Martin  
Street and Hartel Alley

Transmitted herewith for your approval is legislation approving the following changes in traffic direction:

1. Martin Street (Hartel Alley to Upper Falls Boulevard), from two-way to one-way southbound; and
2. Hartel Alley (St. Paul Street to Martin Street), from two-way to one-way eastbound.

The changes were requested by Genesee Valley Real Estate Company LLC, the owner of 690 St. Paul Street, the location of the Charter School of Science and Technology. The school will be operated by Edison Schools, Inc., beginning in the fall.

The changes are intended to improve traffic flow and enhance pedestrian safety around the school site and at the school entrance on Martin Street. The Traffic Control Board endorsed the changes on August 15.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-100

Ordinance No. 2000-309  
(Int. No. 326)

**Approving Changes In Traffic Flow On Martin Street Between Hartel Alley And Upper Falls Boulevard From Two-Way To One-Way Southbound And On Hartel Alley Between St. Paul Street And Martin Street From Two-Way To One-Way Eastbound**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Martin Street between Hartel Alley and Upper Falls Boulevard from two-way to one-way southbound.

Section 2. The Council hereby approves a change in direction of the traffic flow on Hartel Alley between St. Paul Street and Martin Street from two-way to one-way eastbound.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Santiago, Stevenson, Thompson - 7.

Nays - Councilmembers Mains, Norwood - 2.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-313 and  
Ordinance No. 2000-314  
Re: Stutson Street Bridge Replacement  
Project

Transmitted herewith for your approval is legislation relating to the Stutson Street Bridge Replacement Project. This legislation will authorize:

1. Various changes in pavement width on Lake Avenue, River Street, Latta Road and Stutson

Street; and

2. An amendment to the Official Map to dedicate additional public right-of-way on River and Stutson Streets.

The bridge replacement project, which is a NYS Department of Transportation project administered by Monroe County, involves the relocation of the lift-bridge that traverses the Genesee River in Charlotte. The new bridge, to be named the Colonel Patrick O'Rorke Bridge, will be located south of the existing bridge and will be aligned with the Lake Ontario State Parkway.

The approach to the bridge, which will sever River Street, will be under the jurisdiction of the County and will be named Pattonwood Drive. A vehicular turn-around area will be constructed on River Street south of the bridge.

On Lake Avenue, turning lanes will be installed for the bridge and parkway. On Stutson Street, the pavement east of River Street will be removed and an overlook will be installed and the intersection with Latta Road will be realigned. The traffic signal at the intersection will be removed and a new signal will be installed at the intersection of Lake Avenue and the parkway.

Replacement of the bridge and construction of the related improvements is scheduled to begin in Fall 2000 and be completed by Fall 2003. The estimated cost of construction is \$65,000,000.

The proposed legislation reflects the aforementioned changes. The changes in pavement width were endorsed by the Traffic Control Board on June 6. The amendment to the Official Map is scheduled to be considered by the Planning Commission on September 11; the Council will be advised of the Commission's recommendation immediately thereafter.

A public informational meeting concerning the proposed changes was held on November 16, 1999. A copy of the minutes of this meeting is attached.

Public hearings on the pavement width changes and Official Map amendment are required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-101

Ordinance No. 2000-313  
(Int. No. 359)

**Authorizing Changes In The Pavement Width Of Lake Avenue, River Street, Latta Road And Stutson Street As A Part Of The Stutson Street Bridge Replacement Project**

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

Section 1. The Council hereby approves the following changes in the pavement width of Lake Avenue as part of the Stutson Street Bridge Replacement Project within the project limit which begins at a point 175 feet south of the Pollard Avenue intersection and extends to a point 1,248 feet northerly:

- a) An increase in width beginning 175 feet south of the Pollard Avenue intersection for 18 feet in a northerly direction, including a taper from

the existing width of 40 feet to the proposed width of 42 feet;

- b) An increase of 2 feet in width for the next 115 feet northerly from the existing width of 40 feet to the proposed width of 42 feet;
- c) An increase in width for the next 125 feet northerly (through the Pollard Avenue intersection) including a taper from the existing width of 40 feet to the proposed width of 52 feet to accommodate a left turn lane;
- d) An increase in width for the next 600 feet northerly (through the Upton Place and Lake Ontario State Parkway intersections) from the existing width of 40 feet to 54 feet to the proposed width of 52 feet;
- e) A decrease in width for the next 155 feet northerly from an existing width which varies from 40 feet to 54 feet to the proposed width of 52 feet;
- f) A decrease in width for the next 75 feet northerly (through the Stutson Street intersection) from an existing width of 54 feet to a proposed width of 52 feet;
- g) An increase in width for the next 160 feet northerly from an existing width of 54 feet to a proposed width of 60 feet which is at the end of the project.

Section 2. The Council hereby approves the following changes in the pavement width of River Street as part of the Stutson Street Bridge Replacement Project:

- a) A 4 foot decrease in the pavement width from the existing width of 30 feet to the proposed width of 26 feet, beginning at a point 15 feet south of the Stutson Street centerline to a point 180 feet south of the Stutson Street centerline where the pavement will end;
- b) A variable increase in the pavement width beginning at a point 320 feet south of the Stutson Street centerline and ending at a point 400 feet south of the Stutson Street centerline for installation of a vehicular turn around.

Section 3. The Council hereby approves the following changes in the pavement width of Latta Road as part of the Stutson Street Bridge Replacement Project:

- a) A increase of 6 feet in pavement width for 300 feet heading easterly, beginning at a point 350 feet west of the intersection of the centerlines of Latta Road and the eastbound lane of the Lake Ontario State Parkway;
- b) Establishing the pavement width of 38 feet for 223 feet easterly including the straightening and realignment of Latta Road beginning at a point 45 feet east from the intersection of Latta Road and the centerline of the westbound lane of the Lake Ontario State Parkway (LOSP);
- c) Establishing a variable pavement width of 38 feet to 26 feet for the next 147 feet easterly.

Section 4. The Council hereby approves the following changes in the pavement width of Stutson Street as part of the Stutson Street Bridge Replacement

Project:

angles from baseline Station 21+692.3+;

- a) A decrease in the pavement width of Stutson Street on the west side of Lake Avenue from 39 feet to 34 feet to the project limit.

Thence 3) Southwesterly, along the last mentioned street boundary line, 27.4+ meters (90+ feet) to the point of beginning, being 561.8+ square meters (6048+ square feet) or 0.05618 hectare (0.139 acre) more or less.

Section 5. Such changes and additional improvements as a part of the Stutson Street Bridge Replacement Project, shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

The above mentioned 1989 survey baseline is a portion of the 1989 survey baseline for the reconstruction of Stutson Street, B.I.N. 3317120 over Genesee River, as shown on a map and plan on file in the Office of the State Department of Transportation and described as follows:

Section 6. This ordinance shall take effect immediately.

Beginning at P.I. Station 21+591.386; thence South 62° -02' -13" East to P.I. Station 22+260.286.

Passed unanimously.

Ordinance No. 2000-314  
(Int. No. 360)

**Dedication Of Additional Right-Of-Way For Stutson Street And River Street As A Part Of The Stutson Street Bridge Replacement Project**

All bearings referred to True North at the 78° -35' Meridian of West Longitude (1927 N. A. Datum).

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

Section 2. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and by adding said parcel to River Street:

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and by adding said parcel to Stutson Street:

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

All that piece or parcel of property hereinafter designated as parcel No. 1, situate in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the easterly line of River Street and the southerly line of lands acquired by the State of New York for the project known as Stutson Street BIN 3317120 over the Genesee River being map 12 parcel 12 and filed in L 1191 of Appropriations at Page 30. Said point being 343.5 feet more or less from the southerly line of Stutson Street as measured along the easterly line of River Street;

Beginning at a point in the northeasterly street boundary line of the existing Stutson Street at its intersection with southeasterly street boundary line of the existing Latta Road, said point of beginning being northeasterly 5.6+ meters measured at right angles from Station 21+692.8+ of the hereinafter described 1989 survey baseline for the reconstruction of Stutson Street, B.I.N. 3317120 over Genesee River;

Thence 1) Easterly along the dividing line and it's extension between the State of New York on the north and the lands of Richard T and Sharon L. Connelly on the south a distance of 36 feet to a point;

Thence 1) Southeasterly, along the aforementioned northeasterly street boundary line of the existing Stutson Street, 51.0+ (167+ feet) to a point, said point being northeasterly 6.6+ meters measured at right angles from baseline Station 21.743.8+;

Thence 2) Northerly a distance of 36 feet more or less to a point, said point being 28 feet at right angles to the easterly line of River Street;

Thence 2) Through the property of the City of Rochester (reputed owner) the following two (2) courses and distances:

Thence 3) Westerly at right angles to the easterly line of River Street a distance of 28 feet to a point on the easterly line of River Street;

- (1) North 41° -54' -14" West, 39.1+ meters (128+ feet) to a point, said point being northeasterly 20.082 meters measured at right angles from baseline Station 21+707.082;

Thence 4) Southerly along the easterly line of River Street a distance of 46 feet to the point or place of beginning.

- (2) North 21° -01' -28" West, 19.6+ meters (64+ feet) to a point in the aforementioned southeasterly street boundary line of the existing Latta Road, said point being northeasterly 33.0+ meters measured at right

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
September 19, 2000

To the Council:

The Public Safety/Public Services Committee

recommends for adoption the following entitled legislation:

Int. No. 331 - Establishing \$100,000 As Maximum Compensation For A Professional Services Agreement With The Rochester Philharmonic Orchestra For Public Concerts

Int. No. 332 - Authorizing Agreement For Human Services Programs

Int. No. 333 - Authorizing Agreements With Respect To Teen Pregnancy Prevention And Amending The 2000-01 Budget

Int. No. 334 - Authorizing An Agreement With Respect To Underage Tobacco Enforcement And Amending The 2000-01 Budget

Int. No. 335 - Authorizing An Application And Agreement With Respect To Seat Belt Enforcement And Amending The 2000-01 Budget

Int. No. 336 - Authorizing An Agreement For Operation Clean Spot And Amending The 2000-01 Budget

Int. No. 352 - Establishing \$10,550 As Maximum Compensation For A Professional Services Agreement With CALEA For Accreditation Of The Emergency Communications Center

Int. No. 357 - Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement With The Rochester Area Community Foundation

Respectfully submitted,  
 Tony M. Thompson  
 Lois J. Giess  
 Gladys Santiago  
 PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-315  
 Re: Agreement - RPO, Musical Services

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Philharmonic Orchestra, 108 East Avenue, for various musical services. The maximum cost of the agreement will be \$100,000, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services.

The musical services will include five orchestra concerts and four ensemble concerts. They also include classical music education within city public elementary schools.

The five orchestra concerts will be similar to those provided annually since 1987-88 under comparable agreements. The concert schedule is as follows:

Date	Event	Location
November 12, 2000	Polish Heritage Concert	Eastman Theatre
December 10, 2000	Holidays On Ice*	Blue Cross Arena at the War Memorial

December 31, 2000 New Year's Eve Concert  
 Eastman Theatre  
 May 20, 2001 Lilac Festival  
 Highland Park Bowl  
 July 4, 2001 Patriotic Concert  
 Manhattan Square Park

\*With the School of the Arts Singers and the Genesee Figure Skating Club

The four ensemble concerts have not yet been scheduled. The education curriculum will be developed by ensemble members and music and classroom teachers; thirty performances will be provided to approximately 5,000 students enrolled in grade three.

The cost of the proposed agreement is \$100,000, which is the same cost as the current agreement, which was authorized by the City Council on October 12, 1999.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-315  
 (Int. No. 331)

**Establishing \$100,000 As Maximum Compensation For A Professional Services Agreement With The Rochester Philharmonic Orchestra For Public Concerts**

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

Section 1. The sum of \$100,000 or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Philharmonic Orchestra for five (5) full orchestra public concerts, music education and four (4) smaller ensemble public concerts. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-316  
 Re: Agreement - Human Services Programs

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects.

Organization	Amount
North East Block Club Alliance	\$11,000
First Street Recreation Center	
YMCA of Greater Rochester	25,000
Teens on Track	

The cost of the agreements will be financed from the General Community Needs allocation of the 2000-01 Community Development Block Grant.

The first project is classified as a project with matching funds, and is therefore eligible for up to five years of funding; the second project is classified as a project

without matching funds, and is eligible for up to three years of funding. The proposed agreements represent the first year of CDBG funding.

Project descriptions and budgets are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-102

Ordinance No. 2000-316  
(Int. No. 332)

**Authorizing Agreements For Human Services Programs**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for the following Human Services Programs:

<u>Organization</u>	<u>Amount</u>
<u>Project</u>	
North East Block Club Alliance	\$11,000
First Street Recreation Center	
YMCA of Greater Rochester	25,000
Teens on Track	

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$36,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-2001 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-317  
Re: Teen Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation relating to teen pregnancy prevention. This legislation will authorize agreements with:

1. U.S. Department of Health and Human Services for receipt of a grant of up to \$787,023;
2. Baden Street Settlement, for receipt and use of \$584,137 for the continued provision of administrative support to the Community Partnership Program for the Prevention of Teen Pregnancy; and
3. University of Rochester, for continued evaluation of the Teen Pregnancy Prevention Project.

The project is designed to reduce the rate of teen pregnancy. It is administered by the Monroe Council on Teen Pregnancy, with administrative support from Baden Street Settlement, and is financed with grants from DHHS.

Phase I of the project began in 1995 and included the development of a Community Action Plan. Phase II began in 1997 and involves the implementation of this plan over a five-year period. A summary of the plan was presented to the Council on June 25, 1998.

The proposed legislation will provide for financing of the fourth program year of phase II, which will begin October 1. Following are summaries of the budgets for administration and evaluation of the program.

	<u>Baden Street Settlement</u>	
	<u>Core</u>	<u>Enhanced</u>
Personnel	\$202,224	\$144,821
Employee Benefits	49,356	31,326
Equipment & Facilities	34,200	3,600
Materials & Supplies	11,300	-0-
Travel and Training	19,310	23,000
Other	19,500	45,500
Total	\$335,890	\$248,247

	<u>University of Rochester</u>	
	<u>Core</u>	<u>Enhanced</u>
Personnel	\$36,906	\$ 61,937
Employee Benefits	9,388	15,464
Equipment & Facilities	-0-	-0-
Materials & Supplies	2,500	8,500
Travel and Training	5,775	5,775
Other	-0-	24,304
Total	\$54,569	\$115,980

The remaining amount of the grant, \$32,237, will be allocated for administrative costs. Provision for \$22,750 of this amount is included in the 2000-01 budget of the Department of Parks, Recreation and Human Services. The proposed budget amendment will include the remaining amount.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment Z-103

Ordinance No. 2000-317  
(Int. No. 333)

**Authorizing Agreements With Respect To Teen Pregnancy Prevention And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services, Centers for Disease Control (CDC), for funding for the Community Coalition Partnership Program for the Prevention of Teen Pregnancy.

Section 2. The Mayor is hereby further authorized to enter into an agreement with Baden Street Settlement, Inc. to implement and administer the Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The agreement shall obligate the City to pay an amount not to exceed \$584,137, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received under the agreement authorized herein.

Section 3. The Mayor is hereby further authorized to enter into an agreement with the University of Rochester to evaluate the Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The agreement shall obligate the City to pay an amount not to exceed \$170,549, and said amount,

or so much thereof as may be necessary, is hereby appropriated from the funds to be received under the agreement authorized herein.

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$9,600, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-318,  
2000-319 and 2000-320  
Re: Police Grants

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

1. Authorize agreements with the following organization for the receipt and use of grants for the programs.

<u>Organization</u> <u>Program</u>	<u>Amount</u>
Monroe County Underage Tobacco Enforcement	\$24,000
NYS Governor's Traffic Safety Committee Seat Belt Enforcement	50,000
U.S. Department of Housing and Urban Development Operation Clean Spot	40,000

2. Amend the 2000-01 budget of the Police Department to reflect the grants.

Underage Tobacco Enforcement

There are approximately 500 locations within the city that are licensed to sell tobacco products. At some of these locations, tobacco products are sold to persons under the age of 18, which is a violation of section 260.20 of the NYS Penal Law.

Since 1998, the Monroe County Department of Health has financed the costs of special enforcement efforts of the Police Department in relation to this section of the law. These efforts involve the recruitment of underage youth who attempt to purchase tobacco products from various locations.

If a youth is successful in purchasing such products, police officers inspect the premises to ensure that it is properly licensed and notify the seller that a violation has occurred. The violation is reported to the Department of Health and the NYS Department of Taxation and Finance.

Following is a summary of the performance of the program during 1999-00:

Details	16
Locations Inspected	401
Arrests	64

Under the proposed grant agreement, the special enforcement efforts will continue. The grant funds will be used to compensate the underage youth and to pay for the purchase of tobacco products and overtime for the police officers who accompany the youth. A minimum of 400 compliance checks are expected to be made in 2000-01.

Seat Belt Enforcement

The second grant will be provided under the "Buckle Up! New York" program, which is designed to increase compliance with the State's vehicle occupant restraint law. An agreement for a similar grant, of \$45,000, was authorized by the Council on July 13, 1999.

The latter grant was used to finance the costs of overtime of officers assigned to traffic checkpoints. Following is a summary of the performance of the program during 1999-00.

Details	18
Citations	
Seatbelt	2,133
Child restraint	133
Other	<u>1,034</u>
Total Citations	2,785

The proposed grant will similarly be used to finance the costs of overtime of officers participating in the details. Approximately 1,300 additional hours of traffic enforcement will be provided.

Operation Clean Spot

"Operation Clean Spot" is a new program that is designed as a sequel to "Operation Northtown", a recent City/Federal drug investigation in the northeast quadrant of the city. The latter operation resulted in the arrest of 21 people and seizure of two handguns, one kilogram of heroin, one kilogram of cocaine and \$100,000 in cash.

Under the proposed operation, police presence in the area will be enhanced through the following activities:

1. Increased vehicular, bicycle and foot patrols
2. Intensive open-air market and drug house enforcement efforts, including reverse sting operations,
3. Identification and arrest of repeat offenders,
4. Increased recruitment of community volunteers for such activities as PAC TAC and neighborhood watches,
5. Increased involvement of clergy, and
6. Use of temporary field offices.

The HUD grant will be used to finance the cost of overtime of officers participating in these activities.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-104

Ordinance No. 2000-318

(Int. No. 334)

**Authorizing An Agreement With Respect To Underage Tobacco Enforcement And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe Department of Health for funding for an Underage Tobacco Enforcement Program.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$8,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-319  
(Int. No. 335)

**Authorizing An Application And Agreement With Respect To Seat Belt Enforcement Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the Governor's Traffic Safety Committee for funding for a Seat Belt Enforcement Program.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$50,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-320  
(Int. No. 336)

**Authorizing An Agreement For Operation Clean Spot And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Housing and Urban Development, Office of the

Inspector General, for reimbursement for Rochester Police Department enforcement activities for Operation Clean Spot.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$40,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-321  
Re: Agreement - CALEA, 9-1-1  
Accreditation

Transmitted herewith for your approval is legislation authorizing an agreement with the Commission on the Accreditation for Law Enforcement Agencies, of Fairfax, Virginia, for assessment of the compliance by the Emergency Communications Department with the standards prescribed by CALEA for public safety communications agencies. The maximum cost of this agreement will be \$10,550, which will be financed from the 2000-01 budget of the department.

In November, 1998, the former Office of Emergency Communications was certified by CALEA. It was the first emergency communications center in the world to be both so certified and accredited by the National Academy of Emergency Dispatch; the accreditation had been obtained in April, 1998.

The certification, and accreditation, indicated that OEC met or exceeded various prescribed standards relating to policies, procedures, management, operations and support services. The certification has a term of two years.

Since 1998, CALEA has instituted an accreditation program. The program includes more stringent standards than those used in its certification program.

Under the proposed agreement, the Emergency Communications Department will participate in this accreditation program. CALEA will...

1. Provide assessors to conduct an on-site assessment of ECD's compliance with applicable standards;
2. Conduct a public hearing and solicit public comment concerning ECD's performance;
3. Analyze compliance data and advise ECD of the results of the assessment; and
4. If accreditation is not approved, specify the reasons for such disapproval.

The cost of the agreement will be reimbursed by Monroe County under the intermunicipal agreement

authorized by the City Council on May 10, 1994.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-321  
(Int. No. 352)

**Establishing \$10,550 As Maximum Compensation For A Professional Services Agreement With CALEA For Accreditation Of The Emergency Communications Center**

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

Section 1. The sum of \$10,550, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) for the accreditation of the Emergency Communications Center. Said amount shall be funded from the 2000-01 Budget of the Emergency Communications Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-322  
Re: Agreement - Rochester Area  
Community Foundation

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Area Community Foundation, as fiduciary agent for Quad A, for support of its programs. The maximum cost of this agreement will be \$25,000, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services.

Quad A (Athletic, Artistic and Academic Achievement), which was established in 1994, is a volunteer organization that raises funds for organized sports, arts and academic programs for minorities and disadvantaged youth. The programs - which are generally provided in conjunction with other community organizations, such as recreation centers, settlement houses, churches and schools - are intended to reduce juvenile social problems and improve life prospects.

In 1999, approximately 3,675 youth participated in the 28 programs supported by Quad A. The City provided \$12,500 for these programs, pursuant to an agreement authorized by the City Council on September 15, 1998.

Under the proposed agreement, the City will again support Quad A's activities during 2000-01. Of the total contribution of \$25,000, \$12,500 will be used to finance the cost of programs, while \$12,500 will be used to finance administrative costs.

The total administrative budget is about \$50,000. The remaining amount of this budget will be financed by RACF, the United Way of Greater Rochester and private donations.

A description of the programs provided by Quad A is attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-105

Ordinance No. 2000-322  
(Int. No. 357)

**Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement With The Rochester Area Community Foundation**

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Area Community Foundation, as fiduciary agent for Quad A, to support community programs. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains  
September 19, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 342 - Cancellation Of Taxes And Charges

Int. No. 343 - Amending The 2000-01 Community Development Block Grant And Approving A Section 108 Business Loan And An Economic Development Initiative Grant For The Genesee Brewing Company Inc. Project

Int. No. 344 - Amending The 2000-01 Community Development Block Grant And Approving A Section 108 Business Loan And A Brownfields Economic Development Initiative Grant For The Rochester Midland Corporation Project

Int. No. 345 - Amending Guidelines, Appropriating Funds And Authorizing Agreements For The Commercial Loan Fund And Industrial Loan Fund Programs And Amending The 2000-01 City Development Fund

Int. No. 350 - Authorizing An Agreement For Operation Of The Plymouth Avenue Parking Lot

Int. No. 351 - Authorizing Extension Of The Lease Agreement For The Boys Club Parking Lot

Int. No. 353 - Establishing Maximum Compensation For A Professional Services Agreement With The Center For Governmental Research, Inc. For Development Of A Disaster Recovery Plan And Amending The Budget - \$15,000

Int. No. 354 - Authorizing Amendatory Applications And Agreements For The 1993-94, 1994-95 And 1995-96 Community Development Programs To

Terminate Section 108 The Microloan Program And Authorize Additional Funding For The Section 108 Business Loan Program

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 346 - Amending The Municipal Code with Respect To The Senior Citizens Tax Exemption

Respectfully submitted,  
 Tim O. Mains  
 Brian F. Curran  
 Nancy K. Griswold  
 Gladys Santiago  
 JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-323  
 Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$4,633.08.

Of the total, \$2,136.38 (46%) relates to a delinquent refuse charge incurred by a tenant of a rental property. The owner of the property did not request the service.

\$1,296.70 (28%) relates to a property for which Senior Citizens and Enhanced STAR tax exemptions were omitted. \$1,200.00 (26%) relates to a code violation charge for which proper prior notification was not provided.

If these cancellations are approved, total cancellations during 2000-01 will be \$123,891.02.

	<u>Accounts</u>	<u>Amounts</u>
City Council	7	
\$116,390.02		
Administrative	<u>23</u>	
<u>7,501.00</u>		
Total	30	
\$123,891.02		

This amount represents .063% of the taxes receivable as of July 1.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-323  
 (Int. No. 342)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

- a. The property owner was entitled to a 50% Senior Citizens tax exemption and an Enhanced STAR for the 2000 Final Assessment Roll. The roll did

not reflect those exemptions:

<u>S.B.L.#</u> <u>Address</u>	<u>Class</u>	<u>Tax</u> <u>Year</u>	<u>Amount</u> <u>Cancelled</u>
060.600-0002-042 \$1,296.70 295 River Heights Circle	H	2001	

- b. A delinquent refuse charge was incurred by tenant. Not enforceable against the property owner:

<u>S.B.L.#</u> <u>Address</u>	<u>Class</u>	<u>Tax</u> <u>Year</u>	<u>Amount</u> <u>Cancelled</u>
106.640-0003-035 \$2,136.38 325-327 North Street	N	2001	

- c. A code violation charge was incurred where proper notification was not given to the property owner:

<u>S.B.L.#</u> <u>Address</u>	<u>Class</u>	<u>Tax</u> <u>Year</u>	<u>Amount</u> <u>Cancelled</u>
136.400-0002-007 \$1,200.00 435 Highland Avenue	H	2000	

Total:  
\$4,633.08

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-324 and  
 Ordinance No. 2000-325  
 Re: Section 108 Loans

Transmitted herewith for your approval is legislation relating to the Section 108 loan program. This legislation will:

1. Authorize the submission of two applications to the U.S. Department of Housing and Urban Development for additional Section 108 loan authority totaling \$6,700,000.
2. Amend the 2000-01 Community Development Block Grant to provide for the following loans and grants:

Genesee Brewing Company, Inc. Section 108 Loan Economic Development Initiative Grant	\$5,000,000   1,500,000
---	----------------------------------

Rochester Midland Corporation	
Section 108 Loan	\$1,500,000
Brownfields Economic	
Development Initiative Grant	425,000

3. Authorize any necessary agreements.

Submission of the applications for the Economic Development Initiative Grants was authorized by the City Council on May 16.

Genesee Brewing Company

As indicated at the time, Genesee will use the loan and grant to finance the costs of conversion of its production system and renovation or demolition of buildings. Both projects are important elements in the brewery's plan to improve its financial performance.

Genesee currently has a combination of two types of production systems - a Hoff Stevens system and a Sankey system. The conversion will involve the replacement of the Hoff Stevens system with a Sankey system.

Barrels from the Sankey system are easier to handle than those of the Hoff Stevens system. Thus, the conversion is expected to increase worker productivity and reduce injuries, lost work time and production and parts and supplies expense. The estimated cost reduction is \$500,000.

The building renovation will involve the conversion of an existing two-story underutilized building into a restaurant/brew pub/product display center, while the demolition will involve an adjacent building. The improvements are part of Genesee's plan to enhance product marketing.

The first floor of the renovation building will contain a historical exhibit of Genesee memorabilia, a store in which company logo merchandise will be sold and a reception center. The second floor will contain a restaurant with approximately 4,700 square feet of space and a private dining area with about 2,000 square feet of space.

The total estimated cost of the two components of the project is \$7,730,000.

<u>Production System Conversion</u>	
Cooperage	\$3,500,000
Pallets	120,000
Equipment	<u>110,000</u>
	\$3,730,000

<u>Building Renovation/Demolition</u>	
Interior improvements	\$2,995,000
Exterior improvements	252,000
Building demolition	300,000
Site improvements	188,000
Professional services	<u>265,000</u>
Total	<u>\$4,000,000</u>
	\$7,730,000

This cost will be financed as follows:

Section 108 loan	\$5,000,000
EDI grant	1,500,000
Equity	<u>1,230,000</u>
Total	\$7,730,000

The project is expected to contribute to the retention of 375 existing jobs and the creation of 80 new jobs.

Rochester Midland Corporation

Rochester Midland, which manufactures and distrib-

utes chemical and personal care products, will use the loan and grant to acquire adjacent property and modernize and expand its facilities. The project is designed to reduce production costs and prevent the need to continue to transfer production to a facility in Aurora, Illinois.

At present, Rochester Midland has two buildings on Hollenbeck Street. It manufactures its products in a building on one side of the street and transports the products to a building on the other side of the street for warehousing and eventual shipping.

Because of the separation of the buildings and the obsolescence of the manufacturing facility, the cost of production in Rochester is 40% higher than the cost of production in Aurora. Because of the difference in cost, production in Rochester in 1999 decreased by about 8-10% while production in Aurora increased by about 20%.

Under the proposed project, Rochester Midland will acquire abandoned rail property owned by CSX, Inc. and other property owned by Ridge Lumber, demolish a portion of its current manufacturing building and add approximately 40,000 square feet of combined manufacturing and warehousing space. The estimated cost of the project is \$3,400,000.

Property acquisition	\$ 25,000
Environmental remediation	200,000
Infrastructure improvements	180,000
Demolition and construction	2,247,000
Professional services	350,000
Contingencies	<u>398,000</u>
Total	\$3,400,000

This cost will be financed as follows:

Section 108 loan	\$1,700,000
BEDI grant	425,000
Bank loan	935,000
Equity	<u>340,000</u>
Total	\$3,400,000

The project is expected to result in the retention of 241 jobs, 65% of which are held by City residents.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-106

Ordinance No. 2000-324  
(Int. No. 343)

**Amending The 2000-01 Community Development Block Grant And Approving A Section 108 Business Loan And An Economic Development Initiative Grant For The Genesee Brewing Company Inc. Project**

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

Section 1. The Mayor is hereby authorized to submit an amendatory application and to enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 2000-01 Community Development Program for additional Section 108 Business Loan authority in the amount of \$5,000,000 and Economic Development Initiative Grant authority in the amount of \$1,500,000 for the Genesee Brewing Company Inc. Project at 445 St. Paul Street. The 2000-01 Community Develop-

ment Plan is hereby amended to add this project at this location for the Section 108 Business Loan and the Economic Development Initiative Grant Programs.

Section 2. The Council hereby approves a Section 108 Business Loan in the amount of \$5,000,000 and an Economic Development Initiative Grant in the amount of \$1,500,000 to the Genesee Brewing Company Inc. or successor entity and said amounts, or so much thereof as may be approved, are hereby appropriated for this purpose.

Section 3. The Mayor is hereby authorized to enter into Section 108 Business Loan and Economic Development Initiative Grant Agreements with the Department of Housing and Urban Development and with the Genesee Brewing Company Inc., and to execute such other agreements or instruments as may be necessary to effectuate the Business Loan and Economic Development Initiative Grant Programs.

Section 4. The application, agreements, and other instruments shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.  
Passed unanimously.

Ordinance No. 2000-325  
(Int. No. 344)

**Amending The 2000-01 Community Development Block Grant And Approving A Section 108 Business Loan And A Brownfields Economic Development Initiative Grant For The Rochester Midland Corporation Project**

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

Section 1. The Mayor is hereby authorized to submit an amendatory application and to enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 2000-01 Community Development Program for additional Section 108 Business Loan authority in the amount of \$1,700,000 and Brownfields Economic Development Initiative Grant authority in the amount of \$425,000 for the Rochester Midland Corporation Project at 333 Hollenbeck Street. The 2000-01 Community Development Plan is hereby amended to add this project at this location for the Section 108 Business Loan and the Brownfields Economic Development Initiative Grant Programs.

Section 2. The Council hereby approves a Section 108 Business Loan in the amount of \$1,700,000 and a Brownfields Economic Development Initiative Grant in the amount of \$425,000 to the Rochester Midland Corporation and said amounts, or so much thereof as may be approved, are hereby appropriated for this purpose.

Section 3. The Mayor is hereby authorized to enter into Section 108 Business Loan and Brownfields Economic Development Initiative Grant Agreements with the Department of Housing and Urban Development and with the Rochester Midland Corporation, and to execute such other agreements or instruments as may be necessary to effectuate the Business Loan and Brownfields Economic Development Initiative Grant Programs.

Section 4. The application, agreements, and other instruments shall contain such additional

terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-326  
Re: Industrial and Commercial Loan Fund Programs

Transmitted herewith for your approval is legislation relating to the Industrial and Commercial Loan Fund Programs:

1. Revise the guidelines for the programs; and
2. Reallocate or reappropriate of \$250,000 from the Industrial Loan Fund for use in the Commercial Loan Fund Program.

The Industrial Loan Fund Program was authorized by the City Council on June 19, 1986, while the Commercial Loan Fund Program was authorized by the Council on May 14, 1996. Under the programs, loans are provided to industrial companies or commercial businesses for working capital or the acquisition of real estate, machinery and equipment.

Under the proposed revisions to the guidelines for the programs, the loan funds will be able to also be used by the City for the purchase from a financial institution of a portion of a Small Business Administration loan guarantee. A similar revision to the guidelines of the Targeted Business Assistance Program was approved by the Council on June 15.

At present, the Commercial Loan Fund Program is financed through appropriations from the Community Development Block Grant. Since federal regulations prohibit the use of CDBG funds with SBA funds, a modification of the funding for the program is required. The modification will involve the reallocation of funds originally appropriated from the City Development Fund for the Industrial Loan Fund. There is no prohibition on the use of CDF funds with SBA funds.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-326  
(Int. No. 345)

**Amending Guidelines, Appropriating Funds And Authorizing Agreements For The Commercial Loan Fund And Industrial Loan Fund Programs And Amending The 2000-01 City Development Fund**

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

Section 1. The Council hereby approves amendments to the Commercial Loan Fund and Industrial Loan Fund Program Guidelines to permit the purchase by the City of a portion of an SBA 7A loan.

Section 2. The 2000-01 City Development Fund, as approved in Ordinance No. 2000-176, is hereby amended by increasing the amount authorized and

appropriated to fund the Commercial Loan Fund by the sum of \$250,000, which amount is hereby appropriated from the Industrial Loan Fund Account.

Section 3. The Mayor is hereby authorized to enter into agreements with lending institutions as well as loan agreements with eligible businesses in accordance with the guidelines for the Commercial Loan Fund and Industrial Loan Fund Programs.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-327 and  
Ordinance No. 2000-328  
Re: Agreements - Parking Lots

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the operation or lease of parking lots.

<u>Organization</u> <u>Address</u>	<u>Facility</u>
Donatelli, Inc. (Ralph Parking Co.) 120 E. Main Street	Plymouth Avenue Lot
Vineyard Christian Church One Favor Street	Boys Club Lot

Plymouth Avenue Lot

The Plymouth Avenue lot, which contains 234 spaces, currently is operated by Donatelli under an agreement that was authorized by the Council on September 13, 1995. The agreement expires on October 1.

Proposals for operation of the lot after that date were solicited and received from three organizations.

Present	\$129,384
Proposed	
Donatelli	\$129,444
Allright/Central	110,160
Mapco Auto Park, Ltd.	92,004

Under the terms of the proposed agreement, Donatelli will be responsible for the above payment, the provision of a full-time attendant and all expenses associated with operation of the lot, including maintenance and snow plowing, utilities, special assessments and insurance. The agreement will have an initial term of two years with provision for renewal for two additional one-year periods.

Any change in the parking fees for the lot will continue to be subject to the approval of the Municipal Parking Coordinator.

Boys Club Lot

The Boys Club Lot, which contains 116 spaces, is currently leased to Vineyard Christian Church under an agreement authorized by the Council on October 12, 1999. This agreement expires on September 13. Under the proposed agreement, the church will con-

tinue to lease the lot for an additional two-year period, with an option for renewal for an additional one-year period. The annual lease payment will be \$37.47 per space, which is \$6.93 more than the current payment of \$30.54 per space.

However, the total lease payment, \$2,473, will be less than the current payment, \$3,543, because of the planned designation of 50 spaces for the use by City employees who currently have parking spaces at the Civic Center complex. These employees will be displaced by construction by the City of the new public safety building and the planned expansion by Monroe County of the jail.

The lease payment will be further adjusted if the number of designated spaces changes.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-107

Ordinance No. 2000-327  
(Int. No. 350)

**Authorizing An Agreement For Operation Of The Plymouth Avenue Parking Lot**

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 Donatelli, Inc. for the operation of the Plymouth Avenue Parking Lot for a period of two years, with an option to renew for an additional two one-year periods. The operator shall be responsible for providing a full-time attendant and for the payment of all expenses related to the operation of the lot, including snow plowing, maintenance, utilities, property assessments and insurance. The operator shall be required to submit a plan for short-term parking. Rates shall be subject to the approval of the Municipal Parking Coordinator.

Section 2. The agreement shall obligate Donatelli, Inc. to pay to the City the sum of \$129,444 annually.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-328  
(Int. No. 351)

**Authorizing Extension Of The Lease Agreement For The Boys Club Parking Lot**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Vineyard Christian Church for the extension of the lease of the Boys Club Parking Lot at 25 and 31 Favor Street for an additional period of two years, with an option for an additional period of one year. The extension shall provide that in the event the City needs to use spaces in the lot, the rent shall be adjusted by the Municipal Parking Coordinator. The Municipal Parking Coordinator may designate

the lot for special event parking if necessary.

Section 2. Vineyard Christian Church shall be obligated to pay to the City the sum of \$2,473 annually for the lease.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-329  
Re: Disaster Recovery Grant

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with the Center for Governmental Research, Inc. (CGR) for the development of a disaster recovery plan for City records and amending the City Council/City Clerk budget to reflect receipt of a grant of that amount from New York State for such a purpose.

As you know, the City Clerk submitted a proposal to the State Archives and Records Administration (SARA), a division of the Education Department, for funding to address the question of how to ensure that vital public records are accessible following a disaster. Once the grant approval was received, potential vendors were contacted from a list of those deemed eligible by of the Education Department to carry out such projects. Two proposals were received; CGR was chosen on the basis of its greater familiarity with the City government and because it was the only local agency to respond.

CGR will work with each of the operating departments to identify the three top priority sites where they believe access is critical. Using that information, CGR will develop a recovery plan for at least the top site in each department and a selected sample of other sites that cover the range of operations carried out by the City. This report will include up to thirty sites as funding permits. In addition to the planning documents, CGR will also provide a separate report outlining the process and any City-wide issues that should be addressed.

The project will begin upon approval of the legislation; CGR will provide preliminary findings by the end of the year and will complete the project by May 31, 2001.

Respectfully submitted,  
Lois J. Giess  
President

Ordinance No. 2000-329  
(Int. No. 353)

**Establishing Maximum Compensation For A Professional Services Agreement With The Center for Governmental Research, Inc. For Development Of A Disaster Recovery Plan And Amending The Budget - \$15,000**

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as maximum compensation for a professional services agreement with the Center for Governmental Research, Inc. for the development of a disaster recovery program. Said amount shall be funded from the 2000-01 Budget of the City Council/City Clerk.

Section 2. Ord. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the City Council/City Clerk by \$15,000 to reflect the receipt of a grant from the New York State Education Department for said disaster recovery program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.  
TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-330  
Re: CDBG Amendments - Microloan Program

Transmitted herewith for your approval is legislation amending the 1993-94 through 1995-96 Community Development Block Grants by reallocating a total of \$3,579,600 from the Section 108 Microloan Program to the Section 108 Business Loan Program.

The microloan program was authorized by the City Council on October 12, 1993. The program was directed towards and limited to small businesses with annual sales of not more than \$2.5 million and not more than 50 employees.

At the time of authorization, it was recognized that small businesses typically involve greater financial risk than larger, more established businesses. However, despite the use of underwriting standards approved by the U.S. Department of Housing and Urban Development, the City's experience with loan delinquencies and defaults has exceeded reasonable levels.

	Number	Percent	Amount	Percent
Approved loans	35	100.0%	\$761,752	\$100.0%
Delinquent loans	10	28.6	151,427	19.9
Loans written off	12	34.3	215,224	28.3

For this reason, it is recommended that the microloan program be terminated and that any remaining allocations be transferred to the business loan program.

Despite the termination of the program, financial assistance still will be available to small businesses through the Targeted Business Assistance Program, which was authorized by the Council on March 17, 1998 and the Micro Enterprise Development Program, which was authorized by the Council on December 14, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-108

Ordinance No. 2000-330  
(Int. No. 354)

**Authorizing Amendatory Applications And Agreements For The 1993-94, 1994-95 And 1995-96 Community Development Programs To Terminate Section 108 The Microloan Program And Authorize Additional Funding For The Section 108 Business Loan Program**

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

Section 1. The Mayor is hereby authorized to submit an amendatory application to and enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 1993-94 Community Development Program whereby the Section 108 Microloan Program, as approved by Ordinance No. 93-362, shall be terminated, and the uncommitted funds under this Program are reappropriated to fund the Section 108 Business Loan Program. The 1993-94 Community Development Program Plan, as amended, is hereby further amended to effectuate this change, contingent upon approval of the amendatory agreement.

Section 2. The Mayor is hereby authorized to submit an amendatory application to and enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 1994-95 Community Development Program whereby the Section 108 Microloan Program, as approved by Ordinance No. 94-362, shall be terminated, and the uncommitted funds under this Program and the Economic Development Initiative Grant Program are reappropriated to fund the Section 108 Business Loan Program. The 1994-95 Community Development Program Plan, as amended, is hereby further amended to effectuate this change, contingent upon approval of the amendatory agreement.

Section 3. The Mayor is hereby authorized to submit an amendatory application to and enter into an amendatory agreement with the United States Department of Housing and Urban Development for the 1995-96 Community Development Program whereby the Section 108 Microloan Program, as approved by Ordinance No. 95-298, shall be terminated, and the uncommitted funds under this Program and the Economic Development Initiative Grant Program are reappropriated to fund the Section 108 Business Loan Program. The 1995-96 Community Development Program Plan, as amended, is hereby further amended to effectuate this change, contingent upon approval of the amendatory agreement.

Section 4. The Mayor is hereby authorized to enter into Section 108 Loan Agreements with the Department of Housing and Urban Development and with individual businesses under the Business Loan Program, and to execute such other agreements or instruments as may be necessary to effectuate the Business Loan Program.

Section 5. The applications, agreements, and other instruments shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-331  
Re: City Charter Amendment - Aged  
Property Tax Exemption

Transmitted herewith for your approval is legislation amending the City Code by increasing the maximum annual income limit for eligibility for a senior citizen's property tax exemption. Such an increase is authorized by Chapter 198 of the Laws of 2000.

Under the provisions of Section 467 of the NYS Real Property Tax Law, the City Council is authorized to approve partial exemptions from real property taxes for certain persons 65 years of age or older. Pursuant to this authorization, the City Council has historically approved such exemptions. The current exemptions were last approved on August 11, 1998.

To qualify for an exemption, a person must be the owner/occupant of a residential property and have an income within certain specified amounts. These amounts are prescribed by Section 467 and are periodically adjusted to compensate for the effect of inflation and nominal increases in personal income.

The most recent adjustment was approved by the State on August 16, 2000. The maximum income for each percentage exemption has been increased by \$1,000.

If approved, the new eligibility limit will first be effective in tax year 2001-02, for which bills are to be issued on July 1, 2001. To qualify for an exemption, a person must submit an application to the City by February 1, 2001.

The effect of the recommended change upon City tax revenues and rates is expected to be minimal. At present, there are 3,550 Senior Citizen exemptions with total exemption valuations of \$65.8 million (City) and \$72.0 million (School). These exemptions result in a total tax loss of approximately \$1,326,000 or have a homestead tax rate of \$.45.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-331  
(Int. No. 346)

**Amending The Municipal Code With Respect To The Senior Citizens Tax Exemption**

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

Section 1. Section 107-2 of the Municipal Code, relating to age and income limits and exemption percentages for the senior citizens tax exemption, as amended, is hereby further amended by amending the chart found in subsection A thereof to read in its entirety as follows:

Annual Income	Percentage of Assessed Valuation Exempt from Taxation
\$20,500 or less	50
\$20,501 or more but less than \$21,500	45
\$21,501 or more but less than \$22,500	40

\$22,501 or more but less than \$23,500	35
\$23,501 or more but less than \$24,400	30
\$24,401 or more but less than \$25,300	25
\$25,301 or more but less than \$26,200	20
\$26,201 or more but less than \$27,100	15
\$27,101 or more but less than \$28,000	10
\$28,001 or more but less than \$28,900	5

Authorizing An Amendatory 2000-01 Community Development Program Plan And Authorizing An Agreement Relating To The Creative City Initiative Int. No. 391 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson  
October 17, 2000

Section 2. This ordinance shall take effect immediately and shall first apply during the 2001-02 tax year.

Passed unanimously.

The meeting was adjourned at 8:59 P.M.

President Giess thanked Alexander Ikejiaku , former City Council Staff, for all the years of dedicated work and support he has given Councilmembers, Staff and Administration.

CAROLEE A. CONKLIN  
City Clerk

\* \* \* \* \*

REGULAR MEETING  
October 17, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Norwood - 1.

The Council President requested the Council to rise for a Moment of Silence in remembrance of the life of Tiffany Grace Norwood, daughter of Wade S. and Lisa G. Norwood.

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

Recognition Ceremony

- Retirement:
- Police Department
- \*Michael Karnes
- \*Raymond Mosher, Jr.
- Department of Parks, Recreation and Human Services
- \*Linda Palmeri
- Emergency Communications Department
- \*Jeanette Walsh
- \*Not attending

APPROVAL OF THE MINUTES  
By Councilmember Curran

RESOLVED, that the minutes of the Regular Meeting of September 19, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing An Increase In The Pavement Width Of Garland Avenue Int. No. 364 No speakers.

Authorizing An Amendatory 1999-2000 Community Development Program Plan And Authorizing Amendatory Agreements Relating To The Emergency Shelter Grant Program Int. No. 381 No speakers.

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 363 - Authorizing Agreements For Genesee Valley Park Improvements And Amending The 2000-01 Budget

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 364 - Authorizing An Increase In The Pavement Width Of Garland Avenue

Respectfully submitted,  
 Robert J. Stevenson  
 Brian F. Curran  
 Tony M. Thompson  
**PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE**

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-332  
 Re: Genesee Valley Park Baseball Field Improvements

Transmitted herewith for your approval is legislation relating to planned improvements to two baseball fields at Genesee Valley Park. This legislation will:

1. Authorize agreements with the following organizations:
  - a. NYS Office of Children and Family Services for the receipt of a grant of up to \$50,000; and
  - b. Genesee Valley Little League, Inc., for use of these funds.
2. Amend the 2000-01 Cash Capital allocation of the Department of Parks, Recreation and Human Services.

The grant will be used to finance the costs of certain improvements to the two fields. Genesee Valley Little League, a not-for-profit organization, has used these fields for over 10 years.

Approximately 200 youth, ages 5-18, annually participate in the Little League program. About 200 games are played on the fields each year.

The grant is included in the 2000-01 NYS budget through the efforts of Assemblyman David Gantt. It will be used to finance the costs of regrading and restoring the fields and the installation of outfield fencing.

The work is expected to be completed after the 2001 baseball season. Upon completion, the improvements will become the property of the City.

A similar grant, of \$10,000, was included in the 1999-00 NYS budget, also through the efforts of Assemblyman Gantt. It was used to finance the costs of replacing backstops and installing players' benches and safety fencing. The City Council authorized agreements for the receipt and use of this grant on February 15.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-332  
 (Int. No. 363)

**Authorizing Agreements For Genesee Valley**

**Park Improvements And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services for funding for improvements to baseball fields at Genesee Valley Park.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Genesee Valley Little League for the improvements at Genesee Valley Park.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Cash Capital Allocation.

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$50,000, which amount is hereby appropriated from funds to be received from the State of New York for the Genesee Valley Park improvements.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-333  
 Re: Pavement Width Change - Garland Avenue

Transmitted herewith for your approval is legislation authorizing an increase, from 20' to 26', in the pavement width of Garland Avenue.

The increase will occur within the existing right-of-way and is designed to improve traffic flow and facilitate street maintenance. It will be constructed as part of the Garland Avenue Improvement Project.

Besides the increase in pavement width, the project includes reconstruction of the pavement; replacement of the existing concrete gutters with curbs and catch basins; replacement of sidewalks as necessary; replacement of hydrants and the water main on the portion of Belknap Street within the project limits; and landscaping.

Construction is scheduled to begin in the spring of 2001 and be completed in the summer. The estimated cost of construction, including inspection and contingencies, is \$505,300.

Improvement	Amount
Street	\$388,300
Water	92,000
Sewer	25,000
Total	\$505,300

The cost of the project will be financed from existing

Cash Capital allocations and the proceeds of bond issues previously authorized by the City Council.

A public informational meeting concerning the project was held on September 5. A copy of the minutes of this meeting is attached.

The proposed increase in pavement width was endorsed by the Traffic Control Board on September 19. A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-109.

Ordinance No. 2000-333  
(Int. No. 364)

**Authorizing An Increase In The Pavement Width Of Garland Avenue**

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

Section 1. The Council hereby approves an increase in the pavement width of Garland Avenue of six feet, from twenty feet to twenty-six feet, from Mt. Read Boulevard to the west end of Garland Avenue.

Section 2. Such changes, and additional improvements as a part of the Garland Avenue Improvement Project, shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
October 17, 2000

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 365 - Authorizing An Agreement With Respect To The Safe Passages Program And Amending The 2000-01 Budget

Int. No. 366 - Authorizing An Agreement With Respect To The Stop-DWI Program

Int. No. 367 - Authorizing An Agreement With Respect To The Aid To Law Enforcement Program

Int. No. 368 - Establishing \$38,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Police Outdoor Range Improvements Project

Int. No. 369 - Establishing \$27,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Veterinary Services

Int. No. 370 - Establishing Maximum Compensation For A Professional Services Agreement For The Adult Softball Program

Int. No. 371 - Authorizing Agreements For Human Services Projects

Int. No. 386 - Authorizing Amendatory Agreements For Towing Services

Int. No. 387 - Authorizing An Agreement For The 311 Non-Emergency Reporting System And Amending The 2000-01 Budget By Appropriating Forfeiture Funds

Int. No. 388 - Authorizing An Agreement With Respect To Development Of The Metropolitan Medical Response System And Amending The 2000-01 Budget

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
Gladys Santiago (Did not vote on Introductory No. 365 through Introductory No. 368.)  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-334,  
2000-335 and 2000-336  
Re: Police Grants

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the receipt and use of various grants.

<u>Organization</u>	<u>Program</u>	<u>Amount</u>
Rochester City School District	Safe Passages	\$ 25,000
Monroe County	STOP - DWI	221,051
NYS Division of Criminal Justice Services	Aid to Law Enforcement	464,353

The legislation also will amend the 2000-01 budget of the Police Department as appropriate.

Safe Passages

The Safe Passages Program of the City School District is intended to enhance the safety of children as they walk to school. Under an agreement authorized by the City Council on April 14, 1998, the program has previously involved the training and equipping by the Police Department of escorts for students attending Roberto Clemente School #8 on Upper Falls Boulevard.

Under the proposed agreement, the program will provide additional police patrols before and after school on streets near the following schools:

<u>School</u>	<u>Address</u>
School #15	494 Averill Avenue
Francis Parker School #23	170 Barrington Street
Pinnacle School #35	194 Field Street
Monroe Middle School	164 Alexander Street

The additional patrols will occur on school days between 7:00 a.m. and 9:00 a.m. and 2:00 p.m. and 4:00 p.m. The grant will finance the cost of the over-

time required for the patrols.

Aid to Law Enforcement

The Aid to Law Enforcement Program, formerly the Major Offense Police Program, was initiated in 1981. The program is intended to enhance the ability of major city law enforcement agencies to prevent or respond to major criminal offenses and, specifically, to decrease trafficking in narcotics, the availability of handguns and the incidence of felonies.

Since inception of the program, the City has used the funds allocated to it under the program to finance the costs of the investigation coordinators assigned to the patrol sections. The coordinators analyze investigations, coordinate efforts of the section investigators, identify relationships between cases, develop investigative strategies and prepare case packages for the District Attorney's Office.

Acceptance of the most recent grant was authorized by the Council on October 22, 1996. The amount of the proposed grant is the same as the latter grant and will be used to finance the following costs:

Salaries	\$357,137
Overtime	15,000
Employee Benefits	92,216
Total	\$464,353

STOP-DWI

The STOP-DWI program was initiated in 1981. It is intended to enhance the ability of local law enforcement agencies to prevent or respond to DWI offenses.

Under the program, a portion of all fines levied against persons convicted for DWI is allocated to the counties in which the offenses occurred. In Monroe County, a portion of this allocation is reallocated to the municipalities that have their own police forces and, therefore, their own anti-DWI activities.

The reallocation includes a basic grant of \$3,000 with the remainder based upon the relative number of DWI arrests. In 1999, 1,279 arrests occurred in Rochester, compared to 1,337 arrests in 1998.

Since 1984, when the reallocation began, the City has received \$2,229,904 from the program. These funds have been used to finance the costs of overtime for patrol personnel assigned to anti-DWI activities, the provision of related training and the acquisition and maintenance of required equipment.

The most recent agreement for receipt and use of the annual allocation was authorized by the Council on April 18. Under the proposed agreement, the annual allocation will be used for the following purposes during 2001.

Traffic Enforcement	\$149,796
Underage Sales Enforcement	25,000
Equipment	26,455
Equipment Repair	7,000
Supplies	800
Training	12,000
Total	\$221,051

The 2001 allocation is \$11,845 less than the 2000 allocation.

Respectfully submitted,  
William A. Johnson, Jr.

Mayor

Ordinance No. 2000-334  
(Int. No. 365)

**Authorizing An Agreement With Respect To The Safe Passages Program And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the City School District for funding under the Safe Passages Program.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000, which amount is hereby appropriated from funds to be received under the agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-335  
(Int. No. 366)

**Authorizing An Agreement With Respect To The Stop-DWI Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for funding under the Stop-DWI Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-336  
(Int. No. 367)

**Authorizing An Agreement With Respect To The Aid To Law Enforcement Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for funding under the Aid to Law Enforcement Program for a term not to exceed five years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-337  
Re: Agreement - Sear-Brown Group,  
PSTF Outdoor Firing Range  
Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with The Sear-Brown Group, 2250 Brighton-Henrietta Town Line Road, for resident project representation services for the Outdoor Firing Range Improvement Project at the Public Safety Training Facility. The maximum cost of this agreement will be \$38,000, which will be financed from the proceeds of bond issues authorized for the project by the City Council on July 13, 1999 and April 18, 2000.

Under the agreement authorized by the Council on August 19, 1997, the City leased to Monroe County most of the property at 1190 Scottsville Road for construction of new public safety training facilities. However, the City retained ownership of and responsibility for the outdoor firing range and bomb disposal area.

The improvement project, which was designed by the Department of Environmental Services, is intended to enhance security and safety at the range and remediate environmental contamination. The project involves regrading and enlarging berms; regrading and resurfacing the range; installing new firing lanes; improving erosion control and storm drainage; adding parking spaces; improving the lighting for the range and parking area; adding privacy slats to the existing fence; remediating lead contaminated soil; installing a bullet trap; and planting of trees and vines for screening.

Bids for the project were received on August 15. The installation of the bullet trap will be performed by Esworthy Target Systems at a cost of \$85,500, while the remaining work will be performed by C.P. Ward at a cost of \$319,481. These costs will be financed from the proceeds of the aforementioned bond issues and the 1996-97 Cash Capital allocation.

Construction of the project is scheduled to begin in October and be completed by December. Sear-Brown is recommended to provide inspection services because of the qualifications of the personnel to be assigned to the project and its ability to provide the required services within the time period specified by the City.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-110

Ordinance No. 2000-337  
(Int. No. 368)

**Establishing \$38,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Police Outdoor Range Improvements Project**

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

Section 1. The sum of \$38,000, or so much thereof

as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for resident project representation services for the Police Outdoor Range Improvements Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$29,200 shall be funded from Bond Ordinance No. 99-253 and \$8,800 shall be funded from Bond Ordinance No. 2000-103.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-338  
Re: Agreement - Humane Society,  
Veterinary Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Humane Society of Rochester and Monroe County, 99 Victor Road, for the continued provision of veterinary services for the Animal Services Center. The maximum cost of this agreement will be \$27,000, which will be financed from the 2000-01 budget of the Police Department.

As you are aware, until July 1, the Humane Society operated the Center for the City under an agreement authorized by the City Council on June 18, 1991. The Society declined to continue operating the Center after that date and the Police Department therefore assumed responsibility.

When the Society operated the Center, veterinary services were provided by its licensed veterinarian. When the Police Department assumed operational responsibility, it executed an agreement for the continued provision of services by the Society's veterinarian on a trial basis through September 30.

Under the proposed amendatory agreement, the Society will continue to provide these services through June 30. Under the agreement, the veterinarian will:

1. Visit the Center each morning, Monday through Friday (except holidays), to evaluate animals suspected of being sick or injured and to recommend treatment or disposition;
2. Administer rabies vaccinations to every animal over three months of age that is eligible for redemption or adoption;
3. Perform surgical sterilization of animals designated as "high risk" by the Center;
4. Transport animals in need of in-patient care to Lollypop Farm;
5. Provide veterinary supplies other than those routinely purchased and used by the Center for euthanasia and tranquilizing;
6. Consult with Center personnel about the general health of the animal population, vaccination schedules, disease identification and management and animal care; and
7. Provide expert testimony, as necessary.

The fee for these services will be \$40 per hour, \$75 for regular surgical sterilizations and \$90 for sterilization of female animals that are "in heat" or pregnant. The cost of supplies will be based upon specified unit prices.

If the proposed amendatory agreement is approved, the total cost of the agreement with the Humane Society will increase to \$36,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-338  
(Int. No. 369)

**Establishing \$27,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Veterinary Services**

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

Section 1. The sum of \$27,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and the Humane Society of Rochester and Monroe County for the continued provision of veterinary services for the Animal Control Shelter. Said amount shall be funded from the 2000-01 budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-339  
Re: Agreement - Brooklyn Sports  
Management, Adult Softball Program

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Brooklyn Sports Management (principal: Andrew Yazwinski), 214 Filon Avenue, for the continued operation of the adult softball program. The maximum cost of this agreement will be \$378,375, which will be financed from the current and future budgets of the Department of Parks, Recreation and Human Services.

The adult softball program provides an opportunity for both men and women to participate on organized teams in organized leagues on a regular basis. In 2000, approximately 3,776 persons played on 217 teams on the City's softball fields at Cobbs Hill and Norton Village.

To participate in the program, each team must pay a registration fee. The revenues from these fees finance all of the costs of the program.

Mr. Yazwinski has administered the program since 1975. The current agreement, which expires December 31, was approved by City Council on December 16, 1997.

Under the proposed agreement, Brooklyn Sports will continue to administer the program. He will be responsible for the following service:

- 1. Obtaining any insurance policies prescribed

by the Director of Finance;

- 2. Coordinating and managing the program in accordance with policies and procedures established by the Bureau of Recreation;
- 3. Registering all teams and scheduling all games;
- 4. Instructing team representatives concerning rules and regulations and conducting a clinic by umpires;
- 5. Hiring and scheduling all umpires;
- 6. Preparing and maintaining 16 fields for use by the adult as well as Interscholastic league teams;
- 7. Providing all equipment and suppliers;
- 8. Supervising all games;
- 9. Recording all game results and printing team standings and newsletter; and
- 10. Providing trophies.

The fee for the initial year of the program will be equal to \$260 per registered team plus reimbursement of all operating costs approved by the City. Annually thereafter, the fee will be increased by \$5.00 per team.

The proposed agreement will continue to provide for direct control by the City of all receipts and disbursements. A summary of the revenues and expenses of the program is attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-111

Ordinance No. 2000-339  
(Int. No. 370)

**Establishing Maximum Compensation For A Professional Services Agreement For The Adult Softball Program**

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

Section 1. The sum of \$378,375, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Brooklyn Sports Management for the continued operation of the adult recreational softball program for three years. Said amount shall be funded from the annual budgets of the Department of Parks, Recreation and Human Services, contingent upon approval of future budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-340  
Re: Agreements - Human Services

Program

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for various human services projects:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Lewis Street Center	
African Urban Cultural Organization	\$35,000
Lifespan	
Safety & Security for Seniors	10,000
Threshold	
Members Against Teen Pregnancy	45,000
Group 14621 Community Association	
Say Yes to Yourself	50,000

The cost of the agreements will be financed from the General Community Needs allocation of the 1999-00 and 2000-01 Community Development Block Grants.

The first three projects are classified as projects with matching funds, while the fourth project is classified as a project without matching funds. The proposed agreements represent the first year of funding.

Project descriptions and budgets are attached.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-112

Ordinance No. 2000-340  
(Int. No. 371)

**Authorizing Agreements For Human Services Projects**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Lewis Street Center	
African Urban Cultural Organization	\$35,000
Lifespan	
Safety & Security for Seniors	10,000
Threshold	
Members Against Teen Pregnancy	45,000
Group 14621 Community Association	
Say Yes to Yourself	50,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$140,000, and of said amount, or so much thereof as may be necessary, \$105,000 is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program and \$35,000 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2000-341  
Re: Agreements - Towing Services

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following companies for towing services:

<u>Contractor</u>	<u>Principal/Officer</u>	<u>Address</u>
Alliance Garage		
Daniel Tantalo		532 North Street
East Avenue Auto, Inc.		
Paul Marone		1656 East Avenue
John & Son Collision		
Michael Piacente		4 Niagara Street
Mr. Tow, Inc.		
Robert Sarfaty		120 White Street

These companies presently provide towing services under agreements authorized by the City Council on September 15, 1999. Pursuant to these agreements, the companies provide towing services at the direction of the Police Department for vehicles that are abandoned, stolen, disabled, illegally parked or involved in accidents or arrest incidents.

The towing assignments are rotated among the companies. Payments are based upon specific unit fees. During 1999-2000, the following payments were made:

<u>Company</u>	<u>Amount</u>
Alliance Garage	\$146,153
East Avenue Auto, Inc.	135,769
John & Son Collision	146,296
Mr. Tow, Inc.	142,805

The present agreements extend through August 31, 2002. Under the proposed amendatory agreements, the companies will continue to provide towing services through August 31, 2005.

The additional three years, together with a total payment of \$2,000, are recommended in settlement of a claim made by the towing companies for extra compensation for towing during the winter of 2000. When the capacity of vehicle pound on Colfax Street was exhausted, the towing companies were required to tow vehicles to the pound for processing before relocating the vehicles to an auxiliary lot at DuPont. As a result of this requirement, the towing companies claimed an additional tow fee for each relocation.

The claims totaled \$74,500. Because this situation is not clearly provided for in the agreements, the settlement is recommended by the Corporation Counsel. The Police Department will process the vehicles at the auxiliary lots in the future.

The specified tow fees are indicated in the attachment. The fees will continue to be adjusted semiannually based on the consumer price index.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-113

Ordinance No. 2000-341  
(Int. No. 386)

**Authorizing Amendatory Agreements For Towing Services**

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

Section 1. The Mayor is hereby authorized to enter into amendatory agreements with the following contractors for the continued provision of towing services in the City in accordance with the current agreement for an additional term not to exceed three years, through August 31, 2005:

<u>Contractor</u>	<u>Principal/Officer</u>	<u>Address</u>
Alliance Garage	Daniel Tantalo	532 North Street
East Avenue Auto, Inc.	Paul Marone	1656 East Avenue
John & Son Collision	Michael Piacente	4 Niagara Street
Mr. Tow, Inc.	Robert Sarfaty	120 White Street

Section 2. The amendatory agreements shall obligate the City to pay a total amount of \$2,000 and the fees for such services, as such fees may be adjusted by the Director of Finance. Such amounts shall be funded from the annual Budgets of the Rochester Police Department.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-342  
Re: 3-1-1 Non-Emergency Call System

Transmitted herewith for your approval is legislation relating to the planned 3-1-1 non-emergency call system. This legislation will:

1. Authorize an agreement with the Frontier Telephone Corporation, 90 S. Clinton Avenue, for adaptation of its switching network, at a maximum cost of \$215,000; and
2. Appropriate \$115,000 from the Forfeited Assets Account to finance a portion of this cost and amend the 2000-01 Cash Capital budget of the Police Department accordingly.

The remaining portion will be financed from the 1999-00 Cash Capital allocation (COPS 3-1-1 Technology Grant)  
The 3-1-1 system is intended to reduce the total number of calls that are dispatched and, because of the reduction in dispatches, to improve the response times for the calls that continue to be dispatched. The reduction in required dispatches is expected to result from the provision of alternative response options, such as reports by telephone, reports by appointment,

mail-in reports, and reports to alternative locations like patrol sections or NET offices.

The 3-1-1 option will be available only to callers from telephones located within the city. It will not be available to callers from cellular telephones, regardless of location.

The demonstration project was approved by the City Council on October 28, 1999. Installation of the system was approved by the Council on April 18, 2000.

Under the proposed agreement, Frontier will modify its telephone switching system to...

1. Automatically route 3-1-1 calls to the 3-1-1 center,
2. Intercept 3-1-1 calls from outside the city and inform the caller that 3-1-1 service is not available from his or her telephone, and
3. Provide for the transfer of emergency calls received on the 3-1-1 number to 9-1-1.

Frontier is recommended to provide these services because it is the only vendor that could provide automatic number and location identification data for all calls. Other vendors that submitted proposals to provide the services were ATT, Time Warner Communications, SCC and PaeTech.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-342  
(Int. No. 387)

**Authorizing An Agreement For The 311 Non-Emergency Reporting System And Amending The 2000-01 Budget By Appropriating Forfeiture Funds**

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

Section 1. The sum of \$215,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Frontier Telephone Corporation for adaptation of its switching network to accommodate selective routing of telephone calls to the 311 number. Of said amount, \$100,000 shall be funded from the 1999-2000 Cash Capital Allocation and \$115,000 shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$115,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the agreement authorized herein.

Section 3. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-343  
Re: Emergency Preparedness

Transmitted herewith for your approval is legislation relating to emergency preparedness. This legislation will:

1. Authorize an agreement with U.S Department of Health and Human Services for receipt and use of a grant of up to \$400,000; and
2. Increase the 2000-01 budget of the Fire Department by \$120,000 to reflect the amount of the grant expected to be expended during the current fiscal year.

Under Article 2-B of the NYS Executive Law, municipalities are authorized to develop disaster preparedness plans. Both the City and Monroe County currently have such plans.

The proposed grant will be used to supplement these plans. Specifically, it will finance the costs of development of a plan to respond to public health emergencies resulting from a terrorist incident.

The plan will be developed in conjunction with the Monroe County Office of Emergency Preparedness, Department of Health and Office of Emergency Medical Services and the Federal Bureau of Investigation. It will include provisions for:

1. Nuclear, biological or chemical agent identification
2. Extraction of victims from the site of the incident
3. Antidote administration
4. Decontamination
5. Medical triage
6. Delivery of on-site medical treatment
7. Preparation of victims for transport to pre-designated treatment centers
8. Management of "self-referred" victims who arrive at the centers
9. Examination and disposition of victims who do not survive.

The project will also include the identification and purchase of required pharmaceuticals and equipment, such as protective clothing and field tents, and the provision of training to emergency medical and other hospital personnel. The budget for the project is as follows:

Personnel* and professional services	\$130,000
Travel and conferences	5,000
Equipment	180,000
Pharmaceuticals	50,000
Training	35,000
Total	<u>\$400,000</u>

\*One Fire officer with clerical support

The project is expected to be completed within 18 months. DHH will have the option to extend the agreement for an additional 12 month period, at an additional cost of \$200,000, for further development of the plan.

Upon completion of the project, the Monroe County Department of Health and Office of Emergency Medical Services will be responsible for maintenance, disposition and replenishment of the pharmaceutical inventory. The Fire Department will be responsible for the maintenance of the mobile decontamination unit(s) and filed tents.

Respectfully submitted,

William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-343  
(Int. No. 388)

**Authorizing An Agreement With Respect To Development Of The Metropolitan Medical Response System And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services for funding for the development of the Metropolitan Medical Response System.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Fire Department by the sum of \$120,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

By Councilmember Norwood  
October 17, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 372 - Authorizing The Sale Of Real Estate, As Amended

Int. No. 373 - Acquisition Of 107-111 North Clinton Avenue For The City School District

Int. No. 374 - Acquisition Of 21 Costar Street For The City School District

Int. No. 375 - Authorizing The Acquisition Of A Temporary Easement For Water Pipeline Replacement

Int. No. 376 - Accepting Donations Of Real Estate

Int. No. 377 - Approving A Lease Agreement For Commercial Space In The Sister Cities Garage

Int. No. 378 - Authorizing An Agreement For The Real Estate Marketing Initiative

Int. No. 379 - Appropriating Funds For Housing Program Promotion And Amending Ordinances No. 2000-120 And 99-377, As Amended

Int. No. 380 - Authorizing An Agreement For Fair Housing

Int. No. 389 - Appropriation Of Funds And Authorizing Agreements For The Deconversion Incentive Grant Demonstration Program

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 381 - Authorizing An Amendatory 1999-2000 Community Development Program Plan And Authorizing Amendatory Agreements Relating To The Emergency Shelter Grant Program

Int. No. 391 - Authorizing An Amendatory 2000-01 Community Development Program Plan And Authorizing An Agreement Relating To The Creative City Initiative

Respectfully submitted,  
Wade S. Norwood  
Benjamin L. Douglas (Abstained vote on Introductory No. 379.)  
Nancy K. Griswold (Abstained vote on Introductory No. 381.)  
Gladys Santiago  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-344,  
2000-345, 2000-346, 2000-347,  
2000-348 and 2000-349

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of 11 properties,
2. Acquisition of two properties and a temporary easement,
3. Acceptance of the donation of two properties, and
4. Lease of commercial space in the Sister Cities garage.

#### Sales

The first two properties to be sold, 74 Clifford Avenue and 128 Weaver Street, were included in the public auction of May 18. The purchasers will be required to rehabilitate the properties and obtain Certificates of Occupancy within nine months of the conditional closings.

The next property, a vacant lot at 420 Portland Street, was also included in the public auction, subject to the acceptance of a development proposal. The property will be fenced and landscaped and combined with the purchaser's adjacent property.

The next property, 877 North Street, will be sold at its appraised value to the owner of the adjacent property. The property contains a two-car garage and will be combined with the latter property.

The next three properties - 1612 Clifford Avenue, 33 Friederich Park and 211 Fulton Avenue - are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of adjacent properties

and combined with those properties.

The last four properties - 13, 17, and 58 Maria Street and 53 Thomas Street - will be sold at their appraised values to Flower City Habitat for Humanity. They will be used for the construction of four single-family houses.

#### Acquisitions

The two property acquisitions were requested by the Board of Education on March 16 and September 21, respectively.

The first property, 107-111 N. Clinton Avenue, is currently leased by the City School District for use by its Temporary Tutoring Services unit. The outstanding liability of lease, which extends through March, 2004, is \$588,948.

The appraised value of the building is \$375,000, which was established by an independent appraiser, Kevin Bruckner. Acquisition of the building will therefore be more cost effective and will permit the property to be maintained at a level that is comparable to the maintenance level of other District facilities; acquisition of the building will also result in access to an additional 10,000 square feet of space.

The second property, 21 Costar Street, contains an occupied single-family house. The present tenant will be relocated prior to acquisition of the property by the City.

Following acquisition, the house will be demolished. The resultant vacant lot will be used to replace recreational and parking spaces that will be displaced by the planned expansion of Westside Early Childhood Center School #57, which is located at 15 Costar Street.

The appraised value of the property is \$25,000, which was established by an independent appraiser, Kevin Bruckner. This cost, the cost of acquisition of the first property and associated closing costs of \$25,000 and \$4,000, respectively, will be financed by the District.

The temporary easement to be acquired is located in the Town of Lima. The easement is required to facilitate the replacement of a 24" diameter pipeline.

The easement will have a term of 18 months. The value of the easement, \$900, was established by an independent appraiser, Kevin Bruckner. This cost of acquisition will be financed from the proceeds of the bond issue authorized by the City Council on April 18 for the Conduit Crossover Rehabilitation Project.

#### Donations

The first property to be donated, 17 Alphonse Street, contains a vacant two-family structure in deteriorated condition. The second property, 116-118 Rohr Street, contains a vacant four-family structure that has been damaged by fire.

Following acquisition of the properties, both structures will be demolished, at estimated costs of \$7,000 and \$8,000, respectively. The resultant vacant lots, which will contain 4,732 and 8,050 square feet, respectively, will be reserved for future residential development.

As a condition of the donations, the following taxes and charges will be cancelled.

17 Alphonse Street \$2,998.23  
 116-118 Rohr Street 4,094.06

Lease

The proposed lease involves 1023.5 square feet of space in the Sister Cities parking garage that is currently occupied by the Fitz and Hugh Deli. The prior lease, which was approved by the City Council on January 23, 1996, expired on May 30 but was converted to a month-to-month lease pending the sale of the business.

This sale, from Mark Spinelli to Fitz and Hugh Deli, Inc. (principal: Henry Enos) was completed in August. Under the proposed legislation, the new owner will continue to lease the space under the same terms and conditions as the prior lease.

The lease will have an initial term of two years with provision for renewal for an additional two-year period. The initial monthly lease payment will be \$545 and will be adjusted annually by a percentage equivalent to the increase in the urban consumer price index.

The tenant will continue to be responsible for maintenance and minor repairs, the cost of utilities and the provision of insurance.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Attachment No. Z-114

Ordinance No. 2000-344  
 (Int. No. 372, As Amended)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by public auction:

Address S.B.L.#	Price	Legal Use Purchaser
74 Clifford Ave. 106.29-4-62	\$5,000	2 Family Benjamin M. Ortiz
128 Weaver St. 091.71-3-34	5,000	1 Family Henry Hood

Section 2. The Council hereby further approves the sale of the following parcels of vacant land by public auction with proposal:

Address S.B.L.#	Price	Purchaser
420 Portland Ave. 106.42-3-2	\$8,700	Anthony Randall

Section 3. The Council hereby approves the negotiated sale of the following improved parcels:

Address S.B.L.#	Price	Legal Use Purchaser
877 North St. 106.33-3-25	\$2,800	2 car garage Frances A. Bitsko
54 Sobieski St. 091.73-1-55	400	1 Family Woubshete Bekele

Section 4. The Council hereby further approves the sale of the following vacant unbuildable parcels of real estate for the sum of \$1.00:

Address S.B.L.#	Sq. Ft. Purchaser
1612 Clifford Ave. 106.36-1-54	2,397+/- Juan Carlos Monila
33 Friederich Pk 106.24-3-06	2,284+/- Arthur L. Robinson
211 Fulton Ave. 105.35-4-34	2,731+/- Bradley Norbut

Section 5. The Council hereby further approves the negotiated sale of the following parcels of vacant land with proposal:

Address Purchaser	S.B.L.#	Price
13 Maria St. Flower City Habitat for Humanity*	106.32-4-46.1	\$475
17 Maria St. Flower City Habitat for Humanity*	106.32-4-44.1	475
58 Maria St. Flower City Habitat for Humanity*	106.32-1-39	475
53 Thomas St. Flower City Habitat for Humanity*	106.32-4-18.1	450

\*Officers: Arthur Woodward, Mona Alongi

Section 6. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 7. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2000-345  
 (Int. No. 373)

**Acquisition Of 107-111 North Clinton Avenue For The City School District**

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

Section 1. The Council hereby approves the acquisition of the parcel at 107-111 North Clinton Avenue from the current owner, Gerald J. Wright, for an amount not to exceed \$375,000, for use by the City School District for a tutoring program.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$375,000, and said amount, plus necessary closing costs, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said property are hereby cancelled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-346  
(Int. No. 374)

**Acquisition Of 21 Costar Street For The City School District**

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

Section 1. The Council hereby approves the acquisition of the parcel at 21 Costar Street from the current owner, Philip A. Fedele, for an amount not to exceed \$25,000, for use by the City School District for School No. 57.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$25,000, and said amount, plus necessary closing costs, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said property are hereby canceled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-347  
(Int. No. 375)

**Authorizing The Acquisition Of A Temporary Easement For Water Pipeline Replacement**

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

Section 1. The Council hereby approves the acquisition of a temporary easement over property owned by Mendon Grain Company, Inc. on Bragg Street in Livingston County to facilitate the replacement of a water pipeline in the Towns of Lima and West Bloomfield.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$900, and said amount, plus necessary closing costs, shall be funded from Bond Ordinance No. 2000-105.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-348  
(Int. No. 376)

**Accepting Donations Of Real Estate**

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

Section 1. The Council hereby approves the acceptance of the donation of 17 Alphonse Street, SBL #106.320-0002-040, from the current owner, Raffaele Marcello.

Section 2. The Council hereby further approves the acceptance of the donation of 116-118 Rohr Street, SBL #106.430-0002-051, from the current owner, Robert Livecchi.

Section 3. Upon acquisition by the City, City taxes and other charges against said parcels shall be canceled. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled. Said parcels shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-349  
(Int. No. 377)

**Approving A Lease Agreement For Commercial Space In The Sister Cities Garage**

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with Fitz and Hugh Deli, Inc. for the lease of 1023.5 square feet of space in the Sister Cities Garage for a term of two years, with a two-year renewal option. The monthly rent shall be \$545 for this space. Rent shall be adjusted annually to reflect any increases in the Urban Consumer Price Index. The tenant shall be responsible for all maintenance and minor repairs, trash removal, utilities and insurance.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-350 and  
Ordinance No. 2000-351  
Re: Housing Program Promotion

Transmitted herewith for your approval is legislation relating to the promotion of city living. This legislation will:

1. Authorize an agreement with the Landmark Society of Western New York, Inc., 133 S. Fitzhugh Street, for continuation of the real estate marketing initiative at a maximum cost of \$70,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant; and
2. Appropriate \$75,000 for the support of other housing promotional programs.

The marketing initiative, which was begun in 1998, is designed to encourage more people to consider purchasing city homes, to assist real estate agents to list and sell properties in the city, to assist neighborhood associations in developing relationships with the real estate community, and to promote the historic qualities and unique character of city neighborhoods and homes. The program is administered by the Landmark Society with the assistance of the Greater Rochester Association of Realtors.

The most recent agreement for such administration

was authorized by the City Council on April 13, 1999. Under this agreement, during the past year...

1. The "Home Room", which contains informational materials and displays about city living and a multiple listing service computer, was visited by 350 persons;
2. The "Home Room" Web Site, which contains listings by neighborhood, averaged 2,700 "hits" a week;
3. The "Marketing Historic Houses Successfully" training class, which provides 12 hours of instruction, was completed by 76 real estate agents;
4. City neighborhoods were featured in six editions of the Landmark Society's newsletter;
5. Two "Mall Boards", touch-screen computers located in shopping malls, were maintained; and
6. A presentation on city living was made to corporate relocation personnel.

Under the proposed agreement, the Landmark Society will...

1. Continue to operate the Home Room,
2. Expand and link the Web Site to other relevant web sites,
3. Continue to provide two classes of real estate agent training, which has been approved by the NYS Department of State for credit for the Realtor Continuing Education Program,
4. Continue to contribute to the "Home Work" column of *City* newspaper, and
5. Continue to support "City Living Sundays".

The cost of the proposed agreement is \$40,000 less than the cost of the present printing and advertising agreement. The reduction in cost is attributable to reduction in personnel costs.

The additional CDBG appropriation will be used to for such activities as:

1. "City Living Sundays", in which over 1,000 people participated in 2000,
2. Home Expo, which had approximately 9,000 visitors in 2000,
3. The "Showcase of Affordable Homes" monthly advertisement in the *Democrat and Chronicle*, and
4. The Homeownership Investment Program, involving houses acquired from the U.S. Department of Housing and Urban Development.

A similar appropriation, of \$100,000, was approved by the City Council on May 11, 1999.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-350  
(Int. No. 378)

**Authorizing An Agreement For The Real Estate Marketing Initiative**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Landmark Society of Western New York, Inc. to continue the real estate marketing initiative.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$70,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-351  
(Int. No. 379, As Amended)

**Appropriating Funds For Housing Program Promotion And Amending Ordinances No. 2000-120 And 99-377**

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program the sum of \$75,000, or so much thereof as may be necessary, to fund the Housing Program Promotion.

Section 2. Ordinance No. 2000-120, relating to the YWCA Women in Transition Project, as amended, is hereby further amended by authorizing the loan agreement with 175 North Clinton Associates, L.P., the owner of the YWCA property.

Section 3. Ordinance No. 99-377, relating to the Anthony Square Project, is hereby amended by amending Section 1 thereof to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Authority for the receipt and use of funding in an amount not to exceed \$1,500,000 to partially or fully repay the float loan to Housing Opportunities, Inc. (HOP) for the Anthony Square Project. Said amount is hereby appropriated for this purpose.

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Griswold, Mains, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of one of the affiliating agencies.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-352  
Re: Agreement - PILOR, Community  
Choice Action Plan

Transmitted herewith for your approval is legislation authorizing an agreement with the Public Interest Law Office, 80 St. Paul Street, for the continued monitoring of mortgage lending activity by local financial institutions. The maximum cost of this agreement will be \$70,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 1999-00 Community Development Block Grant.

The Community Choice Action Plan was developed by the City, Monroe County, Towns of Greece and Irondequoit and Rochester Housing Authority, as recipients of federal housing assistance funding. The City's participation in the development of the plan was authorized by the City Council on February 20, 1996.

The plan involves 80 strategies to address the impediments to fair housing in the county. A summary of these strategies, and their implementation status, is included in the 1999-00 Consolidated Community Development Program that was approved by the Council on May 16.

One of these strategies provides for the monitoring of mortgage lending. PILOR has performed this monitoring since 1998 pursuant to periodic agreements; the most recent agreement was authorized by the City on September 15, 1999.

Under this agreement, PILOR analyzed lending activity from 1995 through 1997 and compared it to such activity in 1992, the initial year that was analyzed, and to such activity in Buffalo. A copy of its report is available in the Office of the City Clerk.

Under the proposed agreement, PILOR will continue to monitor and analyze the lending activity of local financial institutions. The cost of the proposed agreement is the same as the cost of the prior agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-352  
(Int. No. 380, As Amended)  
**Authorizing An Agreement For Fair Housing**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Public Interest Law Office of Rochester for implementation of the Community Choice Action Plan for fair housing.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$70,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the [1999-2000] ~~2000-01~~ Community Development Program.

Section 3. The agreement shall contain such terms

and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-353  
Re: HOME Appropriation - Deconversion  
Incentive Grant Program

Transmitted herewith for your approval is legislation appropriating \$200,000 from the 2000 HOME Program for a proposed Deconversion Incentive Grant Demonstration Program.

As you are aware, many houses within the city that were originally single-family homes occupied by their owners have been converted to two- and three-family units used for rental purposes. In many instances, the conversions have resulted in various neighborhood problems, such as the lack of adequate off-street parking.

Recognizing these problems, several Neighbors Building Neighborhood plans, such as those for sectors 2, 7 and 8, provide for the encouragement of the deconversion of houses. However, the cost of deconversion is often significant and beyond the capacity of the City's existing property rehabilitation programs.

The proposed demonstration program is intended to provide an additional source of funds for deconversions. It is expected that the grants will be used in conjunction with other programs such as the Homeownership Investment Program, HOME Rochester and the Homesteading Lottery.

The guidelines for the program are as follows:

1. Only houses to be acquired from the City's inventory of foreclosed properties will be eligible.
2. The rehabilitation will have to involve the deconversion of two- or three- family units into the house's original use as a single-family unit by an owner-occupant.
3. The rehabilitation will have to include the removal of kitchens and bathrooms, the conversion of mechanical, electrical, heating and water systems, and the restoration of a functional floor plan.
4. The maximum grant will be \$10,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-353  
(Int. No. 389)

**Appropriation Of Funds And Authorizing Agreements For The Deconversion Incentive Grant Demonstration Program**

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

Section 1. The sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated from 2000 HOME Program Funds to fund the Deconversion Incentive Grant Demonstration Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Deconversion Incentive Grant Demonstration Program. The agreements shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-354  
Re: Agreements - Emergency Shelter Grant Program

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following organizations to provide for certain revisions in their allocations for the 1999-00 and 2000-01 Emergency Shelter Grant Programs.

<u>Organization</u>	<u>Current Allocation</u>	<u>Revised Allocation</u>
Betterway Community Outreach	\$22,531*	\$ 5,633*
Catholic Family Center	63,400	68,400
St. Martin's Place	6,000	7,899
Togetherness in Love Community	15,000	20,000
Wilson Commencement Park	22,000	27,000

\*1999-00 Program

The 1999-00 program was authorized by the City Council on May 11, 1999. The program involved the allocation of \$394,250 to 24 organizations for the renovation and/or operation of emergency shelter facilities.

Among these allocations was \$22,531 to Betterway Community Outreach, which provides shelter and services to homeless people who have been refused admission or readmission to other shelters because of behavioral or substance abuse problems. BCO, however, was unable to expend all of this allocation.

The proposed reallocation of the unexpended amount will prevent forfeiture of the funds to the U.S. Department of Housing and Urban Development. The organizations that will receive additional allocations were selected because of their performance and demonstrated ability to expend their allocations within the specified time period.

All of these agencies experienced reductions in their allocations under the 2000-01 program, which was authorized by the Council on May 16, 2000. The additional 1999-00 allocations will partially compensate for these reductions.

The reallocations require amendment of the 2000-01 Consolidated Community Development Plan. A public hearing on the amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-354  
(Int. No. 381)

**Authorizing An Amendatory 1999-2000 Community Development Program Plan And Authorizing Amendatory Agreements Relating To The Emergency Shelter Grant Program**

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

Section 1. The Council hereby approves an amendment to the 1999-2000 Community Development Program Plan whereby within the Emergency Shelter Grant Program the Betterway Community Center Account shall be reduced by the sum of \$16,898.25 and said amount shall be transferred to the Catholic Family Center Account (\$5,000), the Wilson Commencement Park Account (\$5,000), the Togetherness in Love Community Account (\$5,000) and the St. Martin's Place Account (\$1,898.25).

Section 2. The Mayor is hereby further authorized to enter into an amendatory agreement with Betterway Community Center reducing the amount authorized and appropriated for a project under the Emergency Shelter Grant Program by the sum of \$16,898.25.

Section 3. The Mayor is hereby further authorized to enter into amendatory agreements with the following organizations in the following amounts, for projects under the Emergency Shelter Grant Program:

<u>Organization</u>	<u>Amount</u>
Catholic Family Center	\$5,000
St. Martin's Place	1,898.25
Togetherness in Love Community	5,000
Wilson Commencement Park	5,000

Section 4. The amendatory agreements shall obligate the City to pay an amount not to exceed \$16,898.25, and said amount, or so much thereof as may be necessary, is hereby reappropriated from the Emergency Shelter Grant Funds reduced in Section 2.

Section 5. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Mains, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliating agencies.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-355  
Re: Creative City Initiative

Transmitted herewith for your approval is legislation relating to the proposed participation by the City in the Creative City Initiative of Partners for Livable Communities. This legislation will:

1. Authorize an agreement with Partners for such participation, at a maximum cost of \$50,000; and
2. Amend the 2000-01 Consolidated Community Development Plan to reallocate \$25,000 from the Aging in Place project to partially finance the cost of the aforementioned agreement.

According to Lester Thurow, an economist at the Massachusetts Institute of Technology, regional center cities, in which there is density, diversity and a concentration of creativity, are likely to be the primary incubators of wealth in the future. "Creative districts" within cities are expected to combine educational, research and technological activities with arts and culture and food and entertainment experiences.

The Creative Cities Initiative is intended to assist municipalities and regions in developing strategies to utilize their amenities to encourage the development of such creative districts and thereby promote economic development. It is also intended to promote interjurisdictional cooperation within regions to reduce economic and social disparities.

Up to 18 municipalities will participate in the project, along with selected academic institutions. The municipalities that have already committed to or are considering the initiative are indicated in the attachment.

The initiative will include...

1. Four workshops and a concluding forum,
2. The provision of technical assistance by Partners,
3. The opportunity for information exchange among the participants, through the Internet and newsletters, and
4. The issuance of a report containing case studies, "best practices" and recommendations.

The project is expected to be completed within 18 months.

The first year cost of the project will be financed from an allocation originally expected to be used for another Partners' project, Aging in Place. The reallocation of these funds will require amendment of the 2000-01 Consolidated Community Development Plan.

A public hearing on the amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-115

Ordinance No. 2000-355  
(Int. No. 391)

**Authorizing An Amendatory 2000-01 Community Development Program Plan And Authorizing An Agreement Relating To The Creative City Initiative**

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

Section 1. The Council hereby approves an amendment to the 2000-01 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the Aging in Place Project shall be deleted, the Aging in Place Account shall be reduced by the sum of \$25,000, and said amount shall be transferred to a new account for the Creative City Initiative.

Section 2. The Mayor is hereby further authorized to enter into an agreement with Partners for Livable Communities for participation in the Creative City Initiative.

Section 3. The agreement shall obligate the City to pay an amount not to exceed \$50,000, and of said amount, or so much thereof as may be necessary, \$25,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program and \$25,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program, subject to approval of said Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains  
October 17, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 382 - Cancellation Of Taxes And Charges

Int. No. 383 - Establishing \$161,400 As Maximum Annual Compensation For A Professional Services Agreement With Independent Title Agency, LLC, For Continued Provision Of Real Estate Title Services

Int. No. 384 - Amending The Municipal Code With Respect To The Designation Of Depositories

Int. No. 385 - Resolution Establishing The Schedule For The Regular Council Meetings During 2001

Int. No. 390 - Authorizing An Agreement For The Installation Of Fiber Optic Cable In City Conduits And Connections To City And City School District Facilities

Int. No. 392 - Authorizing An Amendatory Agreement With Rural Metro Medical Services For The Continued Provision Of Emergency Ambulance Services

The following entitled legislation is being held in committee:

Int. No. 362 - Amending The City Code To Adopt Guidelines For Wage Rates For The Employees Of Companies Awarded Service Contracts And Business Assistance

Respectfully submitted,  
 Tim O. Mains  
 Brian F. Curran  
 Nancy K. Griswold  
 Gladys Santiago  
 JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-356  
 Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$14,745.56.

Of the total, \$9,250 (62.7%) relates to code violations incurred by the prior owners of two properties involved in mortgage foreclosures. The remaining amount, \$5,495.56 (37.3%) relates to two properties that were acquired by New York State for the Stutson Street Bridge Improvement Project.

If these cancellations are approved, total cancellation during 2000-01 will be \$131,135.58.

	Accounts	Amounts
City Council	11	\$131,135.58
Administrative	69	
<u>20,094.54</u>		
Total	80	\$151,230.12

These cancellations represent .066% of the tax receivables as of July 1, 2000.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-356  
 (Int. No. 382)

**Cancellation Of Taxes And Charges**  
 BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

- a. The below referenced properties were taken in their entirety by the State of New York for a roadway widening. All taxes and charges are not enforceable.

S.B.L.#	Class	Tax Year	Amount Cancelled
<u>Address</u>			
047.700-0002-043	H	2001	
15 River Street			
\$1,401.50			
047.700-0002-059	N	2001	
4326-4330 Lake Avenue			

4,094.06  
 Subtotal  
 \$5,495.56

- b. Code violation charges were incurred by former property owners. Charges were invalidated as a result of mortgage foreclosures.

S.B.L.#	Class	Tax Year	Amount Cancelled
<u>Address</u>			
105.810-0002-046	H	2000	
788 Jay Street			\$
7,750.00			
107.450-0002-023	N	2001	
385-389 Webster Avenue			-
<u>1,500.00</u>			
		Subtotal	\$
9,250.00		Total	
			\$14,745.56

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-357  
 Re: Agreement - Independent Title Agency, LLC - Real Estate Title Services

Transmitted herewith for your approval is legislation authorizing a two-year agreement with Independent Title Agency, LLC, 99 Ridgeland Road, for the continued provision of real estate title services. The maximum cost of the agreement will be \$161,400 per year, which will be financed from the 2000-01 and 2001-02 Budgets for Undistributed Expense.

Each year, the City requires title services for properties that are involved in tax foreclosure proceedings and real estate sales. Currently, these services are provided by Independent under an agreement authorized by the City Council on March 21, 2000, following the solicitation of proposals from 22 organizations.

To date, Independent has provided 2,000 foreclosure searches and 178 sale or acquisition searches. During 2001-02 and 2002-03, it is expected that 1,700 to 2,000 foreclosure searches and 150 to 250 sale or acquisition searches will be required each year.

Under the proposed agreement, Independent will continue to provide title services, as well as prepare creditor notification letters for properties in foreclosure, for the following fees per parcel:

Service	Proposed Fee
Preliminary (10-year) report	\$ 95
Update of prior preliminary report	70
Full (60-year) report with prior preliminary search	175
Full report without preliminary search	235

These fees and the total annual cost of the proposed agreement are the same as the current agreement. The agreement will extend through June 30, 2003.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-357  
(Int. No. 383)

**Establishing \$161,400 As Maximum Annual Compensation For A Professional Services Agreement With Independent Title Agency, LLC, For Continued Provision Of Real Estate Title Services**

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

Section 1. The sum of \$161,400, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Independent Title Agency, LLC, for continued provision of real estate title services through June 30, 2003. Said amounts shall be funded from the 2000-01 and 2001-02 Budgets for Undistributed Expense, contingent upon approval of the latter budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-358  
Re: City Code Amendment - Depositories

Transmitted herewith for your approval is legislation amending the City Code by adding Charter One Commercial as a designated depository.

The designation by the City Council of depositories is required by section 6-22 of the City Charter and section 39 of the NYS General Municipal Law. The most recent designation occurred on May 16.

The addition of Charter One Commercial will result in the following depositories:

Depository Name	Maximum Amount
Chase Manhattan Bank	\$125,000,000
HSBC Bank, USA	125,000,000
Fleet Bank	75,000,000
Citibank N.A.	50,000,000
Manufacturer's & Traders Trust Co.	50,000,000
KeyBank	50,000,000
Charter One Commercial	50,000,000

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-358  
(Int. No. 384)

**Amending The Municipal Code With Respect To The Designation Of Depositories**

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

Section 1. Section 8-9 of the Municipal Code,

Designation of Depositories, as amended, is hereby further amended by amending the chart therein by adding the following new depository to the end thereof:

Depository Name	Maximum Amount
Charter One Commercial	\$50,000,000

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-23  
Re: Resolution Establishing The Schedule For The Regular Council Meetings During 2001

Transmitted herewith for your approval is a resolution that establishes the 2001 City Council meeting schedule.

The proposed schedule has been reviewed by Council staff and the Mayor's office in order to eliminate any potential conflicts with either civic or religious holidays. The number of scheduled regular meetings is the same as the current year

Respectfully submitted,  
Lois J. Giess  
President

Resolution No. 2000-23  
(Int. No. 385)

**Resolution Establishing The Schedule For The Regular Council Meetings During 2001**

WHEREAS, City Council adopted the current Rules of Council on January 3, 2000, by Resolution No. 2000-4, and

WHEREAS, in such Rules, the Council established the dates for the regular Council meetings for 2000 and indicated that the schedule for 2001 would be established in a Resolution adopted during 2000.

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

Section 1. The following shall be the schedule of regular meetings of the Council for 2001 to be held in the Council Chambers, City Hall, at 8:00 P.M.

January 16	July 17
February 13	August 21
March 20	September 25
April 17	October 23
May 15	November 20
June 19	December 18

and also at such other times as the Council may by adjournment to a day certain appoint. When the date for the regular meeting falls on a legal holiday, the meeting shall be held on the following day.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-359  
Re: Agreement - Fiber Technologies,  
Inc., Conduit Access

Transmitted herewith for your approval is legislation authorizing an agreement with Fiber Technologies, Inc., for fiber optic connections between twenty-four City and three City School District facilities. The maximum cost of these connections will be \$253,800, which will be financed from various cash capital allocations. In addition, Fiber Technologies will receive the right to install up to two 1.5" inner ducts and fiber optic cables in City conduits.

As you are aware, on February 11, 1997, the City Council authorized an agreement with RC Hawaii for an analysis of the City's telecommunications needs. This analysis was completed in October, 1997.

The analysis recommended the installation of a fiber optic network between various City facilities to improve service and reduce operating costs. It was thought that this network could be installed in existing conduits of the Frontier Telephone Corporation.

Negotiations with Frontier for such installation have been prolonged. The proposed agreement with Fiber Technologies will provide an alternative means of installation of the network between certain City and City School District facilities.

Fiber Technologies is planning to install fiber optic conduit within the city in the near future. Under the proposed agreement, as it installs the conduit, it will connect the following facilities.

Address	Description
125 Chestnut Street	Attack 1
60 Browns Race	Interpretive Center
30 Church Street	City Hall
640 Plymouth Avenue	Engine 13
185 N. Chestnut Street	Engine 17
1051 Emerson Street	Engine 3
873 Genesee Street	Engine 7
10 Felix Street	Water Bureau
849 W. Main Street	RPD - Genesee Section
51 S. Fitzhugh Street	Bureau of Information Systems
150 S. Plymouth Avenue	Public Safety Building
945 Mt. Read Boulevard	Operations Center
115 South Avenue	Rundel Library
100 Exchange Street	War Memorial
414 Andrews Street	Architectural Services/Building Services/Records Management
210 Colfax Street	Refuse/Training
330 Colfax Street	Auto Pound
272 Allen Street	Quint 8/Midi 8
200 West Avenue	DPRHS Recreation West
39 Stone Street	South Avenue Garage
70 South Avenue	Parking Violations
400 Dewey Avenue	DPRHS Operations
420 Dewey Avenue	DPRHS Operations
1190 Scottsville Road	Police and Fire Training Academy

In addition, the following school district facilities will be connected with fiber:

Address	Description
111 Broad Street	Board of Education

600 Genesee Street      Wilson Magnet High School  
49 S. Fitzhugh Street      Bevier Building

These facilities contain 80% of the City's telephones and serve 67% of the City's employees.

The connections will consist of six fiber strands. The cost of connection will be "at cost" plus \$300 per location for splicing.

As additional compensation, the City will assign to Fiber Technologies its rights to utilize the conduits of other telecommunication companies. These rights were acquired by the City under the permit agreements that authorized the installation of the conduits.

The agreement will have an initial term of 25 years with provision for renewal for two additional 10-year periods. During the term of the agreement, Fiber Technologies will provide maintenance services for the City at no cost.

Installation of the conduit is expected to begin before the end of 2000 and be completed by July, 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-116

Ordinance No. 2000-359  
(Int. No. 390)

**Authorizing An Agreement For The Installation Of Fiber Optic Cable In City Conduits And Connections To City And City School District Facilities**

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 Fiber Technologies, Inc. for the installation of two 1.5 inch inner ducts and fiber optic cable in City telecommunication conduits for a term of twenty five years, with two ten-year options.

Section 2. The agreement shall obligate Fiber Technologies to provide fiber optic connections and actual connections between twenty four City facilities and three City School District facilities. Fiber Technologies shall provide fiber-splicing from its backbone to each facility at a cost of \$300 per location, and shall perform additional work necessary to connect to each facility at cost. The agreement shall obligate the City to pay an amount not to exceed \$253,800, and of said amount, or so much thereof as may be necessary, \$120,000 shall be funded from the 1997-98 Cash Capital Allocation, \$127,000 shall be funded from the 1999-2000 Cash Capital Allocation and \$6,800 shall be funded from the 2000-01 Cash Capital Allocation. Fiber Technologies shall also provide maintenance services for the connections at no cost for the term of the agreement.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-360  
Re: Agreement - Rural Metro Medical Services, Emergency Ambulance Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Rural Metro Medical Services, 177 University Avenue, for the continued provision of emergency ambulance service requested by the City.

A municipality is authorized to provide ambulance service under section 122-b of the NYS General Municipal Law. Historically, the City has provided such service through agreements with private companies.

The current agreement, with Rural Metro, was approved by the City Council on August 20, 1996. It is scheduled to expire on October 31, 2000.

In anticipation of this expiration, a draft request for proposal has been prepared. However, it has not been reviewed by Fitch & Associates, as suggested by the City Council, or the companies likely to respond to the request.

For this reason, an extension of the current agreement, through January 31, 2001, is recommended. This extension will provide adequate time for review of the request for proposal, solicitation and evaluation of any proposals submitted, and consideration by Council of a recommendation.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-360  
(Int. No. 392)

**Authorizing An Amendatory Agreement With Rural Metro Medical Services For The Continued Provision Of Emergency Ambulance Services**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rural Metro Medical Services for the continued provision of emergency ambulance services as requested by the City, or when the City receives a request for ambulance services from a third person, and standby services at emergency scenes and special events, through January 31, 2001.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentleman:

Introductory No. 362  
Re: Living Wage Ordinance

Transmitted herewith for your approval is legislation to require that employees of substantial City contractors and subcontractors, and recipients of substantial City business assistance loans and grants, earn an

hourly wage that is sufficient for a family to live at or above the federal poverty guidelines. In practical terms, that would mean payment of an hourly wage of at least \$8.52 per hour if health benefits are provided, or \$9.52 per hour if they are not.

As you know, a coalition of labor and religious groups has been working across the country to promote the concept that people paid with government funds should be paid sufficiently to live in a decent manner. In any case, such employees should never find themselves earning less than the federally-defined poverty level for their area. Unfortunately, the current federal minimum wage often yields just such a result. To address this issue, over fifty municipalities, including New York City and Buffalo, have enacted Living Wage legislation.

In the Rochester area, the federal poverty level for a family of four is \$17,050. A worker paid the minimum wage for a forty-hour work week would only earn \$10,712, or 62.8% of what the government recognizes as required to stay out of poverty. Such a situation can never be countenanced when the City, as a contracting agency, is using taxpayer funds to carry out work that, by its very existence, is in the public interest.

The legislation will require that the living wage level be provided for all City contract agents on professional service agreements of \$50,000 or more. Contracts that are awarded pursuant to the NY State General Municipal Law, Sec. 103 (public bidding) will be exempted from this requirement. In regard to City grant and loan programs for business development, any recipient of such assistance in the amount of \$50,000 or more will also be subject to the living wage requirements.

In addition to the specified wage level, agencies who are covered by this legislation will be required to inform their employees of the existence of the Federal Earned Income Tax Credit (EITC). It is clear on a national level that many people who are potentially eligible for this important income assistance are unaware of its existence. Since this proposed legislation is targeted at the very group who may meet the eligibility criteria for the EITC, it is a reasonable requirement that they be made aware of its existence.

The City's Comprehensive Plan, *Renaissance 2010*, recognizes the importance of having healthy neighborhoods and embraces the goal of eliminating the concentration of poverty within Rochester. I can think of no better way to help eliminate poverty than to provide decent jobs that pay a living wage. This legislation will help us in attaining the lofty goals of *Renaissance 2010*.

Respectfully submitted,  
Brian F. Curran  
Councilmember at Large

Introductory No. 362

**AMENDING THE CITY CODE TO ADOPT GUIDELINES FOR WAGE RATES FOR THE EMPLOYEES OF COMPANIES AWARDED SERVICE CONTRACTS AND BUSINESS ASSISTANCE**

**WHEREAS, the City of Rochester awards millions of dollars in contracts for services, and loans and grants to assist business development each year that result in the creation or retention of a wide variety of employment opportunities;**

WHEREAS, it is in the public interest for the City of Rochester to ensure that the City shall receive the greatest level of services and economic returns from contracts for services by ensuring that respondents to solicitations to bid offer compensation levels sufficient to ensure that workers hired are of high motivation and excellent quality in order to promote high productivity;

WHEREAS, these contracts, loans, and grants are paid for by taxpayer dollars and should be used to promote the creation of jobs that will increase city residents' income, decrease levels of poverty, support neighborhood businesses and reduce the need for taxpayer funded programs in other areas;

WHEREAS, according to the U.S. Department of Housing and Urban Development, the City of Rochester experienced an increase in the poverty rate between 1989 and 1995 from 23.5 percent to 28.3 percent, in spite of a national economic expansion that began in 1992; and, according to the 1990 U.S. census, 36 percent of the City's children live in poverty; and, according to the New York State Department of Education, 89.2 percent of the City's public school children qualified for and participated in the federal free and reduced lunch program during the 1997-98 school year, a measure of low family income;

WHEREAS, the City of Rochester has outlined in its comprehensive plan "Rochester 2010: the Renaissance Plan", a commitment to promote economic and community development, with the overall intention of alleviating poverty and improving the quality of life for all its residents;

WHEREAS, the U.S. Department of Health and Human Services has established the 2000 poverty guideline for a family of four at \$17,050, which divided by a typical 2000 hour work year produces an hourly wage of \$8.52, demonstrating that the federal minimum-wage of \$5.15 is insufficient to adequately house, clothe, and feed such a family; and

WHEREAS, it is the belief of this Council that working families should not be forced to live in poverty and the City should not subsidize poverty level wages.

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

Section 1. Chapter 8A of the Municipal Code, Purchasing and Property Management, is hereby amended by adding the following new Section 8A-18:

Section 8A-18. Rochester Living Wage Ordinance.

A. Title and Purpose.

This Section shall be known as the "Rochester Living Wage Ordinance". The purpose of this Section is to ensure that employees of substantial city contractors and subcontractors, and recipients of substantial city business assistance loans and grants earn an hourly wage that is sufficient for a family to live at or above the federal poverty guideline.

B. Definitions

The following definitions shall apply throughout this Section:

**BUSINESS ASSISTANCE** means any grant or loan of at least fifty thousand dollars (\$50,000.) realized by or through the authority or approval of the City, excluding welfare-to-work, job training or youth employment programs.

**BUSINESS ASSISTANCE BENEFICIARY** means any direct recipient of at least fifty thousand dollars (\$50,000.) of Business Assistance.

**CITY** means the City of Rochester.

**CONTRACTOR** means any person that enters into a service contract with the City except other governmental units.

**COVERED EMPLOYEE** means a person employed either part-time or full-time by the Covered Employer who directly expends or would directly expend his or her time on the contract with the City, or a person employed either part-time or full-time by a Business Assistance Beneficiary at a workplace which has received Business Assistance from the City; provided, however, that persons who are employed in construction work covered pursuant to federal or state prevailing wage laws shall be exempt from this Section, as shall participants in welfare-to-work, job training or youth employment programs.

**COVERED EMPLOYER** means any person who is a contractor or subcontractor directly involved in providing a service to the City pursuant to a service contract as defined herein.

**PERSON** means one or more of the following or their agents, employees, representatives, and legal representatives: individuals, corporations, partnership, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trust, unincorporated organizations, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by the City.

**SERVICE CONTRACT** means (1) a contract awarded to a contractor by the City primarily for furnishing services to or for the City (excluding the purchase of goods or other property or the leasing of property) and (2) that involves an expenditure of at least fifty thousand dollars (\$50,000). Said \$50,000 threshold shall not include funds provided by the City to be passed through to eligible participants in Federal- or State-funded programs. For the purposes of this section "Service Contract" shall not include any contract awarded through competitive bidding pursuant to General Municipal Law Section 103.

**SUBCONTRACTOR** means any person other than an employee that enters into a contract with a contractor to assist the primary contractor in performing a service contract, and any temporary employment agency that enters into a contract with a contractor or Business Assistance Beneficiary to provide employees.

C. Living Wage

(1) Applicability.

Covered Employers and Business Assistance Beneficiaries shall pay no less than a Living Wage to their Covered Employees.

**(2) Amount of Wage.**

The Living Wage shall be calculated on an hourly basis as paying \$8.52 to Covered Employees who are offered health insurance benefits by the Covered Employer or Business Assistance Beneficiary and \$9.52 to Covered Employees who are not offered health insurance benefits by the Covered Employer or Business Assistance Beneficiary.

**(3) Revision Process.**

This Section shall be reviewed and evaluated two years after adoption in order to evaluate the effectiveness of the legislation in terms of its policy goals, and monitoring and enforcement procedures. The amount of the Living Wage shall be increased annually to reflect inflation as captured by the unadjusted Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as published by the Bureau of Labor statistics of the U.S. Department of Labor. The first indexing adjustment shall occur January 1, 2002, in proportion to the increase of the U.S. City Average of the CPI-U at the immediately preceding October 31 over the year earlier October 31; and shall be adjusted every January 1 thereafter.

**(4) No Reduction in Wage Rates.**

Nothing in this Section shall require or authorize any Covered Employer or Business Assistance Beneficiary to reduce wages of any Covered Employee, and shall not reduce wages set by a collective bargaining agreement or required under any prevailing wage law.

**(5) Notifying Employees of their Potential Right to the Federal Earned Income Credit.**

Covered Employers and Business Assistance Beneficiaries shall inform employees making less than \$12 per hour of their possible right to the Federal Earned Income Credit (EIC) under Section 32 of the Internal Revenue Code of 1954, 26 U.S.C. 32, and shall make available to employees information about the EIC and how to obtain forms required to secure advance EIC payments from the employer.

**D. Employer Responsibility, Compliance and Sanctions.****(1) Application for Contract.**

Every proposal or application for a Service Contract or Business Assistance shall include a written commitment by the applicant to pay all Covered Employees a Living Wage as defined by this Section and shall include a list of job titles and wage levels of all Covered Employees in each of the years for which the Contract or Business Assistance is sought.

**(2) Reports from Covered Employers.**

Covered Employers shall provide to the City publicly available annual reports of job titles and wage rates of Covered Employees during the term of the Service Contract or Business Assistance. For contracts of less than one year, Covered Employers shall provide such reports at the beginning and end of the contract.

**(3) Compliance, Enforcement and Sanctions.****(a) Covered Employer and Business Assistance Beneficiary Cooperation.**

The Covered Employer or Business Assistance Beneficiary shall permit representatives from the City to observe the work being performed at its place of work; furthermore, the Covered Employer or the Business Assistance Beneficiary shall permit said representatives to interview employees and to examine its books and records relating to employment and payroll to determine if the Covered Employer or the Business Assistance Beneficiary is in compliance with the provisions of this Section.

**(b) Posting.**

Every Covered Employer and Business Assistance Beneficiary shall post and keep in conspicuous places on their premises, where notices to employees and applicants for employment are customarily posted, a notice supplied by the City informing employees of their rights under this Section. Included in this posting shall be a phone number at the City that Covered Employees may call to lodge complaints. If the Covered Employer or Subcontractor is a temporary employment agency, this notice shall be mailed to all Covered Employees before or in conjunction with the receipt of the Covered Employees' first paycheck.

**(c) Grievance Procedure.**

A Covered Employee who believes that his or her employer is not complying with requirements of this Section has the right to file a complaint with the City. Complaints by Covered Employees of alleged violations shall be made within three years of the date of the violation and shall be investigated promptly by the City. Written and oral statements made by a Covered Employee shall be treated as confidential and shall not be disclosed to the Covered Employer or Business Assistance Beneficiary without the consent of the employee.

**(d) Duties of the City**

It shall be the responsibility of the City to create guidelines for investigating and handling grievances under this Section; to examine the pay rolls, as necessary, to determine compliance and cause investigations to be made, as necessary, to monitor compliance with the provisions of this Section.

The City shall promptly investigate complaints alleging non-compliance by Covered Employers and Business Assistance Beneficiaries. The Contracting Agency may, in accordance with the powers herein granted, require the production by the employer of such evidence as required to determine compliance.

**(e) Covered Employer May Dispute Finding of Non-Compliance.**

A Covered Employer or Business Assistance Beneficiary may dispute a finding of non-

compliance by requesting a hearing with a representative of the City. A Covered Employer or Business Assistance Beneficiary must request such a hearing within sixty days after receiving notice of a finding of non-compliance.

(f) Sanctions.

A Covered Employer or Business Assistance Beneficiary found to be in violation of any provision in this Section shall be sanctioned as follows:

(i) First violation.

Withhold payment of any amount due, wage restitution for each affected employee, written notice of violation.

(ii) Second violation.

Withhold payment of any amount due, wage restitution for each affected employee, fine one hundred dollars (\$100) per day for each employee found to be paid less than the Living Wage, repay Business Assistance awarded by the City and any amounts paid on Service Contracts for services not yet rendered, termination of ongoing Service Contract or Business Assistance, ineligibility for further City Service Contracts or Business Assistance for three years and until all amounts are paid.

All sanctions will be a matter of public record.

(g) Retaliation and Discrimination Barred.

A Covered Employer or Business Assistance Beneficiary shall not discharge, reduce compensation or otherwise discriminate against any employee because that employee made a complaint or otherwise asserted his or her rights under this Section, or participated in any of its proceedings. The Contracting Agency shall investigate allegations of retaliation or discrimination and shall, if found to be true, after notice and hearing, order appropriate relief, including restitution and reinstatement of the discharged employee with back pay to the date of the violation.

(h) Enforcement.

The City or any person aggrieved by a violation of this Section may bring an action in any court of competent jurisdiction and in the event that the City or aggrieved person prevails in such action, the court may award damages and reasonable costs and attorney fees, and if said action is brought by an individual for underpayment of wages, the court shall also award said individual an additional amount as liquidated damages equal to twenty-five percent of the wages found to be due.

(i) Nothing contained herein shall operate to affect or impair any existing Service Contracts or Business Assistance, except that any amendment or modification of such Service Contracts or Business Assistance occurring on or after the enactment of this Section shall be subject to the conditions specified in this

Section.

E. Exemptions.

Service Contracts and Business Assistance in existence prior to the enactment of this Section shall be exempt from this Section.

Welfare-to-work, youth employment programs, and job training programs shall be exempt from this Section as it relates to the pay scale of participating youth workers aged twenty-one (21) or younger, or to participants in a bona fide job-training program or welfare-to-work program.

F. Severability.

In the event any provision of this Section shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

Section 2. This ordinance shall take effect January 1, 2001.

Held in committee.

The meeting was adjourned at 8:20 P.M.

CAROLEE A. CONKLIN  
City Clerk

\*\*\*\*\*

REGULAR MEETING  
November 14, 2000

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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

Recognition Ceremony  
Department of Community Development  
John Accorso - 32 years of services

APPROVAL OF THE MINUTES  
By Councilmember Griswold

RESOLVED, that the minutes of the Regular Meeting of October 17, 2000 be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The Mayor submits the following:  
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3658-7  
Quarterly Reports. 3659-7

PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

A petition signed by 14 people of the E. Main Neighbors with concerns about the temporary reassignment of the Crime Prevention Officer for that area, to the NET Office. Petition No. 5088

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And Appropriating Funds For The Zoning Ordinance And Map Revision Project Int. No. 405 No speakers.

Changing The Zoning Classification Of 165 And 175 St. Bridget's Drive Within The Upper Falls Urban Renewal District From Semi Public to Light Industrial (T-1) Int. No. 406 Twenty three speakers:

Tom Greiner, Kevin Eubank, Gary Mink, Patti Connolly, Sister Mary Lou Herlehey, Lois Amendola, Tom Ecker, Alice Gabriel, Donna Ecker, Crystal Conrad, Mrs. Jackson, Judy Dorland, Hillary Godwin, Marilyn Bellamy, Helen Mullans, Gloria Hedes, Angela Staples, Maria DeJesus, Erica DeJesus, Terry Cycle, Wendy, Mary Muller, Lou Robinson and Michael Looby.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-361  
Re: Teambuilding Initiative

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with the Center for Governmental Research, Inc. (CGR) to provide planning and facilitation services for City and City School District teambuilding efforts. Of this amount, \$10,000 will be funded through the allocation that City Council approved for this purpose through a budget amendment sponsored by Councilmembers Douglas and Griswold, and \$10,000 will be provided by the District.

For several years, both the elected leaders and the senior staff of the City and the District have been exploring ways to enhance cooperative efforts between the two organizations that might result in increased efficiency or reduced costs. To accelerate this effort and maintain its professional tone, CGR will provide a professional facilitator for up to 160 hours of direct meeting time plus all necessary planning and reporting time.

Examining areas in which our two organizations might better cooperate should lead to greater affordability and increased accountability. The use of a facilitator will enable an acceleration of the existing efforts. It is anticipated that the first use of these services will be for a joint Council-Board of Education session, followed by similar meetings among appropriate administrative staff.

The project will begin upon approval of the legislation; CGR will provide preliminary findings by the

end of the year and will complete the project by May 31, 2001.

Respectfully submitted,  
Lois J. Giess  
President

Ordinance No. 2000-361  
(Int. No. 424)

**Establishing Maximum Compensation For A Professional Services Agreement With The Center for Governmental Research, Inc. For Facilitation Services - \$20,000**

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as maximum compensation for a professional services agreement with the Center for Governmental Research, Inc. for professional facilitation services. Of said amount, \$10,000 shall be funded from the 2000-01 Budget of the Budget Bureau and \$10,000 shall be funded from the 2000-01 Budget of the City School District.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Norwood motioned to change the order of the Committees. He asked that the Housing and Community Development Committee be heard first and afterward the Committees be returned to its original order.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Norwood  
November 14, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 400 - Authorizing The Sale Of Real Estate

Int. No. 401 - Amending Ordinance No. 2000-151, Relating To The Lease Of Space In The High Falls Festival Site Sub-Terrace Area

Int. No. 402 - Resolution Approving Appointments To The Board Of Stationary Engineers

Int. No. 403 - Approving A Loan Agreement For The NEAD Rental Housing Project

Int. No. 404 - Amending The Municipal Code With Respect To Fees For Building Permits

The Housing and Community Development Committee recommends for consideration the following

entitled legislation:

Int. No. 405 - Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And Appropriating Funds For The Zoning Ordinance And Map Revision Project

Int. No. 406 - Changing The Zoning Classification Of 165 And 175 St. Bridget's Drive Within The Upper Falls Urban Renewal District From Semi Public to Light Industrial (T-1)

Respectfully submitted,  
 Wade S. Norwood  
 Benjamin L. Douglas  
 Nancy K. Griswold  
 Lois J. Giess  
 Gladys Santiago  
 HOUSING AND COMMUNITY DEVELOPMENT  
 COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-362 and  
 Ordinance No. 2000-363  
 Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of 19 properties and certain changes in the terms of a lease previously approved by the City Council

Sales

The first eight properties to be sold, which contain single-family structures, were included in the Homesteading Lottery of September 12 and will each be sold for \$1.00. The purchasers will be required to rehabilitate the properties within 18 months of the conditional closing and to reside on the properties for at least five years.

The next 10 properties are considered unbuildable because of their size. They will be sold to the owners of adjacent properties for \$1.00 and combined with those properties.

The last property, 126-130 Silver Street, will be sold to Flower City Habitat for Humanity at its appraised value. It will be used for construction of a single-family house.

Lease

On May 16, the Council authorized the lease of approximately 15,000 square feet of space at 40 Commercial Street to High Falls Development Corp. (principal: Ben Kendig). The space is located on two floors beneath the terrace area of the festival site.

The space will be renovated by the corporation to accommodate the growth of companies located in the adjacent High Falls (formerly Gorsline) building. The estimated cost of the renovations is \$850,000.

Of this amount, \$210,000 was expected to be financed from an Enterprise Community Zone loan with a low-interest rate. However, the time required for submission and review of the loan application would jeopardize the ability of the corporation to meet the deadline for completion of the renovations by July 31 for a prospective tenant.

Accordingly, conventional financing, with a higher interest rate, will now be used. To compensate for the City's inability to provide low cost financing, it is recommended that the first year rental payment be reduced, from \$12,000 to \$9,000.

In addition, the amount of space leased to the corporation would be increased by approximately 500 square feet. The additional area, which is located outside the building below the terrace level, would be enclosed by a wrought-iron fence and would be accessible only to the tenants of the building.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Attachment No. Z-117

Ordinance No. 2000-362  
 (Int. No. 400)

**Authorizing The Sale Of Real Estate**

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

Section 1. The Council hereby approves the sale of the following parcels of real estate through the Homesteading Lottery:

Address	S.B.L.#	Price
<u>Purchaser</u>		
52 Ackerman St.	107.45-1-47	\$1.00
Gladys & Antonio Rivera		
77 Bedford St.	107.39-1-46	1.00
Tara S. Johnson		
149 Cameron St.	105.58-1-54	1.00
Valerie Miller		
182 Clairmount St.	091-84-1-25	1.00
Cooper Kpor		
125 Elmdorf Ave.	120.82-4-5	1.00
Arthur & Sabrina Brooks, III		
17 Lime St.	105.75-1-11	1.00
Gloria Vola del Valle		
60 Mazda Terr.	091.70-2-44	1.00
Mildred & Perry Ross		
67 Warwick Ave.	120.57-2-4	1.00
Geraldine Ross		

Section 2. The Council hereby approves the sale of the following vacant unbuildable parcels of real estate for the sum of \$1.00:

Address	S.B.L.#	Sq. Ft.
<u>Purchaser</u>		
19 Florence St	120.67-3-46	3,762
James Jr. & Neomis Dickerson		
479 Frost Ave.	120.67-2-39	3,175 +/-
David Streeter		
205 Hawley St.	120.76-1-74	3,934 +/-
Robert & Gloria J. Monroe		
NH 47 Henry St.	Pt. of 106.40-2-12	2,407 +/-
Carolyn Jeffers		
SH 47 Henry St.	Pt. of 106.40-2-12	2,407 +/-
Yolanda R. Arline		

EH 29 Laser St. Pt. of 091.80-1-7 1,837 +/-  
 Elizardo & Olga E. Tuero  
 WH 29 Laser St. Pt. of 091.80-1-7 1,837 +/-  
 Juan Diaz  
 EH 124 Morrill St. Pt. of 106.22-3-52 1,827 +/-  
 Jessie R. Wright  
 WH 124 Morrill St. Pt. of 106.22-3-52 1,827 +/-  
 Neyde R. Szych  
 32 Sullivan St. Pt. of 106.31-4-53 3,182 +/-  
 Sara Lee Brown

Section 3. The Council hereby further approves the negotiated sale of the following parcels of vacant land with proposal:

Address: 126-130 Silver St.  
 S.B.L.#: 120.35.1-41 & 42  
 Price: \$500  
 Purchaser: Flower City Habitat for Humanity\*

\*Officers: Arthur Woodward, Mona Alongi

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-363  
 (Int. No. 401)

**Amending Ordinance No. 2000-151, Relating To The Lease Of Space In The High Falls Festival Site Sub-Terrace Area**

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

Section 1. Ordinance No. 2000-151, relating to the lease of space in the High Falls Festival Site Sub-Terrace Area, is hereby amended by authorizing the first year rent to be \$9,000, with no payment due during the first three months, and authorizing an additional area of approximately 500 square feet adjacent to the northern wall to be included in the lease area.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Resolution No. 2000-24  
 Re: Appointment - Examining Board of Stationary Engineers

Transmitted herewith for your approval is legislation confirming the reappointment of the following persons to the Examining Board of Stationary Engineers

Person	Address
William Carey	1220 Middle Road
Bernard Metzger	343 Reef Point Circle
Perry Moyd	875 Marshall Road

The original appointments of all of these persons

were confirmed by the City Council on May 12, 1992. Their reappointments were confirmed on January 17 and December 12, 1995. During the last three years, each of the persons attended all of the 44 meetings of the Board.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Resolution No. 2000-24  
 (Int. No. 402)

**Resolution Approving Appointments To The Board Of Stationary Engineers**

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

Section 1. The Council hereby approves the reappointment of the following individuals to the Board of Stationary Engineers for terms which shall expire on December 31, 2003:

William H. Carey  
 1220 Middle Road

Bernard Metzger  
 343 Reef Point Circle  
 Perry Moyd  
 875 Marshall Road

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-364  
 Re: HOME Loan - NEAD Rental Housing Project

Transmitted herewith for your approval is legislation authorizing an agreement with North East Area Development, Inc., for a loan totaling \$74,500 to partially finance the costs of renovation of 634-636 Garson Avenue.

The aforementioned property, which contains a two-story mixed use building, was donated to NEAD in 1999 by Charles Bayer. The building has been vacant since 1975, except for a beauty salon on the first floor, which has operated since 1980.

Besides the beauty salon, the building contains two apartments on the second floor and storage space on the first floor. The total vacant space comprises 3,400 square feet.

This vacant space will be renovated as three one-bedroom apartments. The first floor apartment will be accessible to people with disabilities.

The estimated cost of renovation is \$96,500, which will be financed as follows:

Proposed HOME Loan	\$74,500
United Way/Martin Luther King Fund	10,000
Monroe Foundation	2,000
Equity	10,000
Total	\$96,500

The proposed loan will have a maturity of 10 years and an interest rate of 1%, which is consistent with the

terms of the loans provided under the Rehabilitation of Investor Properties Program. The rental rates are expected to be \$350 for the second floor apartment and \$375 for the first floor apartment. These rates are considered affordable for families whose income is 30%-40% of the median family income of the metropolitan statistical area.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-364  
(Int. No. 403)

**Approving A Loan Agreement For The NEAD Rental Housing Project**

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with the North East Area Development, Inc. (NEAD) whereby the City shall provide an amount not to exceed \$74,500 to partially finance the costs of the development of rental units at 634-636 Garson Avenue. The loan shall have a term of ten years and 1% interest. Said amount, or so much thereof as may be necessary, shall be funded from 1999-2000 HOME Program Local Match Allocation of the City Development Fund.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-365  
Re: City Code Amendment - Building Permit Fees

Transmitted herewith for your approval is legislation amending the City Code provisions relating to the fees for certain building permits.

At present, the fees for building permits are based upon the estimated cost of the improvement.

For certain, minor improvements, this procedure is inefficient and presents an unrealistic assessment of the accuracy of the estimate.

Under the proposed legislation, to facilitate the issuance of permits, the permit fees for certain types of improvements will either be standardized or based upon a physical measure rather than a monetary estimate. The proposed fees reflect a consideration of the present average fees in recent years.

Improvement	Proposed Fee	Annual Revenue	Annual No.	Present Avg. Fee
Shed	\$ 40	\$ 760	22	\$35
Fence	25-100	11,560	341	34
Deck	50-100	5,180	107	48
Solid Fuel Heating Device	50	460	11	42
Swimming Pool	50	2,150	50	43

The effect on total fee revenues is expected to be minimal.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-365  
(Int. No. 404)

**Amending The Municipal Code With Respect To Fees For Building Permits**

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

Section 1. Section 39-221 of the Municipal Code, Fees for permits, as amended, is hereby further amended by amending the introductory phrase of subsection G thereof to read in its entirety as follows: "Building permit fees for the following actions shall be as follows;" and by adding thereto the following new purposes and fees in the chart contained in said subsection:

Purpose	Fee
Shed	\$ 40.00
Fence	
<50 linear ft.	\$ 25.00
>50 linear ft.	50.00
>500 linear ft.	100.00
Deck	
<144 sq. ft.	\$ 50.00
>144 sq. ft.	70.00
>400 sq. ft.	100.00
Wood Burning Stove, solid fuel device, fireplace insert, gas fireplace	\$ 50.00
Swimming Pool	\$ 50.00

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-366  
Re: CDBG Appropriation - Zoning Map and Ordinance Updates

Transmitted herewith for your approval is legislation amending the 1995-96 and 1996-97 Community Development Block Grants by appropriating a total of \$49,800 to finance certain costs associated with the Zoning Map and Ordinance Updates.

As you are aware, the City's present zoning map and ordinance had not been updated in a comprehensive manner since 1975. Accordingly, to reflect the City's new comprehensive plan, *Rochester 2010: The Renaissance*, on January 19, 1999, the City Council authorized an agreement with Duncan Associates for assistance in such updates.

The draft updates, along with the Draft Generic Environmental Impact Statement required by the NYS Environmental Conservation Law, were recently completed. These updates and the DGEIS currently

are being presented to the public in a series of informational meetings.

During the next 90 days the Environmental Commission will hold public hearings to receive comments on the updates. Following these hearings, a Final EIS will be prepared and the draft map and ordinance will be revised, as necessary.

The final proposed map and ordinance will thereafter be presented to the Planning Commission, which will hold an additional public hearing. The Commission will then submit a recommendation to the Council, which will also hold a public hearing.

The proposed appropriation will finance the costs associated with these hearings and other meetings that may occur and the printing of the final map and ordinance.

Advertising and meetings	\$24,000
Printing	
Map	15,800
Ordinance	10,000
Total	\$49,800

The appropriation will be financed from unexpended funds originally allocated for street improvements and the Hudson-Union Revitalization Project. These funds are no longer required.

The reallocation of the funds will require amendment of the applicable CDBG plans. A public hearing on this amendment is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-366  
(Int. No. 405)

**Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And Appropriating Funds For The Zoning Ordinance And Map Revision Project**

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby the Street Improvements Account within the General Community Needs Allocation shall be reduced by the sum of \$28,696 and said amount shall be transferred to a new account for the Zoning Ordinance and Map Revision Project in the Other Programs Allocation.

Section 2. The Council hereby further approves an amendment to the 1996-97 Community Development Program Plan whereby the Hudson-Union Revitalization Account within the Improving the Housing Stock and General Property Conditions Allocation shall be reduced by the sum of \$21,104 and said amount shall be transferred to a new account for the Zoning Ordinance and Map Revision Project in the Other Programs Allocation.

Section 3. There is hereby appropriated from the Other Programs Allocation of the 1995-96 Community Development Program the sum of \$28,696, and there is hereby appropriated from the Other Programs Allocation of the 1996-97 Community Development Program the sum of \$21,104, or so much thereof as may be necessary, to fund the Zoning Ordinance and

Map Revision Project.

Section 4. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the Zoning Ordinance and Map Revision Project.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 406  
Re: Zoning Map Amendment -  
165 and 175 St. Bridget's Drive

Transmitted herewith for your consideration is legislation amending the Zoning Map by changing the zoning classification of 165 and 175 St. Bridget's Drive from Semi-Public to Light Industrial (T-1).

The properties, which are within the Upper Falls Urban Renewal District, abut Residential or T-1 classifications to the north and east and Public Use classifications to the south and west. They contain a church building and former residence, which was previously used for an emergency shelter, soup kitchen, outreach center and accessory chapel.

Rezoning of the properties was requested by Safe Haven Project, Inc. (principal: Kevin Eubank), the lessee and prospective owner of the properties. If the rezoning is approved, Safe Haven will use the former residence, and possibly the church building, as a homeless shelter.

The Safe Haven Project was previously located at St. Joseph's Mission at 402 South Avenue. Its clients have been temporarily relocated to other facilities following expiration of its lease, pending consideration of the rezoning request and completion of necessary renovations of the buildings on St. Bridget's Drive.

The proposed use as a homeless shelter is not permitted under the Semi-Public classification, which is comparable to the Open Space classification in other areas of the city. The use is allowed with a special permit under the T-1 classification, which is comparable to the M Manufacturing Industrial classification.

The prior use of the residential building as an emergency shelter was permitted because it was an accessory use to the church. Under Safe Haven's plan, the homeless shelter would be the primary use of the property.

The Planning Commission held an informational hearing on the rezoning request on October 16; there were 13 speakers, 11 of whom supported and two of whom opposed the request. The Commission recommended by a vote of 5-1 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-118

Introductory No. 406

**Changing The Zoning Classification Of 165 And 175 St. Bridget's Drive Within The Upper Falls Urban Renewal District From Semi Public To Light Industrial (T-1)**

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 165 and 175 St. Bridget's Drive within the Upper Falls Urban Renewal District, from Semi Public to Light Industrial (T-1):

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

Beginning at the point of intersection of the centerline of Saint Bridget's Drive and the southwesterly line extended northwesterly of Lot R-24-A as laid down on a map of a subdivision done for the Diocese of Rochester by Denluck-O'Neill, P.C. as recorded in the Monroe County Clerk's Office in Liber 296 of maps at page 8;

Thence 1) S 38° 58' 28" E along said extension and the southwesterly line of Lot R-24-A a distance of 196.97 feet to the southeast corner of Lot R-24-A;

Thence 2) N 52° 33' 32" E a distance of 48.43 feet to a point;

Thence 3) S 58° 40' 14" E a distance of 57.54 feet to a point;

Thence 4) N 50° 48' 27" E a distance of 89.64 feet to a point;

Thence 5) S 38° 30' 00" E a distance of 143.08 feet to a point;

Thence 6) N 50° 56' 44" E a distance of 3.74 feet to a point;

Thence 7) N 39° 04' 14" W a distance of 393.8 feet more or less to the centerline of Saint Bridget's Drive;

Thence 8) S 51° 31' 09" W along the centerline of Saint Bridget's Drive a distance of 159.4 feet more or less to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Failed unanimously.

By Councilmember Stevenson  
November 14, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 393 - Establishing Maximum Compensation For A Professional Services Agreement And Appropriating Funds For The Port Of Rochester Harbor Improvement Project

Int. No. 394 - Establishing \$48,000 As Maximum Compensation For A Professional Services Agreement For Design Services For The Driving Park/LaGrange Beautification Project

Int. No. 395 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$485,000 Bonds Of Said City To Finance The Cost Of Construction Of Improvements To Certain Streets Related To The Driving Park/LaGrange Beautification Project

Int. No. 417 - Establishing \$40,000 As Maximum Compensation For An Amendatory Professional Services Agreement For An Investigation Of The Former Emerson Street Landfill Site

Int. No. 418 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$40,000 Bonds Of Said City, In Addition To \$170,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Planning And Implementing Environmental Clean-Up Within The City

Int. No. 419 - Authorizing Acquisition Of Easements For The High Falls Riverfront Pedestrian Improvement Project

Int. No. 420 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$100,000 Bonds Of Said City To Finance The Cost Of Construction Of Improvements To The High Falls Riverfront Area In The City

Int. No. 421 - Authorizing An Agreement With The County Of Monroe For Renovation Of The Robach Community Center

Respectfully submitted,  
Brian F. Curran  
Lois J. Giess  
Gladys Santiago  
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-367  
Re: Port Improvement Project

Transmitted herewith for your approval is legislation relating to the Port Improvement Project. This legislation will:

1. Authorize an agreement with the U.S. Army Corps of Engineers for a feasibility study of various navigational improvements within the harbor, at a maximum cost to the City of \$75,000; and
2. Appropriate a total of \$509,000 in anticipated reimbursements from the State of New York to partially finance the costs of various improve-

ments.

Local Waterfront Revitalization Program	\$115,000
Marchiselli Aid Program	<u>394,000</u>
Total	\$509,000

As you are aware, the plan for the Port Improvement Project provides for substantial navigational improvements to accommodate the possible fast ferry service and cruise ships. These improvements include dredging, removal of the railroad swing bridge, river bottom scour protection and modifications to the river wall. The estimated cost of the improvements is \$8.3 million.

The City has applied for federal assistance to partially finance this cost. The proposed feasibility study is a prerequisite for receipt of such assistance.

Under the study, the Corps will determine the City's eligibility for federal assistance by examining the impact of the proposed improvements on operation of the navigation channel. The total estimated cost of the study is \$250,000.

The Corps will finance the first \$100,000 of this amount plus 50% of the remaining amount, or \$175,000. Under the proposed agreement, the City will finance \$75,000 of the cost.

The proposed appropriations will be used to partially finance final design of pedestrian gateway improvements along Ontario Beach Park, east of Lake Avenue, and riverfront promenade improvements south of the park. Preliminary design of these improvements is being performed by LaBella Associates under an agreement authorized by the Council on July 13, 1999 and January 18, 2000. Final design is expected to be completed in the summer of 2001 with construction beginning in 2002.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-367  
(Int. No. 393)

**Establishing Maximum Compensation For A Professional Services Agreement And Appropriating Funds For The Port Of Rochester Harbor Improvement Project**

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

Section 1. The sum of \$75,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the United States Army Corps of Engineers for a feasibility study of navigation improvements at the Port Of Rochester Harbor. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. There is hereby appropriated from anticipated reimbursements from the New York State Department of State under the Local Waterfront Revitalization Program the sum of \$50,000, or so much thereof as may be necessary, to fund the design of pedestrian gateway improvements along Ontario Beach Park.

Section 3. There is hereby appropriated from anticipated reimbursements from the New York State Department of State under the Local Waterfront Re-

vitalization Program the sum of \$65,000, or so much thereof as may be necessary, to fund the design of riverfront promenade improvements south of Ontario Beach Park.

Section 4. There is hereby appropriated from anticipated reimbursements from the New York State Department of Transportation the sum of \$394,000, or so much thereof as may be necessary, to fund the design of the Port of Rochester access/transportation improvements.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-368 and  
Ordinance No. 2000-369  
Re: Driving Park/LaGrange Avenue  
Beautification Project

Transmitted herewith for your approval is legislation relating to the Driving Park/LaGrange Avenue Beautification Project. This legislation will:

1. Authorize an agreement with Dufresne-Henry, 80 St. Paul Street, for design of the project, at a maximum cost of \$48,000; and
2. Authorize the issuance of bonds totaling \$485,000 and appropriate the proceeds thereof to finance the costs of design and construction of the improvements.

The project is intended to support further development in the Driving Park/LaGrange Avenue area. It will include the replacement of sidewalks and street lights and landscaping.

Proposals for design of the project were solicited from three organizations; two proposals were received. Dufresne-Henry is recommended because of the qualifications of the personnel to be assigned to the project and its ability to provide the required services within the time period specified by the City.

Construction of the project is expected to begin in the summer of 2001 and be completed in the fall. The estimated cost of construction, including inspection and contingencies, is \$437,000.

The proposed bond issue will finance the cost of both design and construction.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-119

Ordinance No. 2000-368  
(Int. No. 394)

**Establishing \$48,000 As Maximum Compensation For A Professional Services Agreement For Design Services For The Driving Park/LaGrange Beautification Project**

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

Section 1. The sum of \$48,000, or so much thereof

as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Dufresne-Henry for design services for the Driving Park/LaGrange Beautification Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-369  
(Int. No. 395)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$485,000 Bonds Of Said City To Finance The Cost Of Construction Of Improvements To Certain Streets Related To The Driving Park/LaGrange Beautification Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of improvements to the streetscape along Driving Park Avenue, LaGrange Avenue and Newberry Street within the City including, but not limited to, sidewalks, street trees, landscaping and street lighting (the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$485,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$485,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$485,000 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 \$485,000. 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 probably usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-370 and  
Ordinance No. 2000-371  
Re: Emerson Street Landfill  
Remediation Project

Transmitted herewith for your approval is legislation relating to the former Emerson Street Landfill. This legislation will:

1. Authorize an amendatory agreement with LaBella Associates, 300 State Street, for additional environmental remediation services, at a maximum cost of \$40,000; and
2. Authorize the issuance of bonds totaling \$40,000 and appropriate the proceeds thereof to finance the cost of the agreement.

The former landfill was designated as an inactive hazardous waste disposal site by the NYS Department of Environmental Conservation in 1982. In 1993 and 1995, following remediation by the City, DEC removed approximately 200 acres of the landfill from the hazardous site registry.

The remaining 22 acres were retained on the registry for further investigation. This area contains up to 20' of landfill wastes.

On August 10, 1999, the City Council authorized an agreement with LaBella to perform a sub-surface investigation of the area. This investigation indicated that there is contaminated groundwater with chlorinated hydrocarbons on the southern and southeastern portions of the site. Similar contamination was detected in the perimeter sewer system.

Under the proposed amendatory agreement, LaBella will perform additional investigations to define the extent of the contamination and to collect information to support a petition to DEC to remove additional parcels from the hazardous site registry or to change the classification of parcels within the registry, to facilitate redevelopment of the site. It is expected that this work will be completed by October, 2001.

If the proposed amendatory agreement is approved, the total cost of the agreement with LaBella will increase to \$210,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-120

Ordinance No. 2000-370  
(Int. No. 417)

**Establishing \$40,000 As Maximum Compensation For An Amendatory Professional Services Agreement For An Investigation Of The Former Emerson Street Landfill Site**

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

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LaBella Associates for an environmental investigation and cleanup feasibility study of a portion of the former Emerson Street Landfill site. Said amount shall be funded from a bond ordinance for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-371  
(Int. No. 418)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$40,000 Bonds Of Said City, In Addition To \$170,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Planning And Implementing Environmental Clean-Up Within The City**

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 planning and implementing clean-up of certain hazardous substances and hazardous waste sites at a portion of the former Emerson Street Landfill which is owned by and located within the City (the "Project"). The estimated maximum cost of said specific object or purpose described herein (and constituting only a portion of the master remediation plan), including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$210,000. The plan of financing includes the issuance of \$40,000 bonds of the City in addition to \$170,000 principal amount of bonds previously authorized in Ordinance No. 99-286, and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$40,000 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 \$40,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.6-e of the Law, is twenty (20) years.

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

redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-372 and  
Ordinance No. 2000-373

Re: River Front Pedestrian Improvement  
Project

Transmitted herewith for your approval is legislation relating to the Riverfront Pedestrian Improvement Project. This legislation will:

1. Authorize the acquisition of temporary and permanent easements; and
2. Authorize the issuance of bonds totaling \$100,000 and appropriate the proceeds thereof to finance a portion of the cost of construction

of the project.

The project is intended to improve access to the High Falls area from the Central Business District. It is scheduled to be completed in two phases.

Phase I will extend from State Street along the south side of the Inner Loop to the Genesee River. Phase II will extend along the river to Andrews Street.

The proposed easements are required for completion of Phase I. The easements are considered de minimis and will be acquired from the Carroll Mumford Company for \$1.00.

The improvements involved in Phase I include new granite curbs, sidewalks, decorative street lights and landscaping. Phase I will also involve the closure by the Rochester Gas & Electric Corporation of the existing access road to the Inner Loop from its properties at 46-52 and 84 Andrews Street.

The estimated cost of the improvements is \$271,400, which will be financed as follows:

Proposed Bond Issue	\$100,000
Cash Capital Allocations	170,120
Monroe County (traffic)	1,280
Total	\$271,400

Construction is expected to begin in the spring of 2001 and be completed in the summer.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-121

Ordinance No. 2000-372  
(Int. No. 419)

**Authorizing Acquisition Of Easements For The High Falls Riverfront Pedestrian Improvement Project**

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

Section 1. The Council hereby approves the acquisition of a temporary construction easement and a permanent public access easement from The Carroll Mumford Company over the parcel at 150 State Street for the sum of \$1.00 as a part of the High Falls Riverfront Pedestrian Improvement Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-373  
(Int. No. 420)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$100,000 Bonds Of Said City To Finance The Cost Of Construction Of Improvements To The High Falls Riverfront Area In The City**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of improvements to the High Falls Riverfront Pedestrian area within the City, including new curbs, sidewalks, street lighting and landscaping along the south side of the Inner Loop from State Street to the Genesee River (the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$271,400, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 bonds of the City to finance said appropriation, together with \$170,120 current funds of the City, the receipt and application of reimbursements from the County of Monroe in the amount of \$1,280 and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$100,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$100,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to

providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-374  
Re: Agreement - Monroe County,  
Robach Community Center

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for partial financing by the City of the costs of renovation of the Robach Community Center at Ontario Beach State Park. The maximum cost of the agreement will be \$350,000, which will be financed from the 1998-99 Cash Capital allocation.

The community center building, formerly the bathhouse, is operated and maintained by Monroe County under an agreement authorized by the City Council on May 23, 1961. At present, only the first floor of the building is accessible to and utilized by the public.

Under the proposed agreement, the County will renovate the second floor of the building and install an elevator to permit the space to be used for the activities that currently occur in the south warehouse at the port. These activities include concerts and dances, exhibits, conferences, receptions and public meetings.

An allocation of \$600,000 was included in the 1998-99 Capital Improvement Program for renovation of the warehouse. The planned renovations included

accessibility improvements and the installation of a sprinkler system to comply with the Building Code.

However, the port development plan now provides for demolition of the building, whether or not a fast ferry service is developed. The building therefore will not be renovated.

The renovation of the second floor of the community center is intended to provide substitute space. The total estimated cost of the renovation is \$770,000.

Under the proposed agreement, the City will finance \$350,000 of this cost. The remaining cost of \$420,000 will be financed by the County.

The project is expected to be completed by the fall of 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-374  
(Int. No. 421)

**Authorizing An Agreement With The County Of Monroe For Renovation Of The Robach Community Center**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for renovation of the Robach Community Center in Ontario Beach Park.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$350,000, and said amount, or so much thereof as may be necessary, shall be funded from the 1998-99 Cash Capital Allocation.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
November 14, 2000

To the Council:

The Public Safety/Public Services Committee recommends for Adoption the following entitled legislation:

Int. No. 396 - Establishing \$15,600 As Maximum Compensation For A Professional Services Agreement With Writers & Books, Inc. For The Wordcrafter Program

Int. No. 397 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For Recreation Site Improvement Projects

Int. No. 398 - Authorizing Agreements For The Local Law Enforcement Block Grant Program

Int. No. 399 - Authorizing An Application And Agreement For The STOP Violence Against Women

Program And Amending The 2000-01 Budget

Int. No. 422 - Authorizing An Agreement With The County Of Monroe For The Fire/EMS Radio Communications Board

Int. No. 423 - Resolution Approving An Appointment To The Greater Rochester Sports Authority

Respectfully submitted,  
Benjamin L. Douglas  
Lois J. Giess  
Gladys Santiago  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-375  
Re: Agreement - Writers & Books, Inc.,  
Wordcrafter Program

Transmitted herewith for your approval is legislation authorizing an agreement with Writers & Books, Inc., 740 University Avenue, for continuation of the City's Wordcrafter Program. The maximum cost of this agreement will be \$15,600, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services.

The Wordcrafter Program involves a series of language arts workshops designed to enhance language ability and creative expression for people of all ages and abilities through writing, reading, and the spoken word. The current agreement for the program was authorized by the City Council on November 9, 1999.

Under the proposed agreement, Writers & Books will provide a minimum of eight youth and teen workshops, three adult workshops, and in intergenerational Oral Histories workshop. Each workshop will be provided for 1.5 hours each week for 10 weeks at City recreation or community centers.

The youth workshops will include activities to improve writing, language expression, reading skills and vocabulary through exercises such as writing in personal journals, letter writing, storytelling and theater arts, and group writing. The adult workshops will teach traditional creative writing. The intergenerational Oral Histories workshop will incorporate storytelling, writing and oral presentation. Writers and Books will prepare all materials required for the workshops, and provide instructors. It will also publish an anthology of the participants' writing, and special booklets for individual workshops.

Under the current agreement, approximately 220 youth and 40 adults have participated in the program.

The cost of the proposed agreement is \$200 less than the cost of the current agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-375  
(Int. No. 396)

**Establishing \$15,600 As Maximum Compensation For A Professional Services Agreement With Writers & Books, Inc. For The Wordcrafter Pro-**

gram

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

Section 1. The sum of \$15,600, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Writers & Books, Inc. for the continuation of the City's Wordcrafter Program. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-376  
Re: Agreement - Sear-Brown Group,  
Meigs/Linden and Humboldt  
Recreation Site Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with The Sear Brown Group, 2250 Brighton-Henrietta Town Line Road, for resident project representation services for the Meigs/Linden and Humboldt recreation site improvement projects. The maximum cost of this agreement will be \$50,000, which will be financed from the proceeds of the 2000-01 Cash Capital allocation of the Department of Parks, Recreation and Human Services.

The improvements at the Meigs/Linden playground were designed by the Bureau of Architecture and Engineering. The work will involve removal of the existing recreation apparatus; installation of new apparatus and safety surfaces, picnic tables, benches, grills, trash receptacles and fencing; and landscaping.

The improvements at the Humboldt Street recreation center were designed by Bayer Associates under an agreement authorized by the City Council on February 15. The work will involve the removal of existing recreation apparatus, surfaces and fences; regrading; the installation of new apparatus, safety surfaces, pavilion, aquatic play area and fencing; construction of vent wells and waterproofing of portions of the recreation center's walls; installation of new water services and backflow prevention devices; storm sewer system modifications; and landscaping.

Bids for the Meigs/Linden playground improvements were received on October 16, while bids for the Humboldt recreation center improvements were received on September 19. Construction of the improvements is scheduled to begin this fall and be completed by the spring of 2001.

Sear-Brown is recommended to provide the services because of the qualifications of the personnel to be assigned to the projects and its ability to provide the required services within the time period specified by the City.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-376  
(Int. No. 397)

**Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For Recreation Site Improvement Projects**

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for resident project representation services for the Meigs/Linden and Humboldt Recreation Site Improvement Projects. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-377 and  
Ordinance No. 2000-378  
Re: Police Grants

Transmitted herewith for your approval is legislation authorizing the submission of applications to and agreements with the following agencies for the receipt and use of two grants totaling \$668,246.

<u>Agency</u>	<u>Grant</u>	<u>Amount</u>
U.S. Department of Justice	Law Enforcement Block Grant	\$559,496
NYS Division of Criminal Justice Services	Stop Violence Against Women	108,750

LEBG

The LEBG program allocates funds to municipalities based upon the number of Part I (serious) crimes reported in each respective jurisdiction. The City has received the following amounts since inception of the program.

<u>Federal Fiscal Year</u>	<u>Amount</u>
1996-97	\$305,293
1997-98	311,916
1998-99	349,323
1999-00	339,959

The City has combined the funds its receives under the program with those of Monroe County. This combination is required because the NYS Attorney General has certified that a disparity (of more than 200%) exists between the former amount and the latter amount and that this disparity could have an adverse effect on the criminal justice system.

Receipt of the most recent grant was approved by the City Council on April 14, 1998. This grant has been used for the following programs:

Operation Night Watch

Drug Court Translation Services  
Juvenile Aftercare Services  
Pathways Program  
Juvenile Prosecutor  
Police Records Management System  
Teen Court Coordination  
Crime Prevention "Seed" Grants

For the next two years, the combined City and County allocations will total \$591,465.

City	\$559,496
County	31,969
Total	\$591,465

The joint plan for expenditure of these funds will be developed following a public hearing. It is expected that the funds will continue to be allocated for the aforementioned activities.

Stop Violence Against Women

The federal Stop Violence Against Women program is intended to improve the manner in which the criminal justice system responds to women who have been the victims of violence. The City has used the grants it has received under the program to finance a Domestic Violence Response Team within the Family and Victims Services Unit.

The team consists of two counseling specialists, who respond on scene to incidents of domestic abuse, and one victim assistance counselor, who provides post-incident services. During the period from October, 1999 through June, 2000, the team responded to 183 incidents involving 201 victims.

The proposed grant will be used to finance the continuation of these services. The 2000-01 budget of the Police Department will be increased by \$48,300 to reflect the amount of the grant expected to be expended during the current fiscal year.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-377  
(Int. No. 398)

**Authorizing Agreements For The Local Law Enforcement Block Grant Program**

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

Section 1. The Council hereby approves the acceptance of a Local Law Enforcement Block Grant and the Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for funding under the Local Law Enforcement Block Grant Program. Necessary local matching funds shall be provided through the annual budgets of the Rochester Police Department.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the County of Monroe for the purpose of sharing the combined funding under the Local Law Enforcement Block Grant Program that each jurisdiction is eligible to receive.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-378  
(Int. No. 399)

**Authorizing An Application And Agreement For The STOP Violence Against Women Program And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Division of Criminal Justice Services for funding for the STOP Violence Against Women Program.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$48,300, which amount is hereby appropriated from funds to be received under the agreement authorized herein to fund the STOP Violence Against Women Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-379  
Re: Agreement - Monroe County,  
Fire/EMS Radio Communications  
Board

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for participation by the City in a proposed Fire/Emergency Medical Services Radio Communications Board. The agreement is authorized by section 119-o of the NYS General Municipal Law.

There are 60 fire and emergency medical service agencies with Monroe County. The proposed board is intended to be a mechanism through which the radio communications of these agencies can be coordinated.

The specific responsibilities of the board will be:

1. Develop and maintain policies, standards and procedures for the delivery of communications services;
2. Establish a process for auditing the effectiveness of these policies, standards and procedures and verifying compliance by participating agencies;
3. Review all complaints about the operation and performance of the communications system and, as appropriate, recommend remedies;
4. Evaluate overall system performance, identify possible changes and improvements, and estimate the associated costs; and

5. Monitor system improvement projects.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-379  
(Int. No. 422)

**Authorizing An Agreement With The County Of Monroe For The Fire/EMS Radio Communications Board**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for participation by the City in the Fire/EMS Radio Communications Board for the coordination of radio communications for fire and emergency medical services in the County.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-25  
Re: Appointment - Greater Rochester Sports Authority

Transmitted herewith for your approval is legislation confirming the appointment of Thomas Frey, 56 Berkeley Street, to the Greater Rochester Sports Authority.

The Authority, a public benefit corporation, was established by Chapter 575 of the Laws of 2000. It is authorized to construct, operate and maintain a stadium for a professional soccer team and to operate and maintain Frontier Field.

The Authority will consist of three members. The Monroe County Executive is responsible for appointing two members and the Mayor of the City of Rochester is responsible for appointing one member.

The appointments must be confirmed by the County Legislature and City Council, respectively. The members will serve at the pleasure of the County Executive and Mayor.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-25  
(Int. No. 423)

**Resolution Approving An Appointment To The Greater Rochester Sports Authority**

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

Section 1. The Council hereby approves the appointment of Thomas Frey, 56 Berkeley Street, to the Greater Rochester Sports Authority.

Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains -1.

By Councilmember Mains  
November 14, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 407 - Cancellation Of Taxes And Charges

Int. No. 409 - Authorizing An Agreement With All-right New York Parking, Inc. For Continued Operation Of The High Falls Parking Garage

Int. No. 410 - Approving Assignment Of Parking Lot Lease

Int. No. 413 - Resolution Approving An Appointment To The Board Of Assessment Review

Int. No. 414 - Acceptance Of Library Grants And Amending The 2000-01 Budget For The Rochester Public Library

Int. No. 416 - Repealing Ordinance No. 2000-276 And Amending The 2000-01 Budget Relating To The Operation Safe Home Program

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 411 - Authorizing An Agreement With The Urban League Of Rochester, Inc. To Administer The Technical Assistance And Consulting Program - \$40,000

The following entitled legislation is being held in committee:

Int. No. 408 - Authorizing An Agreement For Operation Of The Mortimer Street Parking Garage

Int. No. 412 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For The High Falls Film Festival

Int. No. 415 - Amending The 2000-01 Budget Relating To The Employee Suggestion Program

Respectfully submitted,  
Tim O. Mains (Did not vote on Intro. No. 407 through Intro. No. 410.)

Brian F. Curran  
Nancy K. Griswold  
Lois J. Giess (Voted on Intro. No. 407 through Intro. No. 410.)  
Gladys Santiago  
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-380  
Re: Cancellation or Refund of Erroneous  
Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$6,546.18.

Of the total, \$4,353.68 (66.5%) relates to three properties acquired by New York State for the Stutson Street Bridge Improvement Project. The remaining amount, \$2,192.80 (33.5%) relates to a property acquired by a religious organization prior to the taxable status date.

If these cancellations are approved, total cancellations during 2000-01 will be \$159,245.45

	<u>Accounts</u>	<u>Amounts</u>
City Council	15	\$137,682.06
Administrative	71	21,563.39
Total	86	\$159,245.45

These cancellations represent .08% of the tax receivables as of July 1.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-380  
(Int. No. 407)

**Cancellation Of Taxes And Charges**

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- a. The below referenced properties were taken in their entirety by the State of New York for a roadway relocation. All taxes and charges are not enforceable.

<u>S.B.L.#</u>	<u>Address</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
047.700-0002-040	335 River St.	H	2001	\$1,724.54
047.700-0002-041	329 River St.	H	2001	1,099.42
047.700-0002-042	325 River St.	H	2001	1,529.72
		Sub-total		\$4,353.68

- b. Property purchased prior to Taxable Status Date by a religious corporation. The property owner applied for the exemption after Taxable Status Date.

<u>S.B.L.#</u>	<u>Address</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
106.230-0003-001	808 Joseph Ave.	N-H	2001	\$2,192.80
		Total		\$6,546.48

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-381,  
Ordinance No. 2000-382 and  
Introductory No. 408  
Re: Parking Garages and Lot

Transmitted herewith for your approval is legislation relating to the operation of two parking garages and one parking lot. This legislation will:

1. Authorize agreements with
  - a. Donatelli, Inc. (D.B.A. Ralph Parking Company), 120 East Main Street, for operation of the Mortimer Street garage;
  - b. Allright New York Parking, Inc., for continued operation of the High Falls garage through May 31, 2001;
2. Authorize the assignment of the lease agreement for parking lot #10.

Mortimer Street Garage

The Mortimer Street garage, which has 1,143 spaces, is currently operated by Community Services of Western New York Corp. under an agreement authorized by the City Council on December 15, 1999. The agreement was originally scheduled to expire on October 31 but has been extended until November 30 with the consent of Community Services.

After that date, the capacity of the garage will be reduced to 620 spaces because of the closure of the older section of the garage structure. The closure reflects the age of the structure - it was constructed in 1955 - and its deteriorating condition.

Proposals for operation of the newer, remaining portion of the garage were solicited from 13 organizations. Two proposals, providing for the following annual remittances of net revenue, were received:

1999-2000 Revenue	\$209,000
Proposed:	
Donatelli, Inc.	\$120,000
Allright New York Parking, Inc.	112,000

Under the proposed agreement, Donatelli, Inc. will provide all personnel required for operation of the garage, including cashiers, security guards and maintenance staff. It will also be responsible for all costs associated with utilities, special assessments, materials and supplies, contractual services and insurance. The agreement will have an initial term of two years with provision for renewal for an additional one-year period.

The parking plan for the remaining portion of the garage provides for the designation of 558 of the 620

spaces for people with monthly passes. The other 62 spaces will be designated for short-term use.

At present, 714 people have monthly passes for the garage. The new St. Joseph's garage will be able to accommodate the 156 people who will be displaced by the closing of the older section of the Mortimer Street garage. Only 100 people currently have monthly passes for the St. Joseph's garage, which has 1,000 spaces.

High Falls Garage

The High Falls garage, which contains 764 spaces, is currently operated by Allright under an agreement that was originally authorized by the Council on May 13, 1997 and extended by the Council on May 18, 2000. The latter extension, through November 30, reflected the lack of responses from other organizations to a solicitation of proposals for operation of the garage after the original expiration date of May 31.

The lack of responses was attributable to revenue uncertainties, since increases in the parking fees and the elimination of reduced fees for City employees had been proposed. These changes were based on a projected increase in the demand for parking spaces in the High Falls area.

Proposals for operation of the garage after November 30 were solicited from 19 organizations. Allright submitted the only proposal, which did not meet all the specifications of the proposal solicitation.

The lack of response is again attributable to revenue uncertainties. While it is expected that over the next six months the utilization rate will increase as a result of increased occupancy of various buildings in the High Falls District, it is not known how much of this increase in demand will be offset by the movement of existing parkers to other facilities.

The proposed additional extension of the agreement with Allright will permit identification of the actual change in total demand after the fee increases become effective. All terms and conditions of the current agreement will remain the same during the extension.

Assignment of Lot Lease

Parking lot #10, which contains 216 spaces, is operated in conjunction with the Blue Cross Arena at the War Memorial. The current agreement for operation - with Ogden Entertainment, Inc., the operator of the arena - was authorized by the City Council on April 18, 2000.

Ogden was subsequently acquired by Spectacor Management Group, Inc., of Philadelphia. The proposed legislation will authorize the assignment by Ogden of the parking lot lease to SMG.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-122

Ordinance No. 2000-381  
(Int. No. 409)

**Authorizing An Agreement With Allright New York Parking, Inc. For Continued Operation Of The High Falls Parking Garage**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Allright New York Parking, Inc. for continued operation of the High Falls Parking Garage for a term of six (6) months upon the same terms and conditions as the existing agreement.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-382  
(Int. No. 410)

**Approving Assignment Of Parking Lot Lease**

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

Section 1. The Council hereby approves the assignment of the public parking lot lease for the parking lot at Exchange Boulevard and Court Street, as approved in Section 1 of Ordinance No. 2000-100, from Ogden Entertainment, Inc. to Spectator Management Group, Inc.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 408

**AUTHORIZING AN AGREEMENT FOR OPERATION OF THE MORTIMER STREET PARKING GARAGE**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Donatelli, Inc., d/b/a Ralph Parking Company, for the operation of the Mortimer Street Parking Garage for a period of one year, with an option to renew for two additional one-year periods. The operator shall be responsible for providing all personnel required to operate the garage, including cashiers, security guards and maintenance staff. The operator shall also be responsible for all costs associated with utilities, special assessments, materials and supplies, contractual services and insurance.

Section 2. The agreement shall obligate Donatelli to pay the City the sum of \$120,000 annually.

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

Section 4. This ordinance shall take effect immediately.

Item Held in committee.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-26  
Re: Appointment - Board Of  
Assessment Review

Transmitted herewith for your approval is legislation to approve the reappointment to the Board of Assessment Review of Adrienne M. Kille for a five-year

term. Ms. Kllc was originally appointed last October to serve the remaining year of the term of A. Sue Lione, who resigned.

Prior to last year, Ms. Kllc had been a temporary panelist on the Board and she has an extensive background in real estate. In the past, she has also served on both the City Planning Commission and the Preservation Board.

Respectfully submitted,  
Lois J. Giess  
President

Resolution No. 2000-26  
(Int. No. 413)

**Resolution Approving An Appointment To The Board Of Assessment Review**

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

Section 1. The Council hereby approves the reappointment of

Adrienne M. Kllc  
215 Aldine Street  
Rochester, NY 14619

to the Board of Assessment Review for a term that will expire on September 30, 2005.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-383,  
2000-384 and 2000-386  
Re: 2000-01 Budget Amendments

Transmitted herewith for your approval is legislation authorizing three amendments to the 2000-01 Budget.

The first amendment will increase the budget of the Library by \$20,000 to reflect the receipt of two grants.

Rundel Library Foundation (anonymous)	\$15,000
New York State	5,000
Total	\$20,000

The first grant will be used to finance improvements to the Toy Library at the Lincoln branch library. The improvements will include redesign of the space with new walls, doors, a dropped ceiling, enhanced lighting and upgrades to the heating, ventilating and air conditioning system.

The second grant will be used to finance enhancements to the children's collections at the Winton and Sully branch libraries. The grant was obtained through the efforts of Assemblyman Morelle.

The second amendment will transfer \$25,000 from the Undistributed Expense budget to the Bureau of Human Resource Management. The funds will be used to finance administrative costs associated with the employee suggestion program, the establishment of which was authorized by the City Council on November 17, 1999.

The third amendment will transfer \$10,000 from the Police Department to Pathways to Peace. It will also rescind prior legislation relating to this appropriation transfer.

The appropriation relates to a portion of a grant received under the Operation Safe Home Program of the U.S. Department of Housing and Urban Development. Provision for receipt of this grant is presently included in the 2000-01 budget of the Police Department.

However, the educational and prevention component of the program will actually be provided by Pathways. This component will involve outreach efforts at designated public housing projects and anti-violence presentations to youth and parents.

The funds to be transferred to Pathways will be used to finance overtime payments associated with these activities. They will also be used to finance the cost of acquisition of two-way radios.

The latter appropriation transfer was intended in legislation approved by the City Council on August 20. However, the legislation erroneously provided for the transfer to occur in the 1999-00 fiscal year. The proposed legislation will rescind the prior legislation.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-123

Ordinance No. 2000-383  
(Int. No. 414)

**Acceptance Of Library Grants And Amending The 2000-01 Budget For The Rochester Public Library**

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

Section 1. The Council hereby approves the acceptance of a Rundel Library Foundation Grant to upgrade facilities at the Lincoln Branch Toy Library and a New York State Special Legislative Grant to enhance the children's collections at the Winton and Sully Branch Libraries.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Public Library by the sum of \$20,000, which amount is hereby appropriated from the grants authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-384  
(Int. No. 416)

**Repealing Ordinance No. 2000-276 And Amending The 2000-01 Budget Relating To The Operation Safe Home Program**

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

Section 1. Ordinance No. 2000-276, relating to a budget amendment for the Operation Safe Home Program, is hereby repealed.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$10,000 from the Rochester Police Department to Administration for the Operation Safe Home Program.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-386  
(Int. No. 415)

**Amending The 2000-01 Budget Relating To The Employee Suggestion Program**

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

Section 1. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$25,000 from Undistributed Expense to Administration for the Employee Suggestion Program.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Norwood - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-385  
Re: Agreement - Urban League, Technical Assistance Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Urban League of Rochester, Inc., 265 N. Clinton Avenue, for the continued administration of a technical assistance program for small businesses. The maximum cost of this agreement will be \$40,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

The City has several programs designed to assist small businesses to participate in the City's procurement opportunities. The aforementioned program has primarily been directed to those businesses that are involved in the City's rehabilitation programs.

The current agreement with the Urban League for the administration of the program was authorized by City Council on January 18, 2000. Following is a summary of the League's performance under this agreement through August, 2000.

	Planned	Actual
Consultative services; participants	52	149
Bid estimation assistance	15	4
Business planning assistance	34	113
Seminar/workshops	30	59

The proposed agreement will provide for continued administration of the program by the Urban League. Specifically, it will:

1. Provide individual businesses with assistance on procedural aspects of eligibility for Women/Minority Business Enterprise certification with the NYS Office of Minority and Women Business Development;
2. Provide bid estimation services on an as needed basis, to a minimum 30 businesses;
3. Conduct a minimum of 40 workshops and provide direct assistance to a minimum of 70 businesses concerning the following subjects:
  - Information and referral services
  - Business planning
  - Cost estimating and bid preparation
  - Blueprint and specification interpretation
  - Establishing and securing credit
  - Employment practices
  - Marketing and advertising
4. Maintain a reference library with copies of specifications, plans and Dodge Reports.

The cost of the proposed agreement is the same as the current agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-123

Councilman Mains moved to amend Introductory No. 411.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2000-385  
(Int. No. 411, As Amended)

**Authorizing An Agreement With The Urban League Of Rochester, Inc. To Administer The Technical Assistance And Consulting Program - ~~\$(40,000)~~ 10,000**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester, Inc., to administer the Technical Assistance and Consulting Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed ~~\$(40,000)~~ 10,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 412  
Re: Agreement - Picture Fest International,  
2001 Women's Film Festival

Transmitted herewith for your approval is legislation authorizing an agreement with Picture Fest International, Inc., (officers: Mary Falleson, June Foster and Rocco DiGiovanni) for support of the 2001 Women's Film Festival. The maximum cost of this agreement will be \$50,000, which will be financed from the 2000-01 Undistributed Expense budget.

The Festival, which is intended to be an annual event, is designed to celebrate Rochester's heritage in both women's rights and the motion picture industry. In 2001, the Festival will be held from September 27 - 30.

Besides the presentation of films, the Festival will include seminars, workshops and panel discussions and an awards ceremony. Planned venues include George Eastman House, Theatre on the Ridge and Little, Auditorium and Eastman Theatres.

The budget for the 2001 Festival is \$500,000. Under the proposed agreement, the City will provide \$50,000 of this amount. Monroe County will provide a similar amount and the remaining amount will be provided by the Eastman Kodak Company, other corporate sponsors and possibly the State of New York.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 412

**ESTABLISHING \$50,000 AS MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT FOR THE HIGH FALLS FILM FESTIVAL**

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

**Section 1.** The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Picture Fest International, Inc. for the High Falls Film Festival. Said amount shall be funded from the 2000-01 Budget for Undistributed Expense.

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

Item held in committee.

The meeting was adjourned at 10:40 P.M.

CAROLEE A. CONKLIN  
City Clerk

\* \* \* \* \*

**REGULAR MEETING  
December 19, 2000**

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - None -0.

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

- Recognition Ceremony
- Award Recognition
- Cosequin Equine Exemplary Service
- Retirement:
  - Economic Development Department
  - James Anderson
  - Department of Environmental Services
  - \*Nancy Burton
  - Finance Department
  - \*Joseph Cavallaro
  - Budget Bureau
  - \*Marlene Davidson
  - \*Bob Stanin
  - Department of Community Development
  - \*Karolyn Emler
  - Ruth Miller (Will join us at the January City Council Meeting.)
  - Fire Department
  - \*George Hogan
  - Police Department
  - \*Allen Hopkins
  - Department of Parks, Recreation And Human Services
  - \*David Johns
  - \*Linda Murray
  - Law Department
  - Geraldine Piazza (Will join us at the January City Council Meeting.)
  - Bureau of Human Resource Management
  - \*Daniel Wissman
  - Deputy Mayor's Office
  - Jean Pavia (Will join us at the January City Council Meeting.)

\*Not attending meeting.

**APPROVAL OF THE MINUTES  
By Councilmember Mains**

**RESOLVED**, that the minutes of the Regular Meeting of November 14, 2000, be approved as published

in the official sheets of the proceedings.

Adopted unanimously.

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

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

The Mayor submits the following: Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3660-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Dedication Of An Additional Parcel For Exchange Street Int. No. 451 No speakers.

Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans And An Agreement For The Homebuyer Education Program And Amending Ordinance No. 2000-295, As Amended Int. No. 431 No speakers.

Approving Changes In Traffic Flow On Trust Street Between Portland Avenue And Miller Street From One-Way Eastbound To Two-Way And On Miller Street Between Trust Street And Aebersold Street From One-Way Southbound To Two-Way And Authorizing Closure Of Miller Street To Through Traffic Int. No. 447 No speakers.

Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans For Float Loans And Funding For The HUD Asset Control Area Partnership Program, Authorizing Agreements And The Sale Of Real Estate Int. No. 455 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson December 19, 2000

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 425 - Establishing \$180,000 As Maximum Compensation For A Professional Services Agreement With Urban Strategies, Inc. For Design Of Improvements To Manhattan Square Park

Int. No. 437 - Establishing \$32,000 As Maximum Compensation For An Amendatory Professional Services Agreement With Optimization Technology, Inc. For Services For The Hemlock Filtration Plant

Int. No. 438 - Establishing \$110,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For The Railroad Underpass Improvements Project

Int. No. 439 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$760,000 Bonds Of Said City To Finance The Cost Of Construction Of Improvements To Railroad Underpass Areas In The City

Int. No. 444 - Establishing \$200,000 As Maximum

Compensation For An Amendatory Professional Services Agreement For Environmental Site Remediation

Int. No. 445 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$200,000 Bonds Of Said City, In Addition To \$114,500 Bonds Previously Authorized Therefor, To Finance The Cost Of Planning And Implementing Environmental Clean-Up Of The Corn Hill Landing Site Within The City

Int. No. 446 - Authorizing An Agreement For Environmental Remediation Of The Corn Hill Landing Site

Respectfully submitted, Robert J. Stevenson Brian F. Curran Tony M. Thompson Gladys Santiago PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL: Ladies and Gentlemen:

Ordinance No. 2000-387 Re: Agreement - Urban Strategies, Manhattan Square Park Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with Urban Strategies, Inc., of Toronto, for development of a design concept for improvements to Manhattan Square Park. The maximum cost of this agreement will be \$180,000, which will be financed from the 2000-01 Cash Capital allocation of the Department of Parks, Recreation and Human Services.

The park was constructed in 1971 as part of the Southeast Loop Urban Renewal Project. It contains approximately five acres and includes an ice skating rink, children's play area, amphitheater and space frame and a restaurant building, which is no longer utilized.

Major improvements to the infrastructure of the park are required. However, rather than simply repairing and replacing the existing infrastructure, a comprehensive re-evaluation of the design of the park is recommended.

There has been significant development on most of the properties adjacent to the park. The re-evaluation of the park's design is intended to determine if some of the features and components of the park should be altered to better relate to the adjacent uses, as well as to better serve the present programs provided in the park.

Proposals for the development of a new design concept were solicited from 13 organizations. Three proposals were received.

These proposals were reviewed by an interdepartmental committee consisting of representatives of DPRHS and the Department of Environmental Services. Urban Strategies is recommended because of the quality of the team that it has assembled for the project and its project plan.

The team includes Dufresne Henry/Cavendish Part-

nership, of Rochester, R.J. Van Seters Company, a specialist in fountain design, and Vermeulens, a cost consultant. Its project plan provides for:

1. Establishment of an advisory committee consisting of representatives of the City, adjacent property owners and other center city advocates;
2. Collection of relevant information and a field inspection of the park and its immediate environs;
3. Analysis of existing conditions;
4. Presentation to the advisory committee of the results of the analysis and the identification of issues and opportunities;
5. Conducting of a "stakeholder" workshop to formulate goals, objectives and priorities;
6. Based on the workshop, preparation of a vision concept and alternative concept plans;
7. Conducting of a community workshop to obtain reaction to the vision concept and alternative concept plans; and
8. Based on the workshop, preparation and presentation of a final concept plan.

The project is expected to be completed in about 11 months.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-125

Ordinance No. 2000-387  
(Int. No. 425)

**Establishing \$180,000 As Maximum Compensation For A Professional Services Agreement With Urban Strategies, Inc. For Design Of Improvements To Manhattan Square Park**

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

Section 1. The sum of \$180,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Urban Strategies, Inc. for the design of improvements to Manhattan Square Park. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-388  
Re: Agreement - Optimization Technology,  
Water Filtration Plant Data Processing  
System

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with

Optimization Technology, Inc., 50 High Tech Drive, for additional services relating to the replacement of the data processing system of the water filtration plant. The maximum cost of this agreement will be \$32,000, which will be financed from the 1995-96 and 1996-97 Cash Capital allocations of the Department of Environmental Service (Water Fund).

The data processing system controls and monitors all processes at the filtration plant, at the reservoirs and at various other locations throughout the distribution system. Originally, a system designed by a division of the Johnson Yokohgawa Corporation was installed when the filtration plant was constructed.

This division was subsequently sold to Parsons Systems, which ceased operations in 1996. As a result, system support and maintenance were not available. Replacement and upgrade of the original system, by Optimization, was authorized by the City Council on December 15, 1998. The estimated cost of the project was \$316,000.

This amount included a contingency allocation of \$30,000. However, this allocation has proven to be insufficient to finance the costs of the additional work determined during the project to be required.

The proposed amendatory agreement will provide supplemental funds to finance these costs. If the agreement is approved, the total cost of the agreement with Optimization will increase to \$348,000.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-388  
(Int. No. 437)

**Establishing \$32,000 As Maximum Compensation For An Amendatory Professional Services Agreement With Optimization Technology Inc. For Services For The Hemlock Filtration Plant**

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

Section 1. The sum of \$32,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Optimization Technology Inc. for upgrading of the Supervisory Control and Data Acquisition (SCADA) software and associated hardware at the Hemlock Filtration Plant. Of said amount, \$16,800 shall be funded from the 1995-96 Cash Capital Allocation and \$15,200 shall be funded from the 1996-97 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-389 and  
Ordinance No. 2000-390  
Re: Railroad Underpass Improvement  
Project

Transmitted herewith for your approval is legislation relating to the Railroad Underpass Improvement Project. This legislation will:

1. Authorize an agreement with Bergmann Associates, 28 E. Main Street, for engineering services at a maximum cost of \$110,000;
2. Appropriate \$300,000 from anticipated reimbursements under the NYS Multi-Modal Program to finance a portion of the cost of the improvements; and
3. Authorize the issuance of bonds totaling \$760,000 to finance the remaining cost.

The project involves underpasses under CSX railroad tracks at the following locations:

Atlantic Avenue	Hudson Avenue
Blossom Road	Joseph Avenue
Brown Street	St. Paul Street
Child Street	Saxton Street
Clinton Avenue	

Most of these underpasses were constructed in the early 1900's. Although CSX and its predecessors have made structural repairs when necessary, there has not been adequate routine maintenance. As a result, the aesthetic appearance of the underpasses is unsatisfactory.

CSX has indicated that, because of budget constraints, it is unlikely that it will make any aesthetic improvements in the near future. The proposed project is intended to prevent the appearance of the underpasses from continuing to have an adverse effect upon the neighborhoods in which they are located.

The project will involve cleaning and painting surfaces, restoration of deteriorated concrete, lighting and drainage improvements and safety upgrades. The costs of the improvements to CSX properties will be financed from the Multi-Modal funds, while the costs of the improvements within the public right-of-way will be financed from the proceeds of the proposed bond issue.

Proposals for the planning, design and inspection services required for the project were solicited and received from four organizations. Bergmann is recommended because of the qualifications of the personnel to be assigned to the project and its performance on past bridge and underpass projects.

The project is scheduled to be completed in the summer of 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-389  
(Int. No. 438)

**Establishing \$110,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For The Railroad Underpass Improvements Project**

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

Section 1. The sum of \$110,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for engineering services for the Railroad Underpass Improvements Project. The agreement may extend until three (3) months after completion of a two year

guarantee inspection of the Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-390  
(Int. No. 439)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$760,000 Bonds Of Said City To Finance The Cost Of Construction Of Improvements To Railroad Underpass Areas In The City**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the construction of improvements to certain railroad underpass areas within the City, including general improvements, new curbs, retaining walls, sidewalks, street lighting and drainage facilities (the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,060,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$760,000 bonds of the City to finance said appropriation, together with the receipt and application of New York State Multi-Modal Grant Funds in the amount of \$300,000 and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$760,000 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 \$760,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.10 of the Law, is twenty (20) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-391,  
2000-392 and 2000-393  
Re: Environmental Remediation,  
Corn Hill Landing Project

Transmitted herewith for your approval is legislation relating to environmental remediation at 378-392 Exchange Boulevard. This legislation will:

- 1. Authorize an amendatory agreement with The Sear-Brown Group, 85 Metro Park, for addi-

tional remediation services at a maximum cost of \$200,000;

- 2. Authorize the issuance of bonds totaling \$200,000 and appropriate the proceeds thereof to finance this cost; and
- 3. Authorize an agreement with Corn Hill Landing LLC, the developer of the Corn Hill Landing Project, relating to remediation services.

The aforementioned parcels are presently owned by either the City or the Rochester Urban Renewal Agency. They are scheduled to be conveyed to Corn Hill Landing LLC and be developed as a road and parking lot in conjunction with the Corn Hill Landing Project.

Sear-Brown has been performing services for environmental remediation of the parcels under agreements authorized by the City Council on April 13 and October 28, 1999. These services have included Phase I and II audits.

The Phase II audit indicated that a portion of the site contains soil contaminated by lead. The contamination is thought to be from the industrial facilities that were once located in the area, which included a lead pipe manufacturing plant and glass and paint shop and warehouse.

Further investigation of the site indicated that approximately 1,100 tons of soil or fill materials are contaminated. Of this amount, 350 tons are classified as a characteristic hazardous waste that will require special handling and disposal.

In October, a detailed remedial cleanup work plan was submitted to NYS Department of Environmental Conservation. Preliminary approval of this plan has been obtained.

The plan provides for removal and off-site disposal of the soil and other contaminated materials at a landfill, collection of confirmatory samples, and backfilling and compaction of the excavation. The work is expected to be completed in approximately two months following final approval of the plan by NYS DEC. The agreement with Corn Hill Landing LLC will permit completion of the work even if the parcels are conveyed to it.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-126

Ordinance No. 2000-391  
(Int. No. 444)

**Establishing \$200,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Environmental Site Remediation**

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

Section 1. The sum of \$200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and the Sear-Brown Group for environmental soil remediation services at the Corn Hill Landing Site. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-392  
(Int. No. 445)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$200,000 Bonds Of Said City, In Addition To \$114,500 Bonds Previously Authorized Therefor, To Finance The Cost Of Planning And Implementing Environmental Clean-Up Of The Corn Hill Landing Site Within The City**

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 planning and implementing clean-up of certain hazardous substances at the Corn Hill Landing Site which is located within the City (the "Project"). The estimated maximum cost of said specific object or purpose described herein (and constituting only a portion of the master remediation plan), including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$314,500. The plan of financing includes the issuance of \$200,000 bonds of the City, in addition to \$114,500 principal amount of bonds previously authorized in Ordinances No. 99-91 and 99-389, and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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

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

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.6-a of the Law, is twenty (20) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-393  
(Int. No. 446)

**Authorizing An Agreement For Environmental Remediation Of The Corn Hill Landing Site**

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 Corn Hill Landing LLC whereby the City shall perform environmental soil remediation services at the Corn Hill Landing Site on behalf of the City and the Rochester Urban Renewal

Agency, even if the services are performed subsequent to transfer of title.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas  
December 19, 2000

To the Council:

The Public Safety/Public Services Committee recommends for Adoption the following entitled legislation:

Int. No. 426 - Establishing \$32,000 As Maximum Compensation For A Professional Services Agreement For The "Party In The Park" Concerts

Int. No. 448 - Authorizing Easements To Monroe County For Traffic Signalization Equipment For The New Public Safety Building Project

Int. No. 449 - Establishing Maximum Compensation For Professional Services Agreements For The New Public Safety Building Project

Int. No. 450 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$4,783,200 Bonds Of Said City, In Addition To \$14,495,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Constructing A New Public Safety Building Within The City

Int. No. 452 - Establishing \$90,000 As Maximum Compensation For A Professional Services Agreement For A Police Resource Allocation Study

Int. No. 453 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$436,000 Bonds Of Said City, In Addition To \$377,700 Grant Funds Previously Authorized Therefor, To Finance The Cost Of Upgrading The City's Police Computer System

The Public Safety/Public Services Committee recommends for consideration the following entitled legislation:

Int. No. 451 - Dedication Of An Additional Parcel For Exchange Street

The following entitled legislation is being held in committee:

Int. No. 458 - Authorizing Agreements For A New Genesee Settlement House Facility

Respectfully submitted,  
Benjamin L. Douglas  
Robert J. Stevenson  
Tony M. Thompson  
Gladys Santiago  
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2000-394  
Re: Agreement - Up All Night, Party  
in the Park Concert Series

Transmitted herewith for your approval is legislation authorizing an agreement with Up All Night (principal: Gerard Fisher), 111 East Avenue, for booking of national and regional artists for the "Party in the Park" 2001 concert series. The maximum cost of this agreement will be \$32,000, which will be financed from the Rochester Events Network and the 2001-02 budget of the Department of Parks, Recreation and Human Services.

The concert series will be presented on eight consecutive Thursday evenings in Manhattan Square Park beginning on June 21 and ending on August 9. For each of these concerts, Up All Night will provide artists for both the opening and the national headline acts. It will also provide a production manager and hospitality for the artists.

Up All Night has provided similar services since the 1998 concert series. The most recent agreement for such services was authorized by the City Council on December 14, 1999.

During 2000, approximately 4,000 people per week attended the concerts. During 1999, approximately 3000 attended the concerts.

The agreement will continue to provide for remittance to the city of 25% of net food and beverage sales during the concerts. In 2000, a total of \$9,447 in revenue was received by the City, despite two rained out dates.

Up All Night produces more than 250 events each year. Because it is able to offer multiple events to performers, it typically is able to negotiate lower fees than the City usually obtained. It is estimated that this leverage in booking will save the City over \$15,000 in talent fees.

The cost of the proposed agreement is the same as the cost of the prior agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-127

Ordinance No. 2000-394  
(Int. No. 426)

**Establishing \$32,000 As Maximum Compensation For A Professional Services Agreement For The "Party In The Park" Concerts**

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

Section 1. The sum of \$32,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Up All Night for talent booking services for the "Party in the Park" concert series. Of said amount, \$20,000 is hereby appropriated from the Rochester Events Network Trust Fund and \$12,000 shall be funded from the 2001-02 Budget of the Department of Parks, Recreation and

Human Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-395,  
2000-396, 2000-397 and  
2000-400

Re: Public Safety Building

Transmitted herewith for your approval is legislation relating to the Public Safety Building Project. This legislation will:

1. Authorize an amendatory agreement with Merkel Donahue, 200 South Avenue, for additional services relating to the design of workstations within the building at a cost of \$10,000;
2. Authorize an agreement with the IBM Corporation, of Southbury, Connecticut, for planning services relating to the relocation of the computer systems of the Bureau of Information Systems and the Police Department to the building, at a cost of \$350,000;
3. Authorize the issuance of bonds totaling \$4,783,200 and appropriate the proceeds thereof to finance the above costs, other costs not previously financed and certain other, unanticipated costs; and
4. Amend the Official Map by dedicating a parcel along Exchange Boulevard as additional public right-of-way.

As you are aware, the Public Safety Building Project involves the construction of a 150,760 square foot building to replace the present Public Safety Building and the current facilities of the Bureau of Information Systems. Design of the building, by Bergmann Associates, was authorized by the City Council on February 16, 1999 and January 18, 2000.

On the latter date, the Council also authorized an agreement with Merkel Donahue for design of approximately 400 workstations. The proposed amendatory agreement will provide for the redesign services expected to be required in the future to achieve efficiencies, such as the use of existing office equipment. If the amendatory agreement is approved, the total cost of the agreement with Merkel Donahue will increase to \$21,000.

The proposed agreement with IBM will provide for the planning services required for the relocation of computer systems. The plan will provide for the relocation, installation, reconnection and testing of equipment.

Proposals for the planning services were solicited from 11 organizations. Two proposals were received.

IBM is recommended because of its qualifications and experience with similar relocations. The relocation plan will be completed in June, 2001.

The proceeds of the proposed supplemental bond issue will finance the costs of the above agreements, the following costs not previously financed because of the

1999-00 debt authorization limit, and unanticipated costs totaling \$853,200.

Costs Not Previously Financed:

Telecommunications installation	\$ 600,000
Closed circuit television installation	50,000
Furniture and equipment	1,490,000
Computer rooms migration	1,018,000
Other relocation	<u>400,000</u>
Total	\$3,558,000

Unanticipated Costs:

1. The difference between the lowest and second lowest bid for general construction (\$342,200). The contractor that submitted the lowest bid, Horning Construction Company, was permitted to withdraw its bid when it was unable to meet the City's Minority/Women Business Enterprise utilization objectives.
2. Changes in the site plan and building materials resulting from the Civic Center design charrette (\$275,000). The change in building materials involves a change in the color of the exterior bricks, from red to beige.
3. Inability of the structural steel contractor, Amthor Steel, to obtain steel as required by the construction schedule. This inability resulted in construction delays and increased costs of \$328,000 for other contractors on the project. The delays, however, have alleviated the need for temporary enclosure of the structure for winter construction activities, reducing costs by \$80,000. The net incremental cost is therefore \$248,000.

The previous budget for the project was \$24,144,500. With the aforementioned unanticipated costs the budget will increase to \$25,009,700. This cost will be financed as follows:

Prior bond issues:	
February 16, 1999	\$ 1,150,000
May 11, 1999	45,000
March 21, 2000	13,300,000
Proposed bond issue	4,783,200
1999-00 Cash Capital	3,531,500
Proceeds from building sale	<u>2,200,000</u>
Total	\$25,009,700

Construction of the building is expected to be completed in April, 2002.

The parcel to be dedicated as additional right-of-way is along 185 Exchange Boulevard. It will contain metered parking spaces and a sidewalk.

The Planning Commission held an informational hearing on the proposed dedication on December 11; a representative of the Department of Environmental Services was the only speaker. The Commission recommended by a vote of 6-0 that the dedication be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City code, it has been determined that the dedication will not have a significant effect on the environment as it is a Type II action.

A public hearing is required.

Respectfully submitted,

William A. Johnson, Jr.  
Mayor

Attachment No. Z-128

Ordinance No. 2000-395  
(Int. No. 448)

**Authorizing Easements To Monroe County For Traffic Signalization Equipment For The New Public Safety Building Project**

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

Section 1. The Council hereby approves the granting of permanent easements to the County of Monroe for the installation and maintenance of traffic signalization equipment on City property as a part of the New Public Safety Building Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-396  
(Int. No. 449)

**Establishing Maximum Compensation For Professional Services Agreements For The New Public Safety Building Project**

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

Section 1. The sum of \$350,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and IBM Corporation for the relocation of computer rooms and related information systems for the New Public Safety Building Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. The sum of \$10,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Merkel Donahue for work station design services for the New Public Safety Building Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-397  
(Int. No. 450)

**Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$4,783,200 Bonds Of Said City In Addition To \$14,495,000 Bonds Previously Authorized Therefor, To Finance The Cost Of Constructing A New Public Safety Building Within The City**

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 constructing a new public safety building within the City ("Project"). The estimated maximum cost of said specific object or pur-

pose, including preliminary costs and costs incidental thereto and the financing thereof, is \$25,009,700. The plan of financing includes the issuance of \$4,783,200 bonds of the City and said amount is hereby appropriated therefor, in addition to \$14,195,000 principal amount of bonds previously authorized in Ordinances Nos. 99-44, 99-143 and 2000-82, and current funds in the amount of \$3,531,500 and the sum of \$2,200,000 from the proceeds of the sale of the existing Public Safety Building to the County of Monroe previously authorized in Ordinance No. 2000-82, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$4,783,200 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$4,783,200. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.11(a) of the Law, is thirty (30) years.

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

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

hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2000-400  
(Int. No. 451)

**Dedication Of An Additional Parcel For Exchange Street**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes, and adding said parcel to Exchange Street:

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

Beginning at a point on the westerly line of Exchange Boulevard at its intersection with the northerly line of lands owned by the State of New York as taken by Map 1293 Parcel 1326 for the construction of Interstate Route 490;

Thence 1) N 81° 32' 03" W along the northerly line of the lands of the State of New York a distance of 20.04 feet to a point;

Thence 2) N 4° 40' 11" E a distance of 204.00 feet to a point;

Thence 3) N 4° 45' 27" W a distance of 61.59 feet to a point;

Thence 4) N 72° 22' 41" E a distance of 5.00 feet to the existing Exchange Boulevard

westerly right-of-way line;

Thence 5) S 17° 37' 19" E along the existing westerly right-of-way line of Exchange Boulevard a distance of 25.00 feet to an angle point;

Thence 6) S 13° 28' 16" E continuing along the existing westerly right-of-way line of Exchange Boulevard a distance of 51.32 feet to an angle point;

Thence 7) S 4° 40' 11" W continuing along the existing westerly right-of-way line of Exchange Boulevard a distance of 196.08 feet to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.:

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-398  
Re: Agreement - CGR, Police Resource Allocation

Transmitted herewith for your approval is legislation authorizing an agreement with the Center for Governmental Research, 37 S. Washington Street, for an analysis of the allocation of resources within the patrol division of the Police Department. The maximum cost of this agreement will be \$90,000, which will be financed from the 1999-00 and 2000-01 budgets for Undistributed Expense and the Law Enforcement Block Grant.

The analysis is intended to permit the redesign of patrol assignment responsibilities based upon the most recent demographic and geographic data. The present assignments are based upon an analysis that was conducted by CGR in 1990-91, under agreements authorized by the City Council on June 19 and August 14, 1990 and September 11, 1991.

Under the proposed agreement, CGR will...

1. Review resource analyses previously prepared by the Police Department;
2. Conduct approximately 65 interviews with City Councilmembers, members of the City's senior management team and the Chief's Police-Civilian Interaction Committee, other personnel from the Police and Emergency Communications Departments, NET, and Budget Bureau, and representatives of the Locust Club;
3. Compile relevant data concerning calls for service and response times;
4. Identify relevant national standards ;
5. Using the geographic information system, generate car beats that balance demand and available resources;
6. Adjust the car beat boundaries to reflect physical barriers and other considerations; and
7. Identify opportunities for efficiencies and service enhancements.

The project is expected to be completed by September 30, 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-398  
(Int. No. 452)

**Establishing \$90,000 As Maximum Compensation For A Professional Services Agreement For A Police Resource Allocation Study**

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

Section 1. The sum of \$90,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Center for Governmental Research, Inc. for a study of resource allocation in the Patrol Division of the Police Department. Of said amount, \$32,500 shall be funded from the Local Law Enforcement Block Grant Trust Funds appropriated in Ordinance No. 2000-140, \$25,000 shall be funded from the 1999-2000 Budget for Undistributed Expense and \$32,500 shall be funded from the 2000-01 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-399  
Re: Bond - Police Information Technology Plan

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$436,000 and appropriating the proceeds thereof to finance the costs of various information system improvements of the Police Department.

The improvements are part of a multi-year plan to replace systems and equipment that was developed by the IBM Consulting Group under an agreement authorized by the City Council on October 11, 1994. In 2000-01, \$436,000 has been allocated in the Capital Improvement Program to implement the plan.

This allocation will be used as follows:

1. Expansion and upgrade of internal local area networks and linkage into a wide area network (\$50,000);
2. Upgrades of current network systems (\$50,000);
3. Replacement of existing personal computers and components (\$130,000); and
4. Installation of 40 portable computers into patrol vehicles (\$206,000).

An additional \$377,680 has been allocated for latter project under the COPS MORE grant that was approved by the Council on October 28, 1999. The project is expected to be completed over a five-year period.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-399  
(Int. No. 453)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$436,000 Bonds Of Said City, In Addition To \$377,700 Grant Funds Previously Authorized Therefor, To Finance The Cost Of Upgrading The City's Police Computer System**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of upgrading the City's Police Computer System (the "Project"). The total estimated maximum cost of said specific object or purpose, described herein, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$813,700. The plan of financing includes the issuance of \$436,000 bonds of the City, in addition to \$377,700 of U.S. Department of Justice COPS MORE grant funds previously authorized in Ordinance No. 99-395, and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$436,000 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 \$436,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.25 of the Law, is ten (10) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 458  
Re: Agreements - Genesee Settlement House, Carter Street Recreation Center

Transmitted herewith for your approval is legislation authorizing ground lease and governance agreements with the Genesee Settlement House, Inc., 10 Dake Street, or its successor, for use of a portion of 500 Carter Street and joint operation of the building on that site.

The boards of directors of the Genesee Settlement House and Eastside Community Center have voted

to merge the two agencies into a new agency, Community Place of Greater Rochester. However, the incorporation of the new agency has not yet been completed.

The Carter Street Recreation Center, which is located at 500 Carter Street, currently contains 9,350 square feet of space. In a collaborative effort with Community Place, the building will be enlarged to approximately 26,589 square feet. Of the total amount of space, about 12,494 square feet of space will be available for recreational use by both the Bureau of Recreation and Community Place.

The building expansion will be completed by Community Place. The estimated cost of the project is \$2.6 million.

On March 21, the City Council approved a Home Rule message for the state legislation alienating 10,500 square feet of 500 Carter Street to permit the building expansion. The legislation was approved by Governor Pataki on October 4 (Chapter 504 of the Laws of 2000).

Under the proposed ground lease, the City will rent this area to Community Place for 30 years for \$1.00. Community Place will be permitted to use the expanded facility only as a community center, unless otherwise authorized by the City. It will be responsible for all maintenance and repairs to the facility, except in the portions of the facility exclusively occupied by the City.

Under the proposed governance agreement, management and use of the facility will be overseen by a Community Council. A majority of the members of the council will be representatives of the neighborhood.

The council will be responsible for the approval of the annual plan for the facility. The plan will include the programs to be provided, program schedule, hours of operation, age ranges of the prospective participants and method of program evaluation.

The United Way of Greater Rochester currently provides \$546,595 for programs at the present location of the Genesee Settlement House. It will provide an additional \$133,000 for programs at the Carter Street location. The City, meanwhile, allocates \$202,500 for operation of the recreation center.

In September, a survey concerning the proposed expansion was conducted by the Center for Governmental Research, Inc. The survey questionnaire was mailed to about 7,000 residents in the Carter Street neighborhood.

612 residents responded to the survey. Of this number, 67.2% supported the expansion. The survey results are statistically valid within a confidence interval of 4%. A copy of the survey report is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 458

**AUTHORIZING AGREEMENTS FOR A NEW  
GENESEE SETTLEMENT HOUSE FACILITY**

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

Section 1. The Mayor is hereby authorized to enter into a ground lease agreement for a term of 30 years with the Genesee Settlement House or its successor for the construction and use of an expanded Carter Street Recreation Center. Rent shall be set at \$1.00 per year. Genesee Settlement House shall be responsible for all maintenance and repairs to the facility, except in the portions of the facility exclusively occupied by the City.

Section 2. The Mayor is hereby further authorized to enter into a governance agreement with the Genesee Settlement House or its successor for the shared utilization of and responsibility for the expanded facility. Genesee Settlement House will be permitted to use the expanded facility only as a community center, unless otherwise authorized by the City. The governance agreement shall provide for:

- a. The establishment of a Community Council, the majority of whose members will be representatives of the neighborhood. The Council will be responsible for approval of the annual plan for the facility, which will include, but not be limited to, the programs to be provided, program schedules, hours of operation, age ranges of the prospective participants and method of program evaluation.
- b. The delineation of space within the facility, with the amount of space allocated for programming maximized.
- c. A requirement that the United Way of Greater Rochester be asked to seriously consider, within the parameters of its established Community Investment Priorities, revised funding requests for alternative programming developed by the Community Council.

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

Section 4. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Norwood  
December 19, 2000

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 427 - Authorizing The Sale Of Real Estate, As Amended

Int. No. 428 - Acquisition Of 228, 234-236 And 240-242 Berlin Street For The City School District

Int. No. 429 - Acquisition Of 91 Farragut Street For The City School District

Int. No. 430 - Authorizing An Agreement With The Town Of Brighton For Building Inspection Services

Int. No. 454 - Resolution Approving Appointment To The Zoning Board Of Appeals

Int. No. 456 - Authorizing An Agreement For Sector 3 Strategic Planning Consulting Services

Int. No. 457 - Resolution Approving Appointment To The City Planning Commission

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 431 - Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans And An Agreement For The Homebuyer Education Program And Amending Ordinance No. 2000-295, As Amended

Int. No. 447 - Approving Changes In Traffic Flow On Trust Street Between Portland Avenue And Miller Street From One-Way Eastbound To Two-Way And On Miller Street Between Trust Street And Aebersold Street From One-Way Southbound To Two-Way And Authorizing Closure Of Miller Street To Through Traffic

Int. No. 455 - Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans For Float Loans And Funding For The HUD Asset Control Area Partnership Program, Authorizing Agreements And The Sale Of Real Estate

Respectfully submitted,  
Wade S. Norwood  
Benjamin L. Douglas  
Nancy K. Griswold  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance Nos. 2000-401  
2000-402 and 2000-403  
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

- 1. Sale of 29 properties, and
- 2. Acquisition of four properties

Sales

The first 15 properties to be sold were included in the public auction of September 28. The purchasers will be required to obtain a Certificate of Occupancy within nine months of the conditional closing.

The next two properties were also included in the public auction of September 28, but were subject to approval of development proposals. 163 Carter Street/666 Wilkins Street will rehabilitated as a four-unit structure with a two-car garage, while 182-188 Otis Street will be developed as a laundromat and one apartment with a parking area.

The next four properties will be sold to their former owners. The purchase prices include all delinquent taxes, interest and penalties.

The next two properties will be sold at their appraised values, subject to the approval of development proposals. The part of 283-287 Bay Street to be sold will be developed as a parking area for use in conjunction with the purchaser's adjacent property at 295 Bay Street, which contains four apartments and a store.

364 Central Park will be used for the construction of a single-family, owner-occupied house.

The next property, 597-603 Smith Street, was included in the public auction of May 18, but was subject to the approval of a development proposal. The purchaser will fence and landscape the property and combine it with her adjacent property.

The last five properties are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

Acquisitions

The proposed property acquisitions were requested by the Board of Education of the City School District on September 18 and October 13, respectively.

The three properties on Berlin Street contain three two-family houses, while the property on Farragut Street contains a one-family house. All of the houses are occupied.

Following acquisition of the properties, the occupants will be relocated and the houses demolished. The resultant vacant lot on Berlin Street will be used to provide additional parking and outdoor storage space for the District's adjacent Service Center facility. The resultant vacant lot on Farragut Street will be combined with other properties to be acquired in the future and used to expand the playground area for Lincoln Park School #44 and to develop an off-street bus loading area.

The acquisition prices were established by an independent appraiser, Kevin Brucker. All costs associated with the acquisition and development of the properties will be financed by the District.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-129

Ordinance No. 2000-401  
(Int. No. 427, As Amended)

**Authorizing The Sale Of Real Estate**

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

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

Address Legal Use	S.B.L.# Purchaser	Price
367 Alphonse St 1 Family	106.34-1-5 Nat Pellegrino	\$ 6,500
272 Hague St 2 Family	120.24-2-32 Lou Agosto	3,000
32 Hawkins St 1 Family	106.38-3-65.1 Ruben DeJesus	4,000
977-979 Jay St 1 Family	105.80-1-54 & 55 Gerald Serret	800
201 Lincoln St 2 Family	106.34-3-33 Kosal Chea & Sokhin Press	7,000
270 Magnolia St 1 Family	120.83-1-45 Michael Grisby	2,200
1486 Main St E.	107.70-1-89	4,100

1 Family 590 Maple St.	Peter Aloj 120.25-3-48	5,000
2 Family	Michael Fedele & Robert Benedetto	
40 Oakman St 2 Family	106.46-1-21 Kosal Chea & Sokhin Press	5,000
83 Pulaski St 1 Family	091.73-1-80 Jrene Potocki	6,600
177 Rohr St 2 Family	106.35-3-20 James Brown	1,100
1747 St. Paul St 2 Family	091.53-1-14 Emily Hyde	13,000
79 Superior St 1 Family	120.58-2-56 Danny Palmer & Patricia Junious	2,300
3 Vetter St 1 Family	106.58-2-2 Samuel Milton	500
346 Wilkins St 1 Family	106.24-1-54 Danny Palmer & Patricia Junious	4,500

Section 2. The Council hereby further approves the sale of the following parcels of improved property by public auction with proposal:

Address Price	S.B.L.# Purchaser
163 Carter St & 666 Wilkins St \$11,500	106.26-1-24 & 25 Glenn Grimsley
182-188 Otis St 1,700	105.49-2-30 & 31 Tien Tran & Dieu Thi Pham

Section 3. The Council hereby further approves the sale of the following parcels of improved property to the former owners:

Address Purchaser	S.B.L.#	Price
10 Hoeltzer St 3,138.04	106.39-1-73	\$
Mamie Durrant 659-663 Thurston Ave 27,846.15	135.32-1-13	
Herbert Hinds		

425 West Ave 5,901.08	120.48-2-01
Herbert Hinds	
49 Wilder St 6,580.46	120.27-2-38
Herbert Hinds	

Section 4. The Council hereby further approves the negotiated sale of the following parcels of vacant land with proposal:

Address Purchaser	S.B.L.#	Price
Pt of 283-287 Bay St Salvador Del Toro	Pt of 106.51-2-03	\$480
364 Central Pk Flower City Habitat for Humanity*	106.51-2-27	425

\*Officers: Arthur Woodward, Mona Alongi

Section 5. The Council hereby further approves the negotiated sale of the following parcel of vacant land by public auction with proposal:

Address Purchaser	S.B.L.#	Price
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597-603 Smith St 105.83-2-17.2 & 17.1 \$2,000  
Silvia Quintero

Section 6. The Council hereby approves the negotiated sale of the following vacant unbuildable parcels of real estate for the sum of \$1.00:

Address Purchaser	S.B.L.#	Sq. Ft.
295 Bernard St Melrose Clarke	106.25-3-56	5310+/-
27 Florence St Nathaniel Tansley, Sr. & Nathaniel Tansley, Jr.	120.67-3-48	3762
132 Friederich Pk Jenette Everett	106.24-2-34	2936+/-
260 Roycroft St Evelyn S. Phillips	091.82-1-52	2590
51 Whittlesey St Dickinson Howard	121.61-1-24	2838

Section 7. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 8. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2000-402  
(Int. No. 428)

**Acquisition Of 228, 234-236 And 240-242 Berlin Street For The City School District**

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

Section 1. The Council hereby approves the acquisition of the following parcels from the current owners, for amounts not to exceed the following, for use for parking and storage by the City School District's Service Center Facility:

<u>Address</u> <u>Reputed Owner</u>	<u>Amount</u>
228 Berlin Street Leo & Anna Krzanowicz	\$12,500
234-236 Berlin Street Joseph & Phyllis Krzanowicz	12,500
240-242 Berlin Street Isaac Hayon	13,000

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed \$38,000, and said amount, plus necessary closing costs, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said properties are hereby cancelled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

Ordinance No. 2000-403  
(Int. No. 429)

**Acquisition Of 91 Farragut Street For The City School District**

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

Section 1. The Council hereby approves the acquisition of the parcel at 91 Farragut Street from the current owners, Larry McEntee and Diane Meinhard, for an amount not to exceed \$55,000, for use by the City School District to be added to the grounds of School 44.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$55,000, and said amount, plus necessary closing costs, shall be funded by the City School District.

Section 3. City taxes and other City charges, except water charges, against said property are hereby cancelled as of the date of closing. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-404  
Re: Agreement - Town of Brighton,  
Building Inspection Services

Transmitted herewith for your approval is legislation authorizing a new agreement with the Town of Brighton for the provision by the City of certain building plan review and inspection services.

The City has provided these services for the Town since 1994, pursuant to an agreement that was approved by the City Council on November 9, 1994. The agreement has expired.

Following is a summary of the services that have been provided annually.

<u>Service</u>	<u>Number</u>
Plan Review	500
Regular Inspections	2,000
Special Inspections	200-250
Pre-permit Meetings	12
NYS Board of Review Meetings	2

Under the proposed agreement, the City will continue to provide the following services:

1. Review the plans submitted with all applications for building, plumbing and conditional use permits;
2. Provide a written report on the results of all reviews, to permit the Town to determine if a permit should be issued;
3. For all projects for which permits are issued, perform the related inspections to ensure compliance with the provisions of the applicable codes and regulations and the terms and conditions of the permits;
4. Based upon these inspections, recommend to the Town whether certificates of occupancy should be issued;
5. At the request of the Town, conduct special inspections, relating to:
  - a. "Pro-active" enforcement of codes and regulations,
  - b. Citizen complaints, and
  - c. Fire damaged structures; and
6. Attend pre-permit workshops and any necessary administrative and organizational meetings with Town personnel.

The plan review services will not include sign, fence and electrical permits. The inspection services will not include electrical work.

The total amount of "basic" service annually provided, for both plan review and inspection, will not be less than 2,100 hours or more than 2,600 hours. The monthly payment for such basic services will be \$5,736, which is 3% more than the present payment.

The following additional payments will be required for services beyond the basic services:

1. Special inspections - \$30 per hour
2. Emergency or after-hours inspections - \$48 per hour
3. More than 36 pre-permit meetings - \$48 per hour
4. Assistance in variance requests to the NYS Board of Review - \$48 per hour
5. Computer service - \$36 per hour

The City will be able to provide the required services with its current staffing levels.

The agreement will have an initial term of one year, from January 1, 2001 through December 31, 2001. At the option of Brighton, it may be renewed for four additional one-year periods. Upon such renewal, the required monthly and hourly payments will be adjusted by an amount equivalent to any increase in the annual compensation rate for non-uniformed employees of the City.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-404  
(Int. No. 430)

**Authorizing An Agreement With The Town Of Brighton For Building Inspection Services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Town of Brighton to provide building inspection services. The agreement shall have an initial term of one year from January 1, 2001 through December 31, 2001 and may be renewed for four additional one-year periods. The agreement shall obligate the Town of Brighton to pay the City \$5,736.00 per month for plan review and building/plumbing inspection services. The agreement shall also establish rates for additional services requested by the Town. During any renewal term, the monthly payments and rates shall increase by the percentage of compensation increase granted to the City's full-time non-uniformed employees for that renewal term.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-27  
Re: Appointment - Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of Josanne Reaves, 750 Thurston Road, to the Zoning Board of Appeals.

Ms. Reaves will replace Randall Peacock, who resigned to avoid any possible conflict of interest following the appointment of his spouse, Linda Stango, as the Deputy Commissioner of Community Development. Ms. Reaves appointment will extend through August 31, the original expiration date of Mr. Peacock's term.

A copy of Ms. Reaves' resume is on file in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-27  
(Int. No. 454)

**Resolution 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 of Josanne Reaves, 750 Thurston Road, to the Zoning Board of Appeals for a term which shall expire August 31, 2001. Ms. Reaves will replace Randall Peacock who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-405  
Re: CDBG Appropriation - Sector 3  
Planning Committee

Transmitted herewith for your approval is legislation appropriating \$10,000 from the 2000-01 NBN allocation of the 2000-01 Community Development Block Grant to finance the cost of the provision of assistance to the Sector 3 Planning Committee in the implementation of its NBN sector plan.

Northwest Community Services will be the agent for the Committee. Proposals for the required assistance will be publicly solicited.

The assistance will be requested to...

1. Develop a volunteer recruitment campaign,
2. Identify strategies for obtaining and leveraging resources, and
3. Develop a plan to facilitate the integration and coordination of neighborhood activities and community services.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-405  
(Int. No. 456)

**Authorizing An Agreement For Sector 3 Strategic Planning Consulting Services**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Northwest Community Services, Inc. for Sector 3 Strategic Planning Consulting Services for community outreach and implementation of neighborhood activities.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Neighbors Building Neighborhoods Allocation of the 2000-01 Community Development Program.

Section 3. The agreement shall contain such additional terms and conditions as the mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Resolution No. 2000-28  
Re: Appointment - City Planning  
Commission

Transmitted herewith for your approval is legislation confirming the appointment of John Fowler, 247 Maplewood Avenue, to the City Planning Commission.

Mr. Fowler will replace Robert Macon, who resigned for occupational reasons. His term will extend through July 31, 2002, the original expiration date of Mr. Macon's term.

A copy of Mr. Fowler's resume is available for review in the Office of the City Clerk.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Resolution No. 2000-28  
(Int. No. 457)

**Resolution Approving Appointment To The City Planning Commission**

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment of John Fowler, 247 Maplewood Avenue, to the City Planning Commission for a term which shall expire on July 31, 2002. Mr. Fowler will replace Robert Macon, who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Ordinance No. 2000-406  
(Int. No. 431, As Amended)

**Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans And An Agreement For The Homebuyer Education Program And Amending Ordinance No. 2000-295**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves an amendment to the 2000-01 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the Home Store Account shall be reduced by the sum of \$26,666 and said amount shall be transferred to a new account for the Homebuyer Education Program.

Section 2. The Council hereby approves an amendment to the 1999-2000 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the Housing Development Support Account shall be reduced by the sum of \$18,000 and said amount shall be transferred to a new account for the Homebuyer Education Program.

Section 3. The Council hereby approves an amendment to the 1999-2000 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the Neighborhood Housing Services Account shall be reduced by the sum of \$7,000 and said amount shall be transferred to a new account for the Homebuyer Education Program.

Section 4. The Mayor is hereby further authorized to enter into an agreement with Neighborhood Housing Services of Rochester for the Homebuyer Education Program.

Section 5. The agreement shall obligate the City to pay an amount not to exceed \$51,666, and of said amount, or so much thereof as may be necessary, \$25,000 is hereby appropriated from the Improving

the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program, and \$26,666 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

Section 6. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. Ordinance No. 2000-211, relating to an agreement for the Home Store, is hereby amended by reducing the amount authorized and appropriated in Section 2 thereof from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program by the sum of \$26,666.

Section 8. Ordinance No. 99-304, relating to an agreement for the Revolving Loan Fund and Homeownership Loan Programs, is hereby amended by reducing the amount authorized and appropriated in Section 2 thereof from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program by the sum of \$18,000.

Section 9. Ordinance No. 2000-295, relating to the Flower Planting Project, is hereby amended by changing the appropriation therein from the Neighbors Building Neighborhoods Allocation to the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

Section 10. This ordinance shall take effect immediately.

Underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-407  
Re: Trust/ Miller Streets

Transmitted herewith for your approval is legislation relating to Trust and Miller Streets. This legislation will approve:

1. The change in the direction of traffic on Trust Street, between Portland Avenue and Miller Street, from one-way eastbound to two-way;
2. The change in the direction of traffic on Miller Street, between Trust and Aegersold Streets, from one-way southbound to two-way; and
3. The closure of Miller Street, between Aegersold and Trust Streets, through the installation of a traffic diverter.

The above actions were requested by neighborhood residents and the Police Department in an attempt to reduce drug trafficking. The changes are considered to be an experiment and will be effective for six months.

The Traffic Control Board endorsed the actions on November 8. A public hearing is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-131

Ordinance No. 2000-407  
(Int. No. 447)

**Approving Changes In Traffic Flow On Trust Street Between Portland Avenue And Miller Street From One-Way Eastbound To Two-Way And On Miller Street Between Trust Street And Aegersold Street From One-Way Southbound To Two-Way And Authorizing Closure Of Miller Street To Through Traffic**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves a change in direction of the traffic flow on Trust Street between Portland Avenue and Miller Street from one-way eastbound to two-way.

Section 2. The Council hereby further approves a change in direction of the traffic flow on Miller Street between Trust Street and Aegersold Street from one-way southbound to two-way. The Council hereby further approves the closure of Miller Street as a through street between Aegersold Street and Trust Street.

Section 3. This ordinance shall take effect immediately and shall remain in effect for a period of six months.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 455  
Re: Rochester Housing Development  
Fund Corporation

Transmitted herewith for your approval is legislation relating to the formation of the Rochester Housing Development Fund Corporation. This legislation will:

1. Authorize the City's participation in the formation and incorporation of the RHDFC;
2. Authorize Community Development Block Grant float loans totaling \$2,205,000 for use by the RHDFC and Chase Manhattan Bank

Capital Pool	\$1,000,000
Loan Loss Reserve	800,000
Interest Reserve	<u>405,000</u>
Total	\$2,205,000

3. Appropriate \$188,000 from the Housing Stock and General Property Conditions allocation of the 1999-00 CDBG to finance the operations of RHDFC;
4. Authorize the sale and transfer to RHDFC of certain properties acquired pursuant to the Asset Control Area Partnership Program; and

- Amend the 1999-00 and 2000-01 Consolidated Community Development Plans to provide for the float loans and appropriation.

The RHDFC is intended to facilitate the City's participation in the Asset Control Area Partnership program of the U.S. Department of Housing and Urban Development, which was authorized by the City Council on September 15, 1999. Under the terms of the agreement with HUD, the City is obligated to purchase FHA-foreclosed properties with one to four units in 11 zip code areas.

It is expected that approximately 300 properties will be purchased annually by the City from HUD. The City will attempt to resell 65% of the properties to owner-occupants through three methods:

- Homeownership Investment Program,
- Officer Next Door and Teacher Next Door programs; and
- HOME Rochester program.

The first two methods involve the direct sale of properties. The third method involves the sale of properties to approved developers that rehabilitate and resell the properties.

The RHDFC is intended to provide the additional funds required for the expected expansion of the HOME Rochester program. It is based on the organizational and financial structure of New York City's CityHome Program and the operational structure of the Cleveland Housing Network.

The RHDFC will involve a partnership with the City, Enterprise Foundation, Greater Rochester Housing Partnership, Chase Manhattan Bank, CPC, and the United Way / Martin Luther King Memorial Housing Fund. It will be responsible for:

- Acquiring properties from the City and holding title to properties throughout the rehabilitation and marketing period;
- Assigning properties to participating developers;
- Producing a standardized construction scope and specification for each property;
- Financial packaging;
- Monitoring construction and sales processes; and
- Providing services and technical assistance to enhance the capacity of less experienced, non-profit developers.

The acquisition of properties from the City will be financed from a capital loan pool comprised of the following contributions.

Entity	Amount	Interest Rate
City	\$1,000,000	0%
Enterprise Foundation	2,000,000	6
GRHP	1,000,000	6
United Way/MLK	750,000	1
Chase Manhattan Bank	4,250,000	9.13
Total	\$9,000,000	6.39

Citibank, M&T Bank and HSBC may also participate in the loan pool.

The contributions will represent unsecured lines of credit. Two reserves, financed from the CDBG float loan, will be established to reduce risk.

Loan loss reserve	\$800,000
Interest reserve	405,000

The loan loss reserve is the industry standard of 10% of the capital pool (minus the City's share of \$1 million). Net income from the sale of property will be used to recapitalize the loan loss reserve.

The interest reserve will be used for payments to the RHDFC lenders. The reserve will be replenished from the proceeds of the sale of properties.

The RHDFC Board, which will be comprised of representatives of the entities participating in the loan pool, will be responsible for approving loans for the rehabilitation of properties by the participating developers. To the extent feasible, properties will be aggregated into geographic clusters for assignment to the developers, which will receive a development fee equal to 4% of the development cost.

GRHP will be the fiscal agent for the loan pool and will aggregate the monthly disbursements requested by the developers for submission to Chase. Chase will then notify the entities participating in the loan pool of their required contributions.

RHDFC will oversee the rehabilitation of the properties. Four personnel are expected to be required for administration of the program. The costs of administration will be financed from the proposed CDBG appropriation. Property management services are expected to be provided by Proway Management Corporation, which currently manages all the properties acquired by the City under the ACAP program.

RHDFC will also provide technical assistance to developers, as needed. If assistance is provided, the developer's fee will be adjusted proportionally.

Upon completion of rehabilitation, the properties will be listed on the Greater Rochester Association of Realtors' Multiple Listing Service by the Home Store, which will receive a commission of 1% for each listed property that is sold. The Home Store will also provide homeownership education, pre-purchase counseling, income eligibility qualification for various subsidy programs and post-purchase training and work with the GRHP and DCD to obtain subsidies for income eligible prospective homeowners.

Real estate brokers will receive a commission of 3% for each property sold. If a property is sold during rehabilitation, the developer will receive the commission.

While households with incomes of up to 120% of median income will be eligible to purchase homes, the combination of available subsidies from the City and State of New York will enable low- and moderate-income households earning as low as 40% of the area median income may qualify for homeownership. The proposed CDBG float loans and appropriation require amendment of the 1999-00 and 2000-01 Consolidation Community Development Plans. A public hearing on the amendments is required.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Councilman Norwood moved to return Introductory No. 455 to committee.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Introductory No. 455

**AUTHORIZING AMENDATORY 1999-2000 AND 2000-01 COMMUNITY DEVELOPMENT PROGRAM PLANS FOR FLOAT LOANS AND FUNDING FOR THE HUD ASSET CONTROL AREA PARTNERSHIP PROGRAM, AUTHORIZING AGREEMENTS AND THE SALE OF REAL ESTATE**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves an amendment to the 2000-01 Community Development Program whereby the sum of \$1,000,000 shall be added to the Improving the Housing Stock and General Property Conditions Allocation in a new account for a float loan to fund a capital loan pool to be utilized by the Rochester Housing Development Fund Corporation for the acquisition from the City of HUD foreclosed properties as a part of the HUD Asset Control Area Partnership (ACAP) Program and the rehabilitation and resale of said properties.

Section 2. The Council hereby approves an amendment to the 2000-01 Community Development Program whereby the sum of \$405,000 shall be added to the Improving the Housing Stock and General Property Conditions Allocation in a new account for a float loan to fund an interest reserve account for the capital loan pool to be utilized by the Rochester Housing Development Fund Corporation for the acquisition from the City of HUD foreclosed properties as a part of the ACAP Program and the rehabilitation and resale of said properties.

Section 3. The Council hereby approves an amendment to the 2000-01 City Development Fund whereby the sum of \$800,000 shall be added in a new account for a float loan to fund a loss reserve account for the capital loan pool to be utilized by the Rochester Housing Development Fund Corporation for the acquisition from the City of HUD foreclosed properties as a part of the ACAP Program and the rehabilitation and resale of said properties.

Section 4. The Mayor is hereby authorized to enter into agreements to establish and participate in the Rochester Housing Development Fund Corporation and loan pool and accounts authorized herein. The Mayor is hereby further authorized to enter into agreements with the Rochester Housing Development Fund Corporation and/or the Chase Manhattan Bank for the float loans authorized herein. The float loans shall be for a term not to exceed two years, without interest.

Section 5. The Council hereby approves an amendment to the 1999-2000 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the sum of \$56,000 shall be transferred from the Demolition Account, \$4,000 shall be transferred from the Landlord/Tenant Services Account, \$108,000 shall be transferred from the Sector 10 Rehab Account and \$20,000 shall be transferred from the Sector 3 SBA Rehab Account, to a new account for the Rochester Housing Development Fund Corporation for the operation of ACAP Program.

Section 6. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Development Fund Corporation for operating funds to

support the acquisition of HUD foreclosed properties from the City as a part of the ACAP Program and the rehabilitation and resale of said properties.

Section 7. The agreement shall obligate the City to pay an amount not to exceed \$188,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program.

Section 8. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 9. The Council hereby further approves the resale of residential real estate through the ACAP Program to the Rochester Housing Development Fund Corporation without further Council approval.

Section 10. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Mains  
December 19, 2000

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 432 - Cancellation Of Taxes And Charges

Int. No. 433 - Establishing \$20,300 As Maximum Compensation For A Professional Services Agreement With Nancy E. Abrams, Ph.D. For Technical Assistance In The Development Of Civil Service Examinations

Int. No. 434 - Establishing \$156,100 As Maximum Compensation For A Professional Services Agreement For An Efficiency Audit Of The Bureau Of Human Resource Management

Int. No. 435 - Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of \$27,000,000 Revenue Anticipation Notes Of The City Of Rochester, New York, Or So Much Thereof As May Be Necessary, In Anticipation Of The Receipt Of Certain Revenues For The Fiscal Year Ending June 30, 2001, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes

Int. No. 440 - Establishing \$70,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For The South Avenue Garage Structural Improvements Project

Int. No. 441 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$800,000 Bonds Of Said City To Finance The Cost Of Construction Of Phase 2 Structural Improvements To The South Avenue Parking Garage Within The City

Int. No. 443 - Amending The Descriptions Of The New York State Empire Zone

The following entitled legislation is being held in committee:

Int. No. 436 - Establishing Maximum Compensation For A Professional Services Agreement With

WXXI Public Broadcasting For City 12

Int. No. 442 - Amending The Municipal Code With Respect To The Control Of Dogs

Respectfully submitted,  
 Brian F. Curran  
 Nancy K. Griswold  
 Lois J. Giess  
 JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-408  
 Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$46,511.50.

Of the total, \$39,494.54 (84.9%) relates to code violations and property rehabilitations on five properties that occurred prior to the acquisition of the properties by the present owners through mortgage foreclosure. The remaining amount, \$7,016.96 (15.1%) relates to a property acquired by the State of New York for the Stutson Street Bridge Improvement Project.

If these cancellations are approved, total cancellations during 2000-01 will be \$217,072.41.

	Accounts	Amounts
City Council	21	\$184,193.56
Administrative	112	—
		<u>32,878.85</u>
Total	133	\$217,072.41

These cancellations represent .11% of the taxes receivable as of July 1, 2000.

Respectfully submitted,  
 William A. Johnson, Jr.  
 Mayor

Ordinance No. 2000-408  
 (Int. No. 432)

**Cancellation Of Taxes And Charges**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- a. The below referenced property was taken in part by the State of New York for a roadway relocation. All taxes on that portion are not enforceable.

S.B.L.#	Class	Tax Year	Amount Canceled
047.700-0002-035/NHOM	N-H	2001	
35-39R Stutson St.			\$
7,016.96			
Sub-total			\$
7,016.96			

- b. All properties listed below were purchased

through Mortgage Foreclosure. The Code Violation and Rehabilitation charges attributed to the former owners are not enforceable against the new owners.

S.B.L.#	Class	Tax Year	Amount Canceled
105.440-0001-013	N-H	2001	
399-401 Lake Ave.			\$
1,457.70			
106.240-0001-065	H	2001	
294 Wilkins St.			
12,300.00			
106.660-0001-044	H	2001	
444 Scio St.			
1,036.84			
107.780-0001-041	H	2001	
74 Leighton Ave.			
21,850.00			
121.630-0002-052	H	2000	
72 Gregory St.			
450.00			
121.630-0002-052	H	2001	
72 Gregory St.			—
2,400.00			
Sub-total			\$39,494.54
Total			\$46,511.50

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
 Ladies and Gentlemen:

Ordinance No. 2000-409  
 Re: Agreement - Nancy E. Abrams,  
 Civil Service Exam Development

Transmitted herewith for your approval is legislation authorizing an agreement with Nancy E. Abrams, Ph.D., of Fairport, for the continued provision of technical assistance in the development of certain civil service examinations. The maximum cost of this assistance will be \$20,300, which will be financed from the 2000-01 budget of the Bureau of Human Resource Management.

Dr. Abrams has provided similar services to the City since 1980. She has assisted in the development of civil service exams for job classes in most City departments, including entry level and promotional Police, Fire and Emergency Communications titles, specialty titles in the Library, and various titles in Law, Environmental Services, Finance, Community Development, and Economic Development.

During 2000-01, Dr. Abrams will assist in the development of promotional examinations in the Police Department, provide technical reviews of fire physical ability testing and 911 selection procedures, and assist with the development of other examinations that help to resolve provisional appointments. Dr. Abrams will also provide training in topics related to

exam development, validation, and administration, in addition to technical advice related to personnel assessment, as requested.

Dr. Abrams' fee will continue to be \$700 per day. A copy of her resume is available for review in BHRM.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-409  
(Int. No. 433)

**Establishing \$20,300 As Maximum Compensation For A Professional Services Agreement With Nancy E. Abrams, Ph.D. For Technical Assistance In The Development of Civil Service Examinations**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$20,300, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Nancy E. Abrams, Ph.D. for the continued provision of technical assistance in the development of Civil Service examinations. Said amount shall be funded from the 2000-01 Budget of the Bureau of Human Resource Management.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-410  
Re: Agreement - Cooperative Personnel  
Services, Human Resource Management  
Assessment

Transmitted herewith for your approval is legislation authorizing an agreement with Cooperative Personnel Services, of Sacramento, for an assessment of the efficiency and effectiveness of the Bureau of Human Resource Management. The maximum cost of this agreement will be \$156,100, which will be financed from the 2000-01 Undistributed Expense budget.

In the past, the City Council has expressed concern about its inability to effectively evaluate the activities of BHRM. This inability is based, in part, upon the lack of appropriate benchmarks.

To address this concern, on June 20, the City Council requested that the allocation included in the 2000-01 Budget for Efficiency and Effectiveness Initiatives be used to "...conduct an efficiency audit of the activities, structure and staffing..." of BHRM. For this purpose, in July, the Bureau of Budget and Efficiency solicited proposals for such an audit directly from 19 organizations and through public advertisements.

Six proposals were received. These proposals were reviewed by an interdepartmental committee consisting of representatives from the Budget Bureau, Office of the Deputy Mayor and Emergency Communications Department.

Cooperative Personnel Services is recommended because of its familiarity with the Human Resource

Competency Model of the International Personnel Management Association and its experience. CPS - which is a self-supporting, public organization - has conducted similar assessments for Orange, Stanislaus and San Diego Counties of California and the City and County of San Francisco.

Under the proposal, CPS will:

1. Interview the "customers" of BHRM to ascertain their perspectives on BHRM's policies, practices and procedures;
2. Review policies and other documents relating to at least the following seven activities:

Salary administration	Employee Relations
Employee Communication	Training
Termination Practices	Employment
Equal Employment Opportunity	

3. Observe operations and activities relating to human resource management;
4. Examine the capabilities of the automated information processing systems relating to human resource management;
5. Compile bench-marking databases for comparison with other appropriate organizations;
6. Based upon these comparisons, identify opportunities for improvement; and
7. Develop a self-assessment mechanism to monitor progress towards such improvement.

The assessment will begin in January and be completed within two months. Thereafter, upon request, CPS will provide up to 120 hours of additional services at a cost of \$80 per hour. Provision for this cost is included in the cost of the proposed agreement.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-410  
(Int. No. 434)

**Establishing \$156,100 As Maximum Compensation For A Professional Services Agreement For An Efficiency Audit Of The Bureau Of Human Resource Management**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$156,100, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Cooperative Personnel Services for an efficiency audit of the Bureau of Human Resource Management. Said amount shall be funded from the 2000-01 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-411  
Re: RAN - City School District

Transmitted herewith for your approval is legislation authorizing the issuance of revenue anticipation notes totaling \$27,000,000. This legislation was requested by the Board of Education on November 16.

The City periodically issues revenue anticipation notes for the District because of the difference between the times at which the District expends and receives funds. After the school term begins in September, the District usually expends funds at a fairly uniform rate. However, it receives its allocations of state education aid - its major revenue source - somewhat sporadically.

In 2000-01, the District has already experienced a cash deficiency. To date, this deficiency has been offset by temporary loans from the City.

However, by February, the City's own cash needs will prevent it from providing any additional loans. The proposed RAN will provide the District with an alternative source of cash.

The District is projected to continue to experience a cash deficiency through the first week in April, except for the last week in March. The deficiency is expected to recur during two weeks in June.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-132

Ordinance No. 2000-411  
(Int. No. 435)

**Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of \$27,000,000 Revenue Anticipation Notes Of The City Of Rochester, New York, Or So Much Thereof As May Be Necessary, In Anticipation Of The Receipt Of Certain Revenues For The Fiscal Year Ending June 30, 2001, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the City of Rochester, in the State of New York (the "City" and "State", respectively), in the aggregate principal amount of not to exceed \$27,000,000, and any notes in renewal thereof, is hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due and payable to the City School District in the current fiscal year from New York State Education Grants and Basic Formula Aid to Education; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the City School District for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall mature within one year

of the date of issuance thereof and may be renewed from time to time, but each renewal shall be for a period of not exceeding one year and in no event shall such Notes, or the renewals thereof, extend beyond June 30, 2002.

Section 4. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City School District and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this ordinance and the Law, and pursuant to Sections 50.00, 56.00, 60.00 and 168.00 of the Law, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 6. 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 7. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-412 and  
Ordinance No. 2000-413  
Re: South Avenue Parking Garage

Transmitted herewith for your approval is legislation relating to the South Avenue parking garage. This legislation will:

- 1. Authorize an agreement with The Sear-Brown

- Group, 85 Metro Park, for engineering services relating to the structural repair of the garage, at a maximum cost of \$70,000; and
2. Authorize the issuance of bonds totaling \$800,000 and appropriate the proceeds thereof to finance this cost and the cost of repair.

The garage, which contains 1850 spaces, was constructed in 1971. In 1998, Sear-Brown completed a conditions analysis of the garage to identify required repairs under an agreement authorized by the City Council on February 17, 1998.

Based upon this analysis, various improvements were completed in 1999 at a cost of \$421,433. These improvements included concrete restoration, joint replacement and structural tendon repairs.

The proposed improvements involve additional repair of spalling and delaminating concrete and the replacement of joint systems. The estimated cost of these improvements is \$730,000.

Under the proposed agreement, Sear-Brown will design the required improvements and provide construction inspection services. Construction will occur during the summer of 2001.

During construction approximately 117 parking spaces (6% of capacity) will be displaced at any one time. The present utilization rate for the garage is 77%.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Ordinance No. 2000-412  
(Int. No. 440)

**Establishing \$70,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For The South Avenue Garage Structural Improvements Project**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$70,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for engineering services for Phase 2 of the South Avenue Garage Structural Improvements Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2000-413  
(Int. No. 441)

**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$800,000 Bonds Of Said City To Finance The Cost Of Construction Of Phase 2 Structural Improvements To The South Avenue Parking Garage Within The City**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of

Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the construction of Phase 2 structural improvements to the South Avenue Parking Garage within the City (the "Project"). The total estimated maximum cost of said specific object or purpose, described herein, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$800,000. The plan of financing includes the issuance of \$800,000 bonds of the City, and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$800,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$800,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.12 of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are

hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:  
Ladies and Gentlemen:

Ordinance No. 2000-414  
Re: NYS Empire Zone  
Transmitted herewith for your approval is legislation approving a revised boundary description for the City's NYS Empire Zone (formerly NYS Economic Development Zone).

Under state law, municipalities may designate small geographic areas in which special incentives may be provided to businesses that relocate to the areas or expand within them. These incentives include state tax credits and exemptions and, at the option of the municipalities, property and local sales tax exemptions and reduced utility rates.

The City's zone was established by the City Council on February 15, 1994. Originally, it included three areas or subzones: northwest, northeast and the former Silver Stadium site.

The boundaries of the zone were revised by the Council on October 14, 1994 and July 22, 1997. The zone now includes about 1210 acres.

Under the proposed legislation, about 50 additional acres will be included in the zone, including, as previously announced, a portion of the former ABB property in Henrietta:

Former ABB Property	20.88 acres
Lyell/Bickford Redevelopment Area	14.08
Rochester Midland Corporation	2.30
Outer Loop Industrial Park	12.45
Total	49.71 acres

Descriptions of each of these zones are attached.

If these boundary revisions are approved, the zone will include about 1260 acres. Under state law, the maximum size of the zone is 1280 acres.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Attachment No. Z-133

Ordinance No. 2000-414  
(Int. No. 443)

**Amending The Descriptions Of The New York State Empire Zone**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The descriptions of the New York State Empire Zone, as established in Ordinance No. 94-26 and subsequently amended, are hereby further amended by adding the following new parcels:

ALL THAT TRACT OR PARCEL OF LAND, situate in Town Lots 12 and 14, 6th Range of Lots, Township 12, Range 7, Town of Henrietta, County of Monroe, State of New York, and being more particularly bounded and described as follows:

Commencing at the intersection of the westerly street line of Park Center Drive (60 feet wide) and the southerly right-of-way line of Bailey Road (66 feet wide), also known as County Route 81;

Thence (A) S 08° 48' 42" W a distance of 689.92 feet along said westerly street line to a point of curvature;

Thence (B) Southeasterly along said westerly street line along a curve to the left having a radius of 2,734.79 feet through a central angle of 11° 52' 04", a distance of 566.46 feet to the intersection with the south street line of Micron Drive, said point being the Point of Beginning all as shown on a map of "University Park of Rochester", prepared by the Sear Brown Group having project number 3138G and drawing number SU1, last revised May 20, 1992 and filed in the Monroe County Clerk's Office in Liber 272 of Maps, page 46 and drawing number SU2, last revised July 15, 1991;

Thence (1) Southeasterly along said westerly street line along a curve to the left having a radius of 2,734.79 feet, through a central angle of 02° 51' 38" a distance of 136.53 feet to a point of tangency;

Thence (2) S 05° 55' 00" E along said westerly street line, a distance of 354.90 feet to a point of curvature;

Thence (3) Southeasterly along said westerly street line along a curve to the left having a radius of 630.00 feet, through a central angle of 11° 02' 19" a distance of 121.38 feet to a point of tangency;

- Thence (4) S 16° 57' 19" E along said westerly street line a distance of 179.38 feet to a point of curvature;
- Thence (5) Southwesterly along a curve to the right having a radius of 50.00 feet, through a central angle of 83° 14' 37" a distance of 72.64 feet to a point of reverse curvature on the northerly street line of John Street (60.00 feet wide);
- Thence (6) Southwesterly along a curve to the left having a radius of 630.00 feet, through a central angle of 36° 19' 39" a distance of 399.44 feet to a point of tangency;
- Thence (7) S 29° 57' 40" W along the northerly line of John Street a distance of 135.55 feet to a point;
- Thence (8) S 87° 52' 24" W a distance of 529.45 feet to a point marked by a 5/8" reinforcing rod;
- Thence (9) N 3° 22' 36" W a distance of 809.65 feet to a point;
- Thence (10) N 88° 26' 55" E a distance of 270.43 feet to a point;
- Thence (11) N 02° 07' 36" W a distance of 292.15 feet to a point;
- Thence (12) N 22° 30' 48" E along a non-radial line, a distance of 153.34 feet to a point on the southerly street line of the Micron Drive cul-de-sac;
- Thence (13) Easterly along the southerly street line of Micron Drive along a curve to the left having a radius of 75.00 feet, through a central angle of 85° 23' 43" a distance of 111.78 feet to a point of reverse curvature;
- Thence (14) Northeasterly along said southerly street line along a curve to the right having a radius of 50.00 feet through a central angle of 50° 12' 29" a distance of 43.81 feet to a point of tangency;
- Thence (15) N 88° 41' 23" E along said southerly street line a distance of 328.25 feet to a point of curvature;
- Thence (16) Southeasterly along said southerly street line along a curve to the right having a radius of 55.00 feet, through a central angle of 88° 15' 15" a distance of 84.72 feet to the Point of Beginning.

Being and intending to describe the "Corning, Inc. Empire Zone" comprised of tax map number 174.02-1-25.11 consisting of approximately 20.88 acres.

#### Lyell-Bickford (a)

Beginning at the southeast corner of 39 Adelaide Street, then north along the west side of Adelaide Street to the south property line of 49 Adelaide Street, east along that property line to the east property line of 404 Adirondack Street, north along that property line

to the south property line of 428 Adirondack Street, east along that property line to Adirondack Street, south along the east side of Adirondack Street to the south property line of 39 Adelaide Street, east along that property line to the point of beginning.

#### Lyell-Bickford (b)

Beginning at the northwest corner of 100 Bickford Street, east along the property lines to the northeast corner of 62 Bickford Street, south along the property line to the north side of Bickford Street, west along the north side of Bickford Street to the west side of Lombard Street extended, south along the west side of Lombard Street to the south property line of 413 Lombard Street, east along the south property line of 413 Lombard Street extended to the east side of Adelaide Street, north along the east side of Adelaide Street to the south property line of 105 Adelaide Street extended, west along the property line extended to the west side of Adirondack Street, south along the west side of Adirondack Street to the south property line of 447 Adirondack Street, then along the property line of 447 Adirondack Street to Bickford Street, west along Bickford Street to its end, then north along the west property line of 100 Bickford Street to the point of beginning.

#### Outer Loop (a)

Beginning at the northwest corner of 6060 McCrackanville Street and follow its property line east, then south, then west, then north to the point of beginning.

#### Outer Loop (b)

Beginning at the northeast corner of 1635 Lexington Avenue, south along the property line to its end, then west along the property line extended to the west property line of 400 Lee Road, then north along that property line to Lexington Avenue, then east along the south side of Lexington Avenue to the point of beginning.

#### Rochester Midland Corp.

Beginning at the southwest corner of Norton Street and Hollenbeck Street, then south and southwest, then northwest, then northeast along the property line to the south property line of 271 Norton Street to the south property line of 530 Conkey Avenue, northwest to Conkey Avenue, then northeast to the northwest corner of 530 Conkey Avenue, then southeast to the west property line of 271 Norton Street, then north along the property line to the south side of Norton Street, then east along the south side of Norton Street to the point of beginning.

Section 2. The City Council of the City of Rochester requests the New York State Commissioner of Economic Development to amend the City of Rochester Empire Zone as described in Section 1.

Section 3. The City Council hereby reserves 19.12 acres to accommodate Corning Incorporated's future expansion needs and intends to reapply to the State to amend the Empire Zone boundaries at the time of the expansion.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:  
Ladies and Gentlemen

Introductory No. 436  
Re: Agreement - WXXI, Channel 12

Transmitted herewith for your approval is legislation authorizing a one-year agreement with WXXI Public Broadcasting, 280 State Street, for continued operation of Channel 12, the City's government access television station. The maximum cost of the agreement will be \$168,331, which will be financed from the 1999-00 budget for Undistributed Expense.

The original agreement with WXXI was authorized by the City Council on December 17, 1991. The most recent agreement was authorized by the Council on January 18, 2000 and expires on December 31. Under the agreement, WXXI provides the primary transmission facilities and programming for Channel 12.

The purpose of the agreement is to increase the viewership of Channel 12 and to thus enhance the City's marketing and informational efforts. Through WXXI's access to and broadcast of program materials from the public broadcasting system, the amount of unprogrammed time on the channel is limited.

At present, regular programming is provided from 9:00 a.m. to 11:00 p.m. Thereafter, "bulletin boards" containing information about City job and contract opportunities, special events and community activities are shown.

WXXI is required to provide studio facilities for the City's production of up to 50 hours of programming each year. Currently, the City produces two regular half-hour shows each month about City services and events. It also produces various public service announcements that are shown between regular programs.

Under the proposed agreement, WXXI will continue to be required to operate Channel 12 for at least 14 hours each day. The City will advise WXXI of the amount of programming it will provide and WXXI will be responsible for providing sufficient programming to fill the remaining time.

The cost of the proposed agreement is equal to the cost of the current agreement (\$163,270) adjusted by the percentage increase in the consumer price index (3.1%). The agreement may be terminated within 90 days by either party.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 436

**ESTABLISHING MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT WITH WXXI PUBLIC BROADCASTING FOR CITY 12**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$168,330.52, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting for the continued operation of City 12 for a term not to exceed one year. Said amount shall be funded equally from the 2000-01 and 2001-02

Budgets for Undistributed Expense, contingent upon approval of the latter budget.

Section 2. This ordinance shall take effect immediately.

Held in committee.

TO THE COUNCIL:  
Ladies and Gentlemen:

Introductory No. 442  
Re: City Code Amendment - Dog Control

Transmitted herewith for your approval is legislation amending various provisions of the City Code relating to the control of dogs. This legislation will:

1. Increase the penalties for unleashed dogs from \$100 to \$250;
2. Require that the owner of a dog that is impounded as a stray view a video on dog ownership and responsibility;
3. Increase the penalty for violation of the provisions relating to dangerous dogs from \$250 to \$1,000;
4. Establish the following additional penalties for dogs that cause serious physical injury and that have previously been found to be dangerous:
  - a. Fine of up to \$1,000, and/or
  - b. Imprisonment of up to one year.
5. Require that the owner of a dog that is found to be dangerous attend an approved course on dog ownership and responsibility;
6. Require that a dog that is found to be dangerous but is not euthanized be marked or implanted with a form of identification;
7. Increase the fee for the redemption of an impounded dog from \$35 to \$50;
8. Increase the boarding fee for an impounded dog from \$8 to \$20 per day; and
9. Eliminate the waiver of the boarding fee if the dog is redeemed on the day of impoundment.

As you are aware, on February 20, a city resident was attacked by two dogs that were not leashed as required by the City Code. The incident, which resulted in the amputation of one of the victim's arms, demonstrated the severe consequences that can result from disregard of the provisions of the code relating to the control of dogs.

The dogs involved in the attack had been previously involved in other violations. It was therefore apparent that the penalties imposed for the prior violations were not sufficient to deter the owners of the dogs from other violations.

As a result of the incident, an interdepartmental committee consisting of representatives of the Law and Police Departments and the Neighborhood Empowerment Team was established to review the current code provisions and recommend possible changes that would encourage responsible dog ownership. The proposed legislation is a result of this review.

The proposed changes in the code were presented at a news conference on October 12. A public hearing on the changes was held on November 2; there were seven speakers, all of whom generally supported the changes.

The changes are intended to be both preventative and punitive. The preventative components include the requirement for education of owners of impounded stray dogs and dogs that have been found to be dangerous. The punitive components involve increases in the amount of fines and the establishment of a misdemeanor charge for owners of dogs that seriously injure a person after having been previously found to be dangerous.

In conjunction with the changes in the code, Rochester Animal Services will also change its policy concerning the return of stray dogs. At present, if the owner of a stray dog is identifiable, the dog is returned to the owner without impoundment. In the future, even if the owner is identifiable, the dog will be impounded and the owner will be subject to the applicable fines, fees and educational requirements, to ensure the owner realizes that there are consequences associated with irresponsible ownership.

The changes will become effective on March 1, 2001.

Respectfully submitted,  
William A. Johnson, Jr.  
Mayor

Introductory No. 442

AMENDING THE MUNICIPAL CODE WITH RESPECT TO THE CONTROL OF DOGS

WHEREAS, the Council finds that bites of persons by loose dogs in the City, including several very serious bites, have caused significant public safety concerns; and

WHEREAS, the Council finds that all loose dogs are potentially dangerous dogs that pose a risk to other members of the community through dog bites, through placing community members, especially children, in fear, or by causing accidents; and

WHEREAS, the Council wishes to take proactive action to educate dog owners to the dangers of dogs running loose and to impose greater penalties and restrictions upon owners of stray and dangerous dogs in order to prevent further injuries to members of the community.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 31 of the Municipal Code, Dog

Control, as amended, is hereby further amended as follows:

A. Subsection 31-2, Definitions, is amended by amending the definition of DANGEROUS DOG by deleting the words "serious physical harm" where they appear in the first sentence of subsection B thereof and by inserting in their place the words "physical injury", and by deleting the words "severe injury" where they appear in the first sentence of subsection B(1) thereof and by inserting in their place the words "physical injury".

B. Subsection 31-2, Definitions, is amended by adding thereto the following new definitions where they should appear in alphabetical order:

PHYSICAL INJURY- Impairment of physical condition or substantial pain.

SERIOUS PHYSICAL INJURY- Physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

C. Section 31-7, Dangerous dogs, is amended by adding thereto the following new sentence to the end of subsection B thereof:

Where the dog causes serious physical injury to a person; or where the owner has been found guilty previously of a violation of Section 31-4 and a dog owned or harbored by that same individual bites a person; or where the dog has been previously found to be a dangerous dog and bites another person, the owner may be charged in accordance with Subsection F.

D. Subsection 31-7(D)(1) is amended by deleting the amount "\$250" where it is contained therein and by inserting in its place the amount "one thousand dollars (\$1,000)."

E. Section 31-7 is amended by adding thereto the following new Subsection D(12):

(12) Marking or implanting identification. The Court shall require that all dangerous dogs be marked or implanted with an individual means of identification, in a form deemed most appropriate by Animal Control Services, if the immediate destruction of the dog is not ordered. This shall occur prior to the release of the dog from the Animal Control Center and shall be at the expense of the owner.

F. Subsection 31-7 is amended by renumbering subsection E as subsection G and by adding thereto the following new subsections E and F:

E. In addition to subsection D above, upon finding a dog to be a dangerous dog, whether or not the immediate destruction of the dog is ordered, the Court shall order the owner to attend and successfully complete, at the owner's expense, a class on dog ownership and responsibility as approved by the Animal Control Services. Failure to comply shall result in destruction of the dog and/or shall constitute a violation of this section by the owner and/or a contempt of court.

F. (1) No person who owns or harbors a dog shall suffer or permit the dog to cause serious physical injury to another person.

(2) No person who has been found guilty previously of a violation of Section 31-4 and who owns or harbors a dog shall suffer or permit the dog to cause physical injury to another person.

(3) No person who owns or harbors a dog that has been previously found to be a dangerous dog shall suffer or permit the dog to cause physical injury to another person.

(4) For purposes of (1), (2) and (3) above,

the owner or harbinger of a dog which causes serious physical injury or physical injury to another person shall be deemed to have suffered or permitted such dog to cause the injury by failure to properly leash, secure or control said dog.

(5) Notwithstanding the penalties established elsewhere in this Code, a person who violates this subsection F shall be guilty of a misdemeanor for which the penalty shall be a fine not to exceed one thousand dollars (\$1,000.) and/or imprisonment for a term not to exceed one (1) year.

G. Section 31-17, Penalties for offenses, is amended by renumbering subsection A(2) as subsection A(3) and by adding thereto the following new subsection A(2):

(2) Leash law violations (Section 31-4): two hundred fifty dollars (\$250.).

H. Section 31-20, Fees for dog licenses and dog control activities, is amended by amending subsection B(1) to read in its entirety as follows:

(1) The fees for redeeming any dog placed in the Animal Control Center shall be as follows:

(a) Fifty dollars (\$50.) for each seizure; plus

(b) A boarding fee of twenty dollars (\$20.) per day or any part thereof. There shall be no waiver of the boarding fee for a dog that is redeemed on the day of seizure.

I. There is hereby added a new Subsection 31-20(B)(4) to read in its entirety as follows:

(4) No stray dog shall be redeemed unless the person seeking the redemption first views a video at the Animal Control Center which educates dog owners on the need for responsible dog ownership by showing the dangers caused to the community by allowing dogs to run loose.

Section 2. This ordinance shall take effect on March 1, 2001

Held in committee.

The meeting was adjourned at 8:37 P.M.

CAROLEE A. CONKLIN  
City Clerk

\* \* \* \* \*

**ITEMS HELD IN COMMITTEE  
AS OF DECEMBER 31, 2000**

Held April 18, 2000

Int. No. 117 - Approving Change In Traffic Flow On Seward Street Between Reynolds Street And Magnolia Street From Two-Way To One-Way Southbound Parks, Public Works and the Environment Committee

Int. No. 118 - Appropriating Funds For Improvements To The Intersection Of Seward Street And Magnolia Street Parks, Public Works and the Environment Committee

Held October 17, 2000

Int. No. 362 - Amending The City Code To Adopt Guidelines For Wage Rates For The Employees Of Companies Awarded Service Contracts And Business Assistance Jobs, Finance and Governance Committee

Held November 14, 2000

Int. No. 408 - Authorizing An Agreement For Operation Of The Mortimer Street Parking Garage Jobs, Finance and Governance Committee

Int. No. 412 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For The High Falls Film Festival Jobs, Finance and Governance Committee

Held December 19, 2000

Int. No. 436 - Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12 Jobs, Finance and Governance Committee

Int. No. 442 - Amending The Municipal Code With Respect To The Control Of Dogs Jobs, Finance and Governance Committee

Int. No. 458 - Authorizing Agreements For A New Genesee Settlement House Facility Public Safety/Public Services Committee

Int. No. 455 - Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans For Float Loans And Funding For The HUD Asset Control Area Partnership Program, Authorizing Agreements And The Sale Of Real Estate Housing and Community Development Committee

Acq. - Acquire, Acquisition  
Adpt. - Adopt  
Adv. - Advertise  
Agree. - Agreement  
Amend. - Amendment  
Anal. - Analysis  
Appl. - Application  
Approp. - Appropriate  
Appt. - Appoint  
Arch. - Architect  
Assist. - Assistance  
Auth. - Authorize  
Bd. - Board  
Bldg. - Building  
Cap. - Capital  
Cert. - Certified  
Chg. - Charges  
Class. - Classification  
Comm. - Commission, Committee,  
Community, Commercial  
Comm. - Communication  
Conserv. - Conservation  
Constr. - Construction  
Ctr. - Center  
Decr. - Decrease  
Dedica. - Dedicate  
Demon. - Demonstration  
Designa. - Designate  
Dev. - Development  
Erron. - Erroneous  
Est(s). - Estimate(s)  
Ext. - Extension  
Facil. - Facilities  
FY - Fiscal Year  
Gar. - Garage  
H.R. - Home Rule  
Hear. - Hearing  
Incr. - Increase  
Indus. - Industrial  
Int. - Introductory, Introduced  
L.I.O. - Local Improvement Ordinance  
L.L. - Local Law  
Lftd. - Lifted  
Litig. - Litigation  
Max. - Maximum  
Mgr. - Manager  
Mun. - Municipal  
Ofc. - Office  
Off. - Official  
Ord. - Ordinance  
Pav. - Pavement  
Pk. - Park  
Proj. - Project  
Pssd. - Passed  
Pub. - Public  
Purch. - Purchase  
R.E. - Real Estate  
R.O.W. - Right-of-Way  
Rec. - Recreation  
Rej. - Reject  
Renew. - Renewal  
Resi. - Residential  
Reso. - Resolution  
Rev. - Revenue  
Svs. - Services  
Tbld. - Tabled  
Tr. - Transmittal  
Var. - Various  
Wid. - Width  
Zon. - Zoning

**250 SOUTH AVENUE**

Auth. lease of space at 250 South Ave., Tr. letter, 81, Pssd., 82

**311**

Establishing max. compensation for professional svcs. agree. for 311 svcs. and amend. 1999-2000 budget, Tr. letter, 93, Pssd., 94

Auth. agree. for 311 non-emergency reporting system and amend. 2000-01 Budget by approp. forfeiture funds, Tr. letter, 300, Pssd., 301

**911**

Establish \$92,840 as max. comp. for professional svcs. agree. for 911 Ctr. telephone systems, Tr. letter, 235, Pssd., 236

-A-

**ABRAMS, NANCY E.**

Establishing \$20,300 as max. comp. for professional svcs. agree. with Nancy E. Abrams, Ph.D. for tech. asst. in dev. of Civil Service exams., Tr. letter, 355, Pssd., 356

**ACTION FOR A BETTER COMMUNITY, INC.**

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

Auth. amend. agree. with Action for a Better Community, Inc. for continued admin. of Joint Energy Conserv. Program - \$90,000, Tr. letter, 194, Pssd., 195

Auth. amend. agree. relating to 2000 Good Grades Pay Program, Tr. letter 218, Pssd., 219

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

**ADDISON STREET**

Abandonment of portions of Addison and Bickford Streets and sale of R.E., Tr. letter, 85, Pub. hear., 58, Pssd., 85

**ADOLESCENT PREGNANCY PREVENTION**

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 18, Pssd., 19

Auth. amend. agree. for adolescent pregnancy prevention program, Tr. letter, 218, Pssd., 219

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

**ADOPT-A-BLOCK**

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

**ADOPT-A-LOT**

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 61, Pssd., 61

Auth. agree. relating to Graffiti Control Program and Adopt-A-Lot Program, Tr. letter, 188, Pssd., 189

**ADULT USE**

Continuing a moratorium on appl. for certificates of zon. compliance for adult bookstores and adult entertainment establishments, Tr. letter, 120, Pssd., 121

Continuing moratorium on appl. for certificates of zon. compliance for adult bookstores and adult entertainment establishments, Tr. letter, 231, Pssd., 231

**ADVERTISING, MARKETING AND PROMOTIONAL SERVICES**

Establish \$27,000 as max. comp. for professional svcs. agree. for adv. and marketing svcs. for

EZ Rider Entertainment Shuttle, Tr. letter, 185, Pssd., 186

Reso. of budgetary intent - adv. on City property, Tr. letter, 208, Adpt., 208

Auth. amend. agree. with Cognitive Marketing, Inc. for promotional svcs., Tr. letter, 213, Pssd., 214

**AIDS**

Auth. agree. relating to Housing Opportunities for Persons With AIDS Program, Tr. letter, 45, Pssd., 46

**ALLIANCE COLLISION**

Establishing \$60,000 as max. compensation for professional svcs. agree. for motor vehicle collision repair svcs., Tr. letter, 61, Pssd., 63

**ALLIANCE GARAGE**

Auth. amend. agree. for towing svcs., Tr. letter, 299, Pssd., 300

**ALLRIGHT NEW YORK PARKING, INC.**

Auth. agree. with Allright New York Parking, Inc. for continued operation of High Falls Parking Gar., Tr. letter, 143, Pssd., 144

Auth. agree. with Allright New York Parking, Inc. for continued operation of High Falls Parking Gar., Tr. letter, 332, Pssd., 332

**ALTERNATIVES FOR BATTERED WOMEN**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**AMBULANCE**

Auth. amend. agree. with Rural Metro Medical Svcs. for continued provision of emergency ambulance svcs., Tr. letter, 312, Pssd., 312

**AMERICAN RED CROSS**

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

**ANIMALS**

Amend. mun. code with respect to animals, Tr. letter, 48, Pssd., 51

**ANTHONY SQUARE**

Amend. Ord. No. 99-102 relating to issuance of bonds for environmental clean-up at former West Square Manor site to include entire Anthony Square Proj. site, Tr. letter, 51, Pssd., 54

Bond ord. auth. issuance of \$323,000 bonds to finance cost of planning and implementing portion of Fulton Ave Redevelopment Proj. and Thurston Rd. Housing Proj. and a portion of Anthony Square Proj. within the City, Tr. letter, 150, Pssd., 152

Auth. amendatory appl. and agree. for 1999-2000 Comm. Dev. Program and agree. for float loan for Anthony Square Proj. and amend. Ord. No. 99-377 and auth. environmental indemnification, Tr. letter, 157, Pub. hear., 120, Pssd., 158

Approp. funds and auth. agree. for garden for Anthony Sq. Proj., Tr. letter, 190, Pssd., 190

Approving property tax exemption and auth. In Lieu Of Tax agree. for Anthony Sq. Proj., Tr. letter, 224, Pssd., 224

Auth. release of lien for Anthony Sq. Proj. and auth. agree., Tr. letter, 243, Pssd., 244

**ARCHITECTURAL SERVICES**

Establish \$65,000 as max. comp. for professional svcs. agree. for arch. svcs. for gymnasium flooring replace., Tr. letter, 217, Pssd., 218

**ARCHIVES AND RECORDS CENTER**

Establishing \$21,450 as max. compensation for professional svcs. agree. for index of mun. records, Tr. letter, 118, Pssd., 119

#### ARTS AND CULTURAL COUNCIL OF GREAT-ER ROCHESTER

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

Auth. agree. for Culture Builds Communities Program, Tr. letter, 225, Pssd., 225

#### ASSESSMENT

Determining and certifying current base proportions, current percentages, and base percentages for the 2000 assessment roll, Tr. letter, 147, Pssd., 147

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for 2000 assessment roll, Tr. letter, 147, Pssd., 147

Confirm. assessments, amounts and chg. to be inserted in annual tax rolls for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 212

#### ATLANTIC AVENUE

Dedica. of additional R.O.W. at intersection of Beacon St. and Atlantic Ave., Tr. letter, 176, Pub. hear., 166, Pssd., 178

#### -B-

#### BADEN STREET SETTLEMENT

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

Auth. agree. for human svcs. proj., Tr. letter, 134, Pssd., 135

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

#### BASEBALL/SOFTBALL

Auth. agree. and amend. 1999-2000 budget for improvements to Genesee Valley Pk. baseball diamonds, Tr. letter, 39, Pssd., 40

Establish. max. comp. for professional svcs. agree. for adult softball program, Tr. letter, 298, Pssd., 298

#### BEACON STREET

Dedica. of additional R.O.W. at intersection of Beacon St. and Atlantic Ave., Tr. letter, 176, Pub. hear., 166, Pssd., 178

#### BERGMANN ASSOCIATES

Auth. agree. for environmental site assessments, Tr. letter, 6, Pssd., 7

Establishing max. comp. for professional svcs. agree. for new pub. safety bldg., Tr. letter, 19, Pssd., 20

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd. 63

Establishing max. compensation for professional svcs. agree. for new Pub. Safety Bldg. proj., Tr. letter, 78, Pssd., 80

Establishing \$1,343,600 as max. compensation for professional svcs. agree. for preliminary engineering and design svcs. for West Ridge Road reconstruction proj. and approp. funds, Tr. letter 105, Pssd., 105

Establishing \$57,500 as max. comp. for professional svcs. agree. for parks master plan, Tr. letter, 169, Pssd., 170

Establishing max. comp. for agree. for University Ave. pub. imp. proj., Tr. letter, 176, Pssd.,

181

Establish \$18,000 as max. comp. for professional svcs. agree. with Bergmann Assoc. for bridge maintenance program, Tr. letter, 214, Pssd., 214

#### BERLIN STREET

Acq. of 228, 234-236 and 240-242 Berlin St. for the City School District, Tr. letter, 347, Pssd., 349

#### BERNICE STREET

Changing zon. class. of 151 Bernice St. from T-P Transitional Parking to M Manufacturing Indus., Tr. letter, 163, Pub. hear., 120, Failed, 164

#### BICKFORD STREET

Abandonment of portions of Addison and Bickford Streets and sale of R.E., Tr. letter, 85, Pub. hear., 58, Pssd., 85

#### BLESSED SACRAMENT

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### BLUE CROSS ARENA AT THE WAR MEMORIAL

Auth. agree. for reimbursement of cost of new scoreboard for Blue Cross Arena at the War Memorial, Tr. letter, 137, Pssd., 137

Bond ord. auth. issuance of \$1,450,000 bonds to finance cost of purch. and installation of var. electronic equipment in Blue Cross Arena at the War Memorial, Tr. letter, 137, Pssd., 138

#### BOARD OF ASSESSMENT REVIEW

Reso. appt. temp. members to Bd. of Assessment Review, Tr. letter, 33, Adpt., 34

#### BOARDS AND COMMISSIONS

Reso. approving reappointments to City Planning Comm., Tr. letter, 22, Adpt., 23

Reso. approving appt. to Rochester Preservation Bd., Tr. letter, 23, Adpt., 23

Reso. approving appt. and reappointments to Elevator Exam. Bd., Tr. letter, 28, Adpt. 28

Reso. approving appt. to Mun. Civil Service Comm., Tr. letter, 33, Adpt., 33

Reso. appt. temp. members to Bd. of Assessment Review, Tr. letter, 33, Adpt., 34

Reso. approving appt. to Electrical Examining Bd., Tr. letter, 82, Adpt., 83

Reso. approving appt. to Bd. of Trustees of Rochester Pub. Library, Tr. letter, 83, Adpt., 83

Reso. approving appt. to Zon. Bd. of Appeals, Tr. letter, 94, Adpt., 94

Reso. approving appt. to Rochester Environmental Comm., Tr. letter, 126, Adpt., 126

Approving 2000-01 operating and cap. budgets of Cultural Ctr. Comm., Tr. letter, 142, Pssd., 143

Reso. approving appt. to Bd. of Stationary Engineers, Tr. letter 318, Adpt., 319

Auth. agree. with County of Monroe for Fire/EMS Radio Communications Bd., Tr. letter, 330, Pssd., 330

Reso. approving appt. to Bd. of Assessment Review, Tr. letter, 333, Adpt., 333

Reso. approving appt. to Zon. Bd. of Appeals, Tr. letter, 351, Adpt., 351

#### BODY RUB PARLORS

Amend. mun. code by providing for licensing and regulation of sexually oriented businesses and certain employees and prohibiting body rub parlors and sexual encounter centers and adult hotels and adult motels, Tr. letter, 257, Pssd., 273

**BONDS OR NOTES**

Bond ord. auth. issuance of \$22,295,000 bonds to finance cost of partial reconstruction of var. pub. school bldgs., Tr. letter, 36, Pssd., 37

Bond ord. auth. issuance of \$612,000 bonds to finance cost of replacing central records system of Police Department, Tr. letter, 42, Pssd., 43

Bond ord. auth. issuance of \$439,500 bonds to finance cost of planning and implementing demolition of certain City owned and privately owned structures, Tr. letter, 54, Pssd., 55

Bond ord. auth. issuance of \$197,000 bonds to finance cost of planning and implementing a portion of Brown Street Revitalization Proj., Tr. letter, 55, Pssd., 57

Bond ord. auth. issuance of \$510,000 bonds to finance cost of planning and implementing reconstruction of Ford Street Bridge, Tr. letter, 64, Pssd., 65

Bond ord. auth. issuance of \$1,572,000 bonds to finance cost of constr. and reconstruction of certain streets related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 69

Bond ord. auth. issuance of \$355,500 bonds to finance cost of constr. and reconstruction of certain water mains related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 70

Bond ord. auth. issuance of \$194,000 bonds to finance cost of constr. and reconstruction of certain sewer improvements related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 71

Bond ord. auth. issuance of \$13,300,000 bonds in addition to \$1,195,000 bonds previously auth. therefor, to finance cost of constr. new Pub. Safety Bldg., Tr. letter, 78, Pssd., 80

Bond ord. auth. issuance of \$55,000 bonds to finance cost of planning and implementing portion of Parsells Avenue redevelopment plan, Tr. letter, 83, Pssd., 85

Bond ord. auth. issuance of \$396,000 bonds to finance cost of planning and implementing street improvements in connection with Outer Loop Indus. Pk. Subdivision Proj., Tr. letter, 90, Pssd., 91

Bond ord. auth. issuance of \$140,000 bonds to finance cost of planning and implementing environmental clean-up at the Rochester Pub. Market, Tr. letter, 97, Pssd., 98

Bond ord. auth. issuance of \$100,000 bonds to finance cost of planning and implementing environmental clean-up at the Police Outdoor Range, Tr. letter, 97, Pssd., 99

Bond ord. auth. issuance of \$888,500 bonds to finance constr. of water system improvements to City water conduit crossover in towns of Lima and West Bloomfield, Tr. letter, 100, Pssd., 101

Bond ord. auth. issuance of \$960,000 bonds to finance cost of constr. and reconstruction of certain streets related to Jay Street improvement proj., Tr. letter, 101, Pssd., 103

Bond ord. auth. issuance of \$175,000 bonds to finance cost of const. and reconstruction of certain water mains related to the Jay Street improvement proj., Tr. letter, 101, Pssd., 103

Bond ord. auth. issuance of \$110,000 bonds to finance cost of const. and reconstruction of certain sewer improvements related to the Jay Street improvement proj., Tr. letter, 101, Pssd., 104

Bond ord. auth. issuance of \$254,000 bonds and appl. of \$1,988,000 in current funds to finance reconstruction of certain streets related to the milling and resurfacing program, Tr. letter, 122, Pssd., 123

Bond ord. auth. issuance of \$528,000 bonds to finance reconstruction of var. water mains related to the milling and resurfacing program, Tr. letter,

122, Pssd., 124

Bond ord. auth. issuance of \$530,000 bonds to finance cost of const. and reconstruction of certain sewer improvements related to milling and resurfacing and resi. street improvement programs, Tr. letter, 122, Pssd., 125

Bond ord. auth. issuance of \$1,450,000 bonds to finance cost of purch. and installation of var. electronic equipment in Blue Cross Arena at the War Memorial, Tr. letter, 137, Pssd., 138

Bond ord. auth. issuance of \$862,000 bonds previously auth. and auth. expenditure of additional funds to finance cost of planning and implementing var. infrastructure improvements related to Rochester Pub. Market, Tr. letter, 138, Pssd., 140

Bond ord. auth. issuance of \$323,000 bonds to finance cost of planning and implementing portion of Fulton Ave Redevelopment Proj. and Thurston Rd. Housing Proj. and a portion of Anthony Square Proj. within the City, Tr. letter, 150, Pssd., 152

Bond ord. auth. reconstruction of var. water mains, stating est. max. cost thereof is \$1,049,887, approp. said amount therefor, and auth. issuance of \$906,000 bonds in addition to \$143,887 bonds previously auth., Tr. letter, 167, Pssd., 168

Bond ord. auth. issuance of \$133,000 bonds in addition to \$60,000 bonds previously auth. therefor to finance cost of planning and implementing environmental clean-up at 180-182 Exchange St., Tr. letter, 170, Pssd., 171

Bond ord. auth. issuance of \$4,420,400 bonds to finance cost of planning and implementing reconstruction of Erie Harbor-East River retaining wall, Tr. letter, 172, Pssd., 173

Bond ord. auth. issuance of \$1,897,000 bonds and appl. of \$33,000 in current funds to finance cost of const. and reconstruction of certain streets related to the University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 178

Bond ord. auth. issuance of \$414,000 bonds to finance cost of const. and reconstruction of certain water mains related to University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 179

Bond ord. auth. issuance of \$149,000 bonds to finance cost of const. and reconstruction of certain sewer imps. related to University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 180

Bond ord. auth. issuance of \$617,000 bonds to finance imps. to Meigs and Linden Playground and Humboldt Rec. Ctr., Tr. letter, 216, Pssd., 217

Bond ord. auth. issuance of \$485,000 bonds to finance cost of const. of imps. to certain streets related to Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

Bond ord. auth. issuance of \$40,000 bonds in addition to \$170,000 bonds previously auth. therefor to finance cost of planning and implementing environmental clean-up, Tr. letter, 324, Pssd., 325

Bond ord. auth. issuance of \$100,000 bonds to finance cost of const. of imps. to High Falls riverfront area, Tr. letter, 325, Pssd., 326

Bond ord. auth. issuance. of \$760,000 bonds to finance cost of const. of imp. to railroad underpass areas, Tr. letter, 33, Pssd., 339

Bond ord. auth. issuance of \$200,000 bonds, in add. to \$114,500 bonds previously auth. therefor, to finance cost of planning and implementing environmental clean-up of the Corn Hill Landing site, Tr. letter, 339, Pssd., 341

Bond ord. auth. issuance of \$4,783,200, in add. to \$14,495,000 bonds previously auth. therefor, to finance cost of const. New Pub. Safety Bldg., Tr. letter, 342, Pssd., 344

Bond ord. auth. issuance of \$436,000 bonds, in addition to \$377,700 grant funds previously

auth. therefor, to finance cost of upgrading Police computer system, Tr. letter, 345, Pssd., 346

Rev. anticipation note ord. delegating to Dir. of Finance powers to auth. issuance of \$27,000,000 rev. anticipation notes or so much thereof as may be necessary, in anticipation of receipt of certain rev. for FY ending June 30,2001, and to prescribe terms, form and contents, and provide for sale of such notes, Tr. letter, 357, Pssd., 358

Bond ord. auth. issuance of \$800,000 bonds to finance cost of constr. of Phase 2 structural improvements to South Ave. Parking Gar., Tr. letter, 358, Pssd., 359

#### **BRECK STREET**

Approving change in traffic flow on Breck Street between Barnum Street and Herkimer Street from two-way to one-way eastbound, Tr. letter, 132, Pub. hear., 120, Pssd., 132

#### **BRIDGE(S)**

Amend. the 1999-2000 Budget for Dewey Ave. Bridge Rehab. Proj., Tr. letter, 9, Pssd., 10

Auth. agree. with respect to Elmwood Ave. Bridge Rehab. Proj., Tr. letter 10, Pssd., 11

Bond ord. auth. issuance of \$510,000 bonds to finance cost of planning and implementing reconstruction of Ford Street Bridge, Tr. letter, 64, Pssd., 65

Establishing max. compensation for resident proj. representation for Ford Street Bridge rehabilitation proj., approp. funds and amend. Ord. No. 98-431, Tr. letter, 64, Pssd., 66

Approving sale of parcels and easements for Stutson St. Bridge proj., Tr. letter 186, Pssd., 188

Establish \$18,000 as max. comp. for professional svcs. agree. with Bergmann Assoc. for bridge maintenance program, Tr. letter, 214, Pssd., 214

Auth. changes in pav. wid. of Lake Ave., River St., Latta Rd. and Stutson St. as part of Stutson St. bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 281

Dedica. of add. R.O.W. for Stutson St. and River St. as part of Stutson St. Bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pub. hear, 252, Pssd., 282

#### **BRIGHTON, TOWN OF**

Auth. agree. with Town of Brighton for bldg. inspection svcs., Tr. letter, 349, Pssd., 350

#### **BROAD STREET TUNNEL**

Auth. agree. with respect to Broad St. Tunnel - East Approach Proj., Tr. letter, 9, Pssd., 9

#### **BROOKLYN SPORTS MANAGEMENT**

Establish. max. comp. for professional svcs. agree. for adult softball program, Tr. letter, 298, Pssd., 29

#### **BROWN STREET**

Approp. of 1999 HOME Program Funds for 1999 Home Expo and Brown St. Revitalization Proj., Tr. letter, 23, Pssd., 24

Approp. of 1999 HOME Program Funds for 1999 Home Expo and Brown St. Revitalization Proj. and auth. agree., Tr. letter, 23, Pssd., 24

Determinations and findings relating to the acq. of certain properties as part of Brown Street Proj., Tr. letter, 55, Pssd., 56

Approving acq. of parcels for Brown Street Proj. by negotiation or condemnation, Tr. letter, 55, Pub. hear., 51, Pssd., 56

Bond ord. auth. issuance of \$197,000 bonds to finance cost of planning and implementing a portion of Brown Street Revitalization Proj., Tr. letter,

55, Pssd., 57

Approving sale of parcels for Brown Street proj., Tr. letter, 55, Pssd., 57

Approving. sale of parcels for Brown St. proj., Tr. letter, 187, Pssd., 188

Acq. of parcels for Brown St. proj. by negotiation or condemnation, Tr. letter, 240, Pub. hear., 230, Returned to Comm., 242, Pssd., 257

Determinations and findings relating to acq. of two properties as part of Brown St. dev. proj., Tr. letter, 256, Pssd., 256

#### **BROWNCROFT BOULEVARD**

Approving changes in pav. wid. of Browncroft Blvd. as part of Browncroft Blvd. and North Winton Rd. pub. imp. proj., Tr. letter, 175, Pub. hear., 166, Pssd., 176

#### **BROWNFIELDS**

Auth. brownfields economic dev. initiative grant appl. for Rochester Midland Corporation Proj., Tr. letter, 145, Pssd., 147

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and brownfields economic dev. initiative grant for Rochester Midland Corp. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

#### **BROWN'S RIVER RECORD PRESERVATION SERVICES**

Establishing \$30,000 as max. compensation for professional svcs. agree. for restoration of Proceedings of City Council for Years 1921-1967, Tr. letter, 86, Pssd., 86

#### **BRYANT & STRATTON**

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

#### **BUDGET, 1999-2000**

Establishing max. comp. for professional svcs. agree. for cemetery svcs. and amend. the 1999-2000 budget, Tr. letter, 7, Pssd., 8

Amend. the 1999-2000 Budget for Dewey Ave. Bridge Rehab. Proj., Tr. letter, 9, Pssd., 10

Auth. agree. and amend. 1999-2000 budget for improvements to Genesee Valley Pk. baseball diamonds, Tr. letter, 39, Pssd., 40

Auth. agree. for Weed & Seed Program and amend. 1999-2000 budget, Tr. letter, 17, Pssd., 18

Amend. 1999-2000 budget to fund inspectors for pres. primary election, Tr. letter, 35, Pssd., 35

Auth. agree. for tree planting grant and amend. 1999-2000 budget, Tr. letter, 39, Pssd., 40

Auth. agree. and amend. 1999-2000 budget for improvements to Genesee Valley Pk. baseball diamonds, Tr. letter, 39, Pssd., 40

Auth. agree. with U.S. government for funding police svcs. and amend. budget, Tr. letter, 92, Pssd., 93

Establishing max. compensation for professional svcs. agree. for 311 svcs. and amend. 1999-2000 budget, Tr. letter, 93, Pssd., 93

Amend. the 1999-2000 budget relating to the Water Fund and the Administration, Tr. letter, 117, Pssd., 118

Amend. the 1999-2000 budget with respect to Cemetery funding, Tr. letter, 117, Pssd., 118

Auth. agree. for Clarissa St. Reunion and amend. 1999-2000 budget, Tr. letter, 133, Pssd., 133

Auth. agree. for a Terrorism Preparedness Grant and amend. the 1999-2000 Budget, Tr. letter, 136, Pssd., 137

Amend. 1999-2000 budget relating to Downtown Guides Program, Tr. letter, 148, Pssd., 148

Establish \$143,000 as max. comp. for professional svcs. agree. with PSComm LLC for consulting svcs. and amend. 1999-2000 Budget, Tr. letter, 184, Pssd., 185

Amend. Ord. No. 2000-98 relating to amend. to 1999-2000 Budget, Tr. letter, 237, Pssd., 239

Amend. the 1999-2000 Budget, Tr. letter, 251, Pssd., 252

#### **BUDGET, 2000-01**

Amend. proposed 2000-01 Budget in regard to Teambuilding Initiative

Amend. proposed 2000-01 Budget in regard to Teambuilding Initiative - \$10,000, Tr. letter, 203, Pssd., 203

Amend. 2000-01 budget in regard to additional snow plowing - \$18,100, Tr. letter, 203, Pssd., 203

Amend. 2000-01 Budget in regard to web site interactivity - \$10,000, Tr. letter, 204, Pssd., 204

Amend. 2000-01 Budget in regard to overtime funds for Information Systems - \$6,500, Tr. letter, 204, Pssd., 204

Amend. 2000-01 Budget in regard to dev. of trail connections along Genesee Riverway - \$50,000, Tr. letter, 205, Pssd., 206

Amend. 2000-01 Budget in regard to Byrne Grant matching funds - \$20,000, Tr. letter, 206, Pssd., 206

Amend. 2000-01 Budget in regard to Comm. Dev. - \$8,600, Tr. letter, 206, Pssd., 207

Amend. proposed 2000-01 Budget in regard to Webster Ave. ice rink - \$48,400, Tr. letter, 207, Pssd., 207

Amend. 2000-01 Budget in regard to service truck - \$11,200, Tr. letter, 207, Pssd., 208

Amend. proposed 2000-01 Budget in regard to Ctr. City signage, Tr. letter, 208, Pssd., 209

Adpt. of budget ests. for mun. purposes for 2000-01 FY, and approp. of sums set forth therein and approving comm. refuse fees, Tr. letter, 209, Pssd., 210

Adpt. of budget ests. for school purposes for FY commencing July 1, 2000 and expiring June 30, 2001 and approp. of sums set forth therein, Tr. letter, 209, Pssd., 211

Levying taxes for mun. purposes for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 211

Levying taxes for school purposes for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 211

Auth. agree. for Livable Communities Program and amend. 2000-01 Budget, Tr. letter, 237, Pssd., 239

Auth. agree. for Weed & Seed Program and amend. 2000-01 Budget, Tr. letter, 237, Pssd., 239

Auth. grant agree. for City records, auth. agree. with Lason Systems, Inc. and amend. 2000-01 Budget, Tr. letter, 248, Pssd., 249

Auth. agree. for maintenance of High Falls Festival Site and amend. 2000-01 Budget, Tr. letter, 249, Pssd., 250

Auth. agree. with respect to teen pregnancy prevention and amend. 2000-01 Budget, Tr. letter, 283, Pssd., 284

Auth. agree. with respect to underage tobacco enforcement and amend. 2000-01 Budget, Tr. letter, 284, Pssd., 285

Auth. appl. and agree. with respect to seat belt enforcement amend 2000-01 Budget, Tr. letter, 284, Pssd., 285

Auth. agree. for Operation Clean Spot and amend. 2000-01 Budget, Tr. letter, 284, Pssd., 286

Establish max. comp. for professional svcs. agree. with Ctr. for Governmental Research, Inc. for dev. of disaster recovery plan and amend. Budget - \$15,000, Tr. letter, 291, Pssd., 291

Auth. agree. with respect to Safe Passages Program and amend. 2000-01 Budget, Tr. letter, 295, Pssd., 296

Auth. agree. for 311 non-emergency reporting system and amend. 2000-01 Budget by approp. forfeiture funds, Tr. letter, 300, Pssd., 301

Auth. agree. with respect to dev. of metropolitan medical response system and amend. 2000-01 Budget, Tr. letter, 301, Pssd., 301

Auth. appl. and agree. for STOP Violence Against Women program, and amend. 2000-01 Budget, Tr. letter, 329, Pssd., 329

Acceptance of library grants and amend. 2000-01 budgets for Rochester Pub. Library, Tr. letter, 333, Pssd., 334

Repealing Ord. No. 2000-276 and amend. 2000-01 Budget relating to Operation Safe Home Program, Tr. letter, 333, Pssd., 334

Amend. 2000-01 Budget relating to Employee Suggestion Program, Tr. letter, 333, Pssd., 334

#### **BUILDING INSPECTION SERVICES**

Auth. agree. with Town of Brighton for bldg. inspection svcs., Tr. letter, 349, Pssd., 350

#### **BUSINESS PROGRAMS**

Approve business programs, Tr. letter 199, Pssd., 201

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#### **CW ENGINEERING**

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd. 63

#### **CAMERON COMMUNITY MINISTRIES**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### **CARTER STREET RECREATION CENTER**

Petition submitted by President Giess signed by 22 residents of 14621 neighborhood opposed to proposed relocation of Genesee Settlement House programs to Carter St., 213

Auth. agree. for new Genesee Settlement House facility, Tr. letter, 346, Held, 347

#### **CASCADE HISTORIC DISTRICT**

L.I.O. establishing cost of special work and svcs. related to upgrading of landscape features for Cascade Historic District, Tr. letter, 128, Pub. hear., 119, Pssd., 128

L.I.O. establishing cost of special work and svcs. related to Cascade Historic District street lighting district, Tr. letter, 129, Pub. hear., 120, Pssd., 131

#### **CATHOLIC CHARITIES**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### **CATHOLIC FAMILY CENTER**

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

Auth. amend. agree. for adolescent pregnancy prevention program, Tr. letter 218, Pssd., 219

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

#### **CAVENDISH PARTNERSHIP**

Establish \$7,500 as max. comp. for amend. professional svcs. agree. for design of water sports

ctr., Tr. letter, 278, Pssd., 278

**CEMETERIES**

Establishing max. comp. for professional svcs. agree. for cemetery svcs. and amend. the 1999-2000 budget, Tr. letter, 7, Pssd., 8

Amend. the 1999-2000 budget with respect to Cemetery funding, Tr. letter, 117, Pssd., 118

**CENTER, THE**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**CENTER FOR DISPUTE SETTLEMENT, INC.**

Establish \$124,877 as max. comp. for professional svcs. agree. for continuation of citizen complaint svcs. for Rochester Police Dept., Tr. letter, 235, Pssd., 235

**CENTER FOR GOVERNMENTAL RESEARCH, INC.**

Establish max. comp. for professional svcs. agree. with Ctr. for Governmental Research, Inc. for dev. of disaster recovery plan and amend. Budget - \$15,000, Tr. letter, 291, Pssd., 291

Establish max. comp. for professional svcs. agree. with Ctr. for Governmental Research, Inc. for facilitation svcs. - \$20,000, Tr. letter, 316, Pssd., 316

Establishing \$90,000 as max. comp. for professional svcs. agree. for Police Resource Allocation Study, Tr. letter, 344, Pssd., 345

**CENTREX**

Auth. an agree. with Frontier Communications for continuation of Centrex svcs., Tr. letter, 87, Pssd., 88

**CHARLES SETTLEMENT HOUSE**

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr. letter, 192, Pssd., 193

**CHARLOTTE**

Establishing \$570,000 as max. compensation for an amendatory professional svcs. agree. for the Charlotte Harbortown Redevelopment proj., Tr. letter, 11, Pssd., 11

**CHARLOTTE LIGHTHOUSE**

Auth. appl. and agree. for grant funds, Tr. letter, 274, Pssd., 275

**CHESTERFIELD DRIVE**

Establishing \$104,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Chesterfield Drive and Leroy Street improvement proj., Tr. letter, 75, Pssd., 76

**CHILDREN'S BEVERAGE GROUP, INC.**

Amend. 1999-2000 Comm. Dev. Block Grant and approving Section 108 Business Loan and Economic Dev. Initiative Grant for Children's Beverage Group, Inc. Proj., Tr. letter, 202, Pub. hear., 166, Pssd., 203

**CHILI AVENUE**

Auth. agree. with respect to Chili Avenue improvement proj., Tr. letter, 63, Pssd. 64

**CITY 12**

Establishing max. comp. for a professional svcs. agree. for City 12, Tr. letter, 38, Held, 38; Pssd., 229

Establishing max. comp. for professional svcs. agree. with WXXI Pub. Broadcasting for City 12,

Tr. letter, 361, Held, 361

**CITY CHARTER**

L.L. amend. City Charter with respect to delegation of approval of R.E. instruments to Corporation Counsel, Tr. letter, 198, Pssd., 199

L.L. amend. City Charter with respect to delegation of approval of agree. to Commissioner of Parks, Rec. and Human Svcs., Tr. letter, 198, Pssd., 199

L.L. amend. City Charter to change name of Bur. of Data Processing to Bur. of Info. Systems, Tr. letter, 247, Pssd., 248

L.L. amend. City Charter with respect to Emergency Comn. Ctr., Tr. letter, 247, Pssd., 248

**CITY CLERK**

Reso. for selection & appt. as City Clerk, Adpt.,

1

Appt. of marriage officers, Tr. letter, 32, Pssd.,

33

**CITY CODE**

Amend. City Code to adopt guidelines for wage rates for employees of companies awarded service contracts and business assist., Tr. letter, 312, Held, 315

**CITY COUNCIL PRESIDENT**

Reso. for nomination & selection as President of City Council, Adpt., 1

**CITY COUNCIL VICE PRESIDENT**

Reso. for nomination & selection of Gladys Santiago as Vice President of City Council, Adpt., 1

**CITY DEVELOPMENT FUND**

Approp. of funds for City Dev. Fund, Tr. letter, 164, Pssd., 165

Amend. guidelines, approp. funds and auth. agree. for Comm. Loan Fund and Indus. Loan Fund Program and amend. 2000-01 City Dev. Fund, Tr. letter, 289, Pssd., 290

**CITY PLANNING COMMISSION**

Reso. approving reappointments to City Planning Comm., Tr. letter, 22, Adpt., 23

Reso. approving appt. to City Planning Comm., Tr. letter, 351, Adpt., 351

**CITY SCHOOL DISTRICT**

Approving acq. of 9 Costar Street for City School District, Tr. letter, 44, Pssd., 45

Auth. appl. and agree. for the 2000 Summer Food Service Program for Children, Tr. letter, 108, Pssd., 109

Acq. of R.E. for City School District, Tr. letter, 186, Pssd., 188

Adpt. of budget ests. for school purposes for FY commencing July 1, 2000 and expiring June 30, 2001 and approp. of sums set forth therein, Tr. letter, 209, Pssd., 211

Levying taxes for school purposes for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 211

Auth. agree. with respect to Safe Passages Program and amend. 2000-01 Budget, Tr. letter, 295, Pssd., 296

Acq. of 107-111 North Clinton Ave. for City School District, Tr. letter, 302, Pssd., 304

Acq. of 21 Costar St. for City School District, Tr. letter, 302, Pssd., 304

Auth. agree. for install. of fiber optic cable in City conduits and connections to City and City School District facil., Tr. letter, 311, Pssd., 312

Acq. of 228, 234-236 and 240-242 Berlin St. for City School District, Tr. letter, 347, Pssd., 349

Acq. of 91 Farragut St. for City School District, Tr. letter, 347, Pssd., 349

Rev. anticipation note ord. delegating to Dir. of Finance powers to auth. issuance of \$27,000,000 rev. anticipation notes or so much thereof as may be necessary, in anticipation of receipt of certain rev. for FY ending June 30,2001, and to prescribe terms, form and contents, and provide for sale of such notes, Tr. letter, 357, Pssd., 358

#### **CIVIL SERVICE**

Establish. \$32,895 as max. comp. for professional svcs. agree. for Civil Service exam develop., Tr. letter, 229, Pssd., 230

Establishing \$20,300 as max. comp. for professional svcs. agree. with Nancy E. Abrams, Ph.D. for tech. asst. in dev. of Civil Service exams., Tr. letter, 355, Pssd., 356

#### **CLARISSA STREET REUNION**

Auth. agree. for Clarissa St. Reunion and amend. 1999-2000 budget, Tr. letter, 133, Pssd., 133

#### **CLIFFORD AVENUE**

Approving Clifford Ave. pub. imp. proj. and changes in pav. wid. of Clifford Ave., Woodman Pk. and Martinot Ave., Tr. letter, 174, Pub. hear., 166, Pssd., 175

Establishing max. comp. for design svcs. for Clifford Ave. imp. proj. and approp. funds, Tr. letter, 174, Pssd., 175

#### **CLOUGH HARBOR ASSOCIATES**

Auth. agree. for environmental site assessments, Tr. letter, 6, Pssd., 7

Establishing \$46,000 as max. compensation for engineering svcs. for improvement proj., Tr. letter, 66, Pssd., 66

#### **COALITION OF NORTHEAST ASSOCIATIONS**

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 61, Pssd., 61

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr. letter, 192, Pssd., 193

#### **COGNITIVE MARKETING, INC.**

Auth. amend. agree. with Cognitive Marketing, Inc. for promotional svcs., Tr. letter, 213, Pssd., 214

#### **COMMERCIAL LOAN FUND**

Amend. guidelines, approp. funds and auth. agree. for Comm. Loan Fund and Indus. Loan Fund Program and amend. 2000-01 City Dev. Fund, Tr. letter, 289, Pssd., 290

#### **COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.**

Establish \$10,550 as max. comp. for professional svcs. agree. with CALEA for accreditation of the Emergency Comm. Ctr., Tr. letter, 286, Pssd., 286

#### **COMMUNITY DEVELOPMENT BLOCK GRANT, 1999-2000**

Amend. 1999-2000 Comm. Dev. Block Grant and approving Section 108 Business Loan and Economic Dev. Initiative Grant for Children's Beverage Group, Inc. Proj., Tr. letter, 202, Pub. hear., 166, Pssd., 203

#### **COMMUNITY DEVELOPMENT BLOCK GRANT, 2000-01**

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and economic dev. initiative grant for Genesee Brewing Co., Inc. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and brown-fields economic dev. initiative grant for Rochester Midland Corp. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

#### **COMMUNITY DEVELOPMENT, DEPARTMENT OF**

Amend. 2000-01 Budget in regard to Comm. Dev. - \$8,600, Tr. letter, 206, Pssd., 207

Auth. agree. with Enterprise Foundation, Tr. letter, 227, Pssd., 227

#### **COMMUNITY DEVELOPMENT PROGRAM, 1993-94**

Auth. amend. appl. and agree. for 1993-94, 1994-95 and 1995-96 Comm. Dev. Program to terminate Section 108 Microloan Program and auth. add. funding for Section 108 Business Loan Program, Tr. letter, 292, Pub. hear., 252, Pssd., 292

#### **COMMUNITY DEVELOPMENT PROGRAM, 1994-95**

Auth. amend. appl. and agree. for 1993-94, 1994-95 and 1995-96 Comm. Dev. Program to terminate Section 108 Microloan Program and auth. add. funding for Section 108 Business Loan Program, Tr. letter, 292, Pub. hear., 252, Pssd., 292

#### **COMMUNITY DEVELOPMENT PROGRAM, 1995-96**

Auth. amend. 1995-96 and 1998-99 Comm. Dev. Program and 1999-2000 HOME Program plans, auth. City Dev. Funds and agree. for First Mortgage and TNT Programs, Tr. letter, 30, Pub. hear., 4, Pssd., 31

Auth. amend. appl. and agree. for 1993-94, 1994-95 and 1995-96 Comm. Dev. Program to terminate Section 108 Microloan Program and auth. add. funding for Section 108 Business Loan Program, Tr. letter, 292, Pub. hear., 252, Pssd., 292

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program plans and approp funds for Zon. Ord. and Map Revision Proj., Tr. letter, 319, Pub. hear., 316, Pssd., 320

#### **COMMUNITY DEVELOPMENT PROGRAM, 1996-97**

Auth. agree. and approp. fund for Housing Dev. Fund, Tr. letter, 114, Pssd., 115

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program plans and approp funds for Zon. Ord. and Map Revision Proj., Tr. letter, 319, Pub. hear., 316, Pssd., 320

#### **COMMUNITY DEVELOPMENT PROGRAM, 1998-99**

Auth. amend. 1995-96 and 1998-99 Comm. Dev. Program and 1999-2000 HOME Program plans, auth. City Dev. Funds and agree. for First Mortgage and TNT Programs, Tr. letter, 30, Pub. hear., 4, Pssd., 31

Auth. amend. 1998-99 Comm. Dev. Program Plan and agree. for Comm. Profile Proj., Tr. letter, 43, Pub. hear., 38, Pssd., 44

**COMMUNITY DEVELOPMENT PROGRAM, 1999-2000**

Auth. amendatory appl. and agree. for 1999-2000 Comm. Dev. Program and agree. for float loan for Anthony Square Proj. and amend. Ord. No. 99-377 and auth. environmental indemnification, Tr. letter, 157, Pub. hear., 120, Pssd., 158

Auth. amendatory appl. and agree. for 1999-2000 Comm. Dev. Program for float loan for HUD Asset Control Area Partnership Program and amend. Ord. No. 99-349, Tr. letter, 158, Pub. hear., 120, Pssd., 159

Approp. funds to support Neighbors Bldg. Neighborhoods Program, Tr. letter, 194, Pssd., 194

Auth. an amend. 1999-2000 Comm. Dev. Program Plan and auth. amend. agree. relating to Emergency Shelter Grant Program, Tr. letter, 307, Pub. hear., 294, Pssd., 308

Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. program Plans and agree. for Home-buyer Education program and amend. Ord. No. 2000-295, Tr. letter, 351, Pub. hear., 336, Pssd., 352

Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for the HUD Asset Control Area Partnership Program, auth. agree. and the sale of R.E., Tr. letter, 353, Pub. hear., 336, Held, 354

**COMMUNITY DEVELOPMENT PROGRAM, 2000-01**

Approp. funds and auth. agree. for Tool Lending Library Programs, Tr. letter, 193, Pssd., 194

Approving business programs, Tr. letter 199, Pssd., 201

Auth. amend. 2000-01 Comm. Dev. Program Plan and auth. an agree. relating to Creative City Initiative, Tr. letter, 308, Pub. hear., 293, Pssd., 308

Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. program Plans and agree. for Home-buyer Education program and amend. Ord. No. 2000-295, Tr. letter, 351, Pub. hear., 336, Pssd., 352

Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for the HUD Asset Control Area Partnership Program, auth. agree. and the sale of R.E., Tr. letter, 353, Pub. hear., 336, Held, 354

**COMMUNITY PROFILE PROJECT**

Auth. amend. 1998-99 Comm. Dev. Program Plan and agree. for Comm. Profile Proj., Tr. letter, 43, Pub. hear., 38, Pssd., 44

**CONCERTS**

Establish \$32,000 as max. comp. for professional svcs. agree. for "Party In The Park" concerts, Tr. letter, 341, Pssd., 342

**CONKLIN, CAROLEE A.**

Reso. for selection & appt. as City Clerk, Adpt., 1

Appt. of marriage officers, Tr. letter, 32, Pssd., 33

**CONSOLIDATED COMMUNITY DEVELOPMENT PROGRAM**

Approving Consolidated Comm. Dev. Program/2000-01 Annual Action Plan, Tr. letter, 164, Pub. hear., 120, Pssd., 164

Auth. submission of the Consolidated Comm. Dev. Program/2000-01 Annual Action Plan and execution of grant agree. with United States Dept.

of Housing and Urban Dev., Tr. letter, 164, Pssd., 165

Approp. of funds for City Dev. Fund, Tr. letter, 164, Pssd., 165

**COOPERATIVE AGREEMENTS**

Approving amendatory coop. investment agree., Tr. letter, 34, Pssd. 35

**COOPERATIVE PERSONNEL SERVICES**

Establishing \$156,100 as max. comp. for professional svcs. agree. for efficiency audit of Bur. of Human Resource Management, Tr. letter, 356, Pssd., 357

**COPS MORE**

Auth. agree. for COPS MORE '98 funding, Tr. letter, 237, Pssd., 238

**CORN HILL**

Bond ord. auth. issuance of \$200,000 bonds, in add. to \$114,500 bonds previously auth. therefor, to finance cost of planning and implementing environmental clean-up of the Corn Hill Landing site, Tr. letter, 339, Pssd., 341

Auth. agree. for environmental remediation of Corn Hill Landing site, Tr. letter, 338, Pssd., 341

**CORPORATION COUNSEL**

Comm. from, 4, 38, 166, 230

L.L. No. 1 amend. City Charter with respect to delegation of approval of R.E. instruments to Corporation Counsel, Tr. letter, 198, Pssd., 199

**COSTAR STREET**

Approving acq. of 9 Costar Street for City School District, Tr. letter, 44, Pssd., 45

Acq. of 21 Costar St. for City School District, Tr. letter, 302, Pssd., 304

**COSTICH ENGINEERING**

Establishing max. compensation for amendatory professional svcs. agree. for conduit modernization proj., Tr. letter, 100, Pssd., 101

**COUNCIL MEETINGS**

Organization Meeting, Held, 1, Ad., 4

Regular Meetings, Held, 4, Adj., 38; Held, 38, Adj., 51; Held, 58, Adj., 91, Held, 91, Adj., 119, Held, 91, Adj., 165, Held, 166, Adj. 213; Held, 213, Adj., 230; Held, 230, Adj., 252; Held, 252, Adj., 293; Held, 293, Adj., 315; Held, 315, Adj., 335; Held, 335, Adj., 363

Special Meeting, Held, 51, Adj., 57

Reso. establish schedule for regular council meetings during 2001, Tr. letter, 310, Pssd., 311

**COUNCIL MINUTES**

Approval of, 4, 38, 58, 91, 119, 166, 213, 230, 252, 293, 315, 335

**CREATIVE CITY INITIATIVE**

Auth. amend. 2000-01 Comm. Dev. Program Plan and auth. an agree. relating to Creative City Initiative, Tr. letter, 308, Pub. hear., 293, Pssd., 308

**CULTURE BUILDS COMMUNITIES PROGRAM**

Auth. agree. for Culture Builds Communities Program, Tr. letter, 225, Pssd., 225

**CULTURAL CENTER COMMISSION**

Approving 2000-01 operating and cap. budgets of Cultural Ctr. Comm., Tr. letter, 142, Pssd., 143

**CULVER ROAD**

Changing zon. class. of 1650-1660 E. Main St. and 831-839 Culver Rd. from R-3 low-medium resi./O-O overlay ofc. to C-2 community commercial, Tr. letter, 244, Pub. hear., 230, Pssd., 245

#### **CURRAN, BRIAN F., COUNCILMAN**

Negative votes, Ord. No. 2000-69, p., 66, Ord. No. 2000-88, p., 84, Ord. No. 2000-89, p., 85; Int. No. 195, p. 164; Ord. No. 2000-202, p., 186; Ord. No. 2000-203, p., 186; Ord. No. 2000-206, p., 188; Ord. No. 2000-218, p., 214; Ord. No. 2000-260, p. 223; Int. No. 406, Failed, 321; Ord. No. 2000-402, Pssd., 350; Ord. No. 2000-403, Pssd., 350

Amend. 2000-01 budget in regard to additional snow plowing - \$18,100, Tr. letter, 203, Pssd., 203

Amend. 2000-01 Budget in regard to web site interactivity - \$10,000, Tr. letter, 204, Pssd., 204

Amend. City Code to adopt guidelines for wage rates for employees of companies awarded service contracts and business assist., Tr. letter, 312, Held, 316

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#### **DARTMOUTH STREET**

L.I.O. upgrading of sidewalks as part of the Dartmouth Street improvement proj., Tr. letter, 106, Pub. hear., 91, Pssd., 107

#### **DAY ENVIRONMENTAL, INC.**

Auth. agree. for environmental site assessments, Tr. letter, 6, Pssd., 7

#### **DEBT**

1999-2000 debt reso., Tr. letter, 89, Adpt., 90

#### **DECONVERSION INCENTIVE GRANT DEMONSTRATION PROGRAM**

Approp. of funds and auth. agree. for Deconversion Incentive Grant Demon. Program, Tr. letter, 306, Pssd., 307

#### **DEFERRED COMPENSATION**

Adoption of amended and restated deferred comp. plan for City employees, Tr. letter, 246, Pssd., 247

#### **DEMOLITION**

Bond ord. auth. issuance of \$439,500 bonds to finance cost of planning and implementing demolition of certain City owned and privately owned structures, Tr. letter, 54, Pssd., 55

#### **DEPOSITORIES**

Amend. mun. code with respect to designa. of depositories, Tr. letter, 141, Pssd., 142

Amend. mun. code with respect to designa. of depositories, Tr. letter, 310, Pssd., 310

#### **DESIGN SERVICES**

Establishing max. comp. for design svcs. for Clifford Ave. imp. proj. and approp. funds, Tr. letter, 174, Pssd., 175

Establish \$48,000 as max. comp. for professional svcs. agree. for design svcs. for Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

#### **DETERMINATIONS AND FINDINGS**

Relating to the acq. of 3885 Lake Avenue as part of Lake Avenue Improvement Proj., Tr. letter, 41, Pssd., 41

Relating to the acq. of certain properties as part of Brown Street Proj., Tr. letter, 55, Pssd., 56

#### **DEWEY AVENUE**

Amend. the 1999-2000 Budget for Dewey Ave. Bridge Rehab. Proj., Tr. letter, 9, Pssd., 10

#### **DIMITRI HOUSE**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### **DOGS**

Amend. mun. code with respect to control of dogs, Tr. letter, 361, Held, 363

#### **DONATELLI, INC.**

Auth. amendatory parking lot agree., Tr. letter, 87, Pssd., 87

Auth. agree. for operation of Plymouth Ave. parking lot, Tr. letter, 290, Pssd., 291

#### **DOUGLAS, BENJAMIN L., COUNCILMAN**

Abstentions, Amend. to Int. 116, p. 116; Ord. No. 2000-120, p. 116; Ord. 2000-138, p. 134; Ord. No. 2000-139, p. 135; Ord. No. 2000-169, p. 156; Ord. 2000-245, p. 219; Ord. No. 2000-351, p. 306

Negative votes, Int. No. 195, Failed, 164; Int. No. 406, Failed, 321

Amend. proposed 2000-01 Budget in regard to Teambuilding Initiative - \$10,000, Tr. letter, 203, Pssd., 203

Amend. 2000-01 Budget in regard to Comm. Dev. - \$8,600, Tr. letter, 206, Pssd., 207

#### **DOWNTOWN**

Establishing \$40,000 as Max. comp. for professional svcs. agree. for downtown housing study, Tr. letter, 27, Pssd., 28

Reso. approving appt. and reappointments to Downtown Enhance. District Advisory Comm., Tr. letter, 228, Adpt., 229

#### **DOWNTOWN GUIDES**

Amend. 1999-2000 budget relating to Downtown Guides Program, Tr. letter, 148, Pssd., 148

L.I.O. establishing cost of special work and svcs. related to Downtown Guides and auth. an agree., Tr. letter, 148, Pub. hear., 120, Pssd., 149

#### **DRIVING PARK**

Establish \$48,000 as max. comp. for professional svcs. agree. for design svcs. for Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

Bond ord. auth. issuance of \$485,000 bonds to finance cost of const. ofimps. to certain streets related to Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

#### **DUNN, LINDA**

Establish. \$32,895 as max. comp. for professional svcs. agree. for Civil Service exam develop., Tr. letter, 229, Pssd., 230

#### **-E-**

#### **EZ RIDER ENTERTAINMENT SHUTTLE**

Establish \$290,000 as max. comp. for professional svcs. agree. with Lift Line Inc. for operation of EZ Rider Entertainment Shuttle, Tr. letter, 185, Pssd., 186

Establish \$27,000 as max. comp. for professional svcs. agree. for adv. and marketing svcs. for EZ Rider Entertainment Shuttle, Tr. letter, 185, Pssd., 186

#### **EASEMENTS**

Auth. acq. by donation, negotiation or condemnation of permanent easements for Jay Street improvement proj. and granting an easement, Tr.

letter, 71, Pssd., 73  
 Granting easement at Pub. Safety Training Facility, Tr. letter, 81, Pssd., 82  
 Auth. easement for substation access to RG&E, Tr. letter, 215, Pssd., 216  
 Auth. acq. of temp. easement for water pipeline replacement, Tr. letter, 302, Pssd., 304  
 Auth. acq. of easements for High Falls Riverfront Pedestrian Imp. Proj., Tr. letter, 325, Pssd., 326  
 Auth. easements to Monroe County for traffic signalization equip. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

**EAST AVENUE AUTO, INC.**

Auth. amend. agree. for towing svcs., Tr. letter, 299, Pssd., 300

**EASTSIDE COMMUNITY CENTER**

Auth. agree. for Families & Friends of Murdered Children Ext. Proj., Tr. letter, 183, Pssd., 184

**ECONOMIC DEVELOPMENT DEPARTMENT**

Amend. proposed 2000-01 Budget in regard to ctr. City signage, Tr. letter, 208, Pssd., 209

**ECONOMIC DEVELOPMENT INITIATIVE GRANT**

Amend. 1999-2000 Comm. Dev. Block Grant and approving Section 108 Business Loan and Economic Dev. Initiative Grant for Children's Beverage Group, Inc. Proj., Tr. letter, 202, Pub. hear., 166, Pssd., 203

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and economic dev. initiative grant for Genesee Brewing Co., Inc. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and brown-fields economic dev. initiative grant for Rochester Midland Corp. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 290

**EFFICIENCY AUDIT**

Establishing \$156,100 as max. compensation for professional svcs. agree. for efficiency audit of Bur. of Human Resource Management, Tr. letter, 356, Pssd., 357

**ELECTIONS**

Amend. 1999-2000 budget to fund inspectors for pres. primary election, Tr. letter, 35, Pssd., 35

**ELECTRICAL EXAMINING BOARD**

Reso. approving appt. to Electrical Examining Bd., Tr. letter, 82, Pssd., 83

**ELEVATOR EXAMINING BOARD**

Reso. approving appt. and reappointments to Elevator Exam. Bd., Tr. letter, 28, Adpt. 28

**ELEVATOR INSPECTION**

Auth. agree. for elevator inspection svcs., Tr. letter, 226, Pssd., 227

**ELLWANGER AND BARRY BUILDING**

Auth. lease agree. for space in Ellwanger and Barry Bldg., Tr. letter, 201, Pssd., 202

**ELMWOOD AVENUE**

Auth. agree. with respect to Elmwood Ave. Bridge Rehab. Proj., Tr. letter 10, Pssd., 11

**EMERGENCY COMMUNICATIONS**

Establishing max. compensation for professional

svcs. agree. for 311 svcs. and amend. 1999-2000 budget, Tr. letter, 93, Pssd., 94

Establish \$92,840 as max. comp. for professional svcs. agree. for 911 Ctr. telephone systems, Tr. letter, 235, Pssd., 236

L.L. amend. City Charter with respect to Emergency Comn. Ctr., Tr. letter, 247, Pssd., 248

Establish \$10,550 as max. comp. for professional svcs. agree. with CALEA for accreditation of the Emergency Comn. Ctr., Tr. letter, 286, Pssd., 286

**EMERGENCY SHELTER GRANT PROGRAM**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

Auth. an amend. 1999-2000 Comm. Dev. Program Plan and auth. amend. agree. relating to Emergency Shelter Grant Program, Tr. letter, 307, Pub. hear., 293, Pssd., 308

**EMERSON STREET LANDFILL**

Establish \$40,000 as max. comp. for amend. professional svcs. agree. for investigation of former Emerson St. Landfill site, Tr. letter, 324, Pssd., 324

**EMPIRE ZONE**

Amend. descriptions of NYS Empire Zone, Tr. letter, 359, Pssd., 361

**EMPLOYEE SUGGESTION PROGRAM**

Establishing \$35,000 as max. comp. for professional svcs. agree. for Employee Suggestion Program, Tr. letter 37, Pssd., 38

Amend. 2000-01 Budget relating to Employee Suggestion Program, Tr. letter, 333, Pssd., 334

**EMPLOYEES, PROVISIONAL**

Establishing \$48,000 as max. compensation for professional svcs. agree. for assessment and instructional svcs., Tr. letter, 88, Pssd., 89

**ENGINEERING SERVICES**

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd., 63

Establishing \$46,000 as max. compensation for engineering svcs. for improvement proj., Tr. letter, 66, Pssd., 66

Establishing \$1,343,600 as max. compensation for professional svcs. agree. for preliminary engineering and design svcs. for West Ridge Road reconstruction proj. and approp. funds, Tr. letter 105, Pssd., 105

Establishing \$124,000 as max. compensation for professional svcs. agree. for engineering inspection svcs. for Pub. Market Improvement Program, Tr. letter, 138, Pssd., 140

Establishing \$20,000 as max. compensation for amendatory professional svcs. agree. for engineering and technical svcs., Tr. letter, 141, Pssd., 141

Establishing \$47,000 as max. comp. for amendatory professional svcs. agree. for engineering planning svcs. for Inner Loop imp. study, Tr. letter, 168, Pssd., 169

Establish \$110,000 as max. comp. for professional svcs. agree. for engineering svcs. for Railroad Underpass Imps. Proj., Tr. letter, 337, Pssd., 338

Establishing \$70,000 as max. comp. for professional svcs. agree. for engineering svcs. for South Ave. Gar. structural improvements proj., Tr. letter, 358, Pssd., 358

**ENTERPRISE FOUNDATION**

Auth. agree. with Enterprise Foundation, Tr. letter, 227, Pssd., 227

**ENVIRONMENTAL CLEAN-UP**

Amend. Ord. No. 99-102 relating to issuance of bonds for environmental clean-up at former West Square Manor site to include entire Anthony Square Proj. site, Tr. letter, 51, Pssd., 54

Bond ord. auth. issuance of \$140,000 bonds to finance cost of planning and implementing environmental clean-up at the Rochester Pub. Market, Tr. letter, 97, Pssd., 98

Bond ord. auth. issuance of \$100,000 bonds to finance cost of planning and implementing environmental clean-up at the Police Outdoor Range, Tr. letter, 97, Pssd., 99

Establishing \$122,000 as max. comp. for amendatory professional svcs. agree. for environmental clean-up, Tr. letter, 170, Pssd., 170

Bond ord. auth. issuance of \$133,000 bonds in addition to \$60,000 bonds previously auth. therefor to finance cost of planning and implementing environmental clean-up at 180-182 Exchange St., Tr. letter, 170, Pssd., 171

Establish \$10,000 as max. comp. for amend. professional svcs. agree. relating to environmental cleanup of former West Square Manor site, Tr. letter, 243, Pssd., 244

Bond ord. auth. issuance of \$40,000 bonds in addition to \$170,000 bonds previously auth. therefor to finance cost of planning and implementing environmental clean-up within the City, Tr. letter, 324, Pssd., 325

Establish \$200,000 as max. comp. for amend. professional svcs. agree. for environmental site remediation, Tr. letter, 339, Pssd., 340

Bond ord. auth. issuance of \$200,000 bonds, in add. to \$114,500 bonds previously auth. therefor, to finance cost of planning and implementing environmental clean-up of the Corn Hill Landing site, Tr. letter, 338, Pssd., 340

Auth. agree. for environmental remediation of Corn Hill Landing site, Tr. letter, 339, Pssd., 341

**ENVIRONMENTAL HEALTH LABORATORY**

Establishing \$10,500 as max. compensation for amendatory professional svcs. agree. with Environmental Health Laboratory for drinking water testing, Tr. letter, 99, Pssd., 100

**ENVIRONMENTAL REVIEW**

Auth. ext. of lead agency agree. between City Council & Mayor for environmental review, Tr. letter, 5, Pssd., 6

**ENVIRONMENTAL SERVICES, DEPARTMENT OF**

Amend. 2000-01 Budget in regard to service truck - \$11,200, Tr. letter, 207, Pssd., 208

**ENVIRONMENTAL SITE ASSESSMENTS**

Auth. agree. for environmental site assessments, Tr. letter, 6, Pssd., 7

Auth. agree. for environmental site svcs. and amend. Ord. No. 97-356, Tr. letter, 66, Pssd., 68

**ERIE HARBOR**

Bond ord. auth. issuance of \$4,420,400 bonds to finance cost of planning and implementing reconstruction of Erie Harbor-East River retaining wall, Tr. letter, 172, Pssd., 173

Establishing max. comp. for resident proj. representation svcs for Erie Harbor-East River Wall proj. and approp. funds, Tr. letter, 171, Pssd., 173

**EXCHANGE BOULEVARD/STREET**

Establishing \$122,000 as max. comp. for amendatory professional svcs. agree. for environmental

cleanup, Tr. letter, 170, Pssd., 170

Bond ord. auth. issuance of \$133,000 bonds in addition to \$60,000 bonds previously auth. therefor to finance cost of planning and implementing environmental clean-up at 180-182 Exchange St., Tr. letter, 170, Pssd., 171

Dedica. of additional parcel for Exchange St., Tr. letter, 342, Pub. hear., 336, Pssd., 344

**-F-****FAIR HOUSING ENFORCEMENT PROJECT**

Auth. agree. for Fair Housing Enforce. Proj., Tr. letter, 227, Pssd., 228

**FAIR HOUSING STUDY**

Auth. amendatory agree. for fair housing study, Tr. letter, 25, Pssd., 26

**FAMILIES & FRIENDS OF MURDERED CHILDREN**

Auth. agree. for Families & Friends of Murdered Children Ext. Proj., Tr. letter, 183, Pssd., 184

**FARRAGUT STREET**

Acq. of 91 Farragut St. for City School District, Tr. letter, 347, Pssd., 349

**FEDERAL BUREAU OF INVESTIGATION**

Auth. agree. with FBI for fueling of vehicles, Tr. letter, 215, Pssd., 215

**FERRY**

Auth. agree. for assist. in selection of fast ferry svcs. operator, Tr. letter, 233, Pssd., 234

**FIBER OPTIC CABLE**

Auth. agree. for install. of fiber optic cable in City conduits and connections to City and City School District facil., Tr. letter, 311, Pssd., 312

**FINANCE, DEPARTMENT OF**

Amend. 2000-01 Budget in regard to web site interactivity - \$10,000, Tr. letter, 204, Pssd., 204

Amend. 2000-01 Budget in regard to overtime funds for Information Systems - \$6,500, Tr. letter, 204, Pssd., 204

L.L. amend. City Charter to change name of Bur. of Data Processing to Bur. of Info. Systems, Tr. letter, 247, Pssd., 248

Auth. grant agree. for City records, auth. agree. with Lason Systems, Inc. and amend. 2000-01 Budget, Tr. letter, 248, Pssd., 249

**FINANCE, DIRECTOR OF**

Auth. Dir. of Finance to cancel real prop. taxes or chg. of \$1,000 or less, Tr. letter, 31, Pssd., 32

**FINGER LAKES HEALTH SYSTEMS AGENCY**

Establishing \$25,000 as max. compensation for professional svcs. agree. with Finger Lakes Health Systems Agency for study of the medically uninsured, Tr. letter, 110, Pssd., 111

**FIREWORKS**

Establishing \$20,000 as max. comp. for professional svcs. agree. for fireworks, Tr. letter, 182, Pssd., 182

**FIRST MORTGAGE**

Auth. amend. 1995-96 and 1998-99 Comm. Dev. Program and 1999-2000 HOME Program plans, auth. City Dev. Funds and agree. for First Mortgage and TNT Programs, Tr. letter, 30, Pub. hear., 4, Pssd., 31

**FITZ AND HUGH DELI**

Approving lease agree. for comm. space in Sister Cities Gar., Tr. letter, 302, Pssd., 304

**FLOAT LOAN**

Auth. amendatory appl. and agree. for 1999-2000 Comm. Dev. Program and agree. for float loan for Anthony Square Proj. and amend. Ord. No. 99-377 and auth. environmental indemnification, Tr. letter, 157, Pub. hear., 120, Pssd., 158

Auth. amendatory appl. and agree. for 1999-2000 Comm. Dev. Program for float loan for HUD Asset Control Area Partnership Program and amend. Ord. No. 99-349, Tr. letter, 158, Pub. hear., 120, Pssd., 159

Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for the HUD Asset Control Area Partnership Program, auth. agree. and the sale of R.E., Tr. letter, 353, Pub. hear., 336, Held, 354

**FLOWER PLANTING PROJECT**

Approp. funds for Flower Planting Proj., Tr. letter, 254, Pssd., 255

**FORESTRY**

Establishing \$24,000 as max. compensation for professional svcs. agree. for forest resource management svcs., Tr. letter, 125, Pssd., 126

**FRONTIER COMMUNICATIONS**

Auth. an agree. with Frontier Communications for continuation of Centrex svcs., Tr. letter, 87, Pssd., 88

Establish \$92,840 as max. comp. for professional svcs. agree. for 911 Ctr. telephone systems, Tr. letter, 235, Pssd., 236

**FUEL**

Auth. an agree. with RGRTA for fueling of City vehicles, Tr. letter, 125, Pssd., 125

Auth. agree. with FBI for fueling of vehicles, Tr. letter, 215, Pssd., 215

**FULTON AVENUE**

Bond ord. auth. issuance of \$323,000 bonds to finance cost of planning and implementing portion of Fulton Ave Redevelopment Proj. and Thurston Rd. Housing Proj. and a portion of Anthony Square Proj. within the City, Tr. letter, 150, Pssd., 152

Approving acq. of 139-141 Fulton Ave., Tr. letter, 220, Pssd., 223

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**GZA GEOENVIRONMENTAL OF NY**

Establishing max. compensation for amendatory professional svcs. agree. for conduit modernization proj., Tr. letter, 100, Pssd., 101

**GARDEN(S)**

Approp. funds and auth. agree. for garden for Anthony Sq. Proj., Tr. letter, 190, Pssd., 190

**GARLAND AVENUE**

Auth. incr. in pav. wid. of Garland Ave., Tr. letter, 294, Pub. hear., 293, Pssd., 295

**GENERAL COLLISION SERVICE**

Establishing \$60,000 as max. compensation for professional svcs. agree. for motor vehicle collision repair svcs., Tr. letter, 61, Pssd., 63

**GENERAL MUNICIPAL LAW**

Approving amendatory coop. investment agree.,

Tr. letter, 34, Pssd. 35

**GENESEE BREWING COMPANY**

Auth. economic dev. initiative grant appl. for Genesee Brewing Co. Proj., Tr. letter, 145, Pssd., 146

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and economic dev. initiative grant for Genesee Brewing Co., Inc. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

**GENESEE RIVER**

Bond ord. auth. issuance of \$4,420,400 bonds to finance cost of planning and implementing reconstruction of Erie Harbor-East River retaining wall, Tr. letter, 171, Pssd., 173

Establishing max. comp. for resident proj. representation svcs for Erie Harbor-East River Wall proj. and approp. funds, Tr. letter, 171, Pssd., 173

Auth. agree. for South River Corridor land use plan, Tr. letter, 255, Pssd., 255

**GENESEE SETTLEMENT HOUSE**

Auth. agree. for human svcs. proj., Tr. letter, 134, Pssd., 135

Petition submitted by President Giess signed by 22 residents of 14621 neighborhood opposed to proposed relocation of Genesee Settlement House programs to Carter St., 213

Auth. agree. for new Genesee Settlement House facility, Tr. letter, 346, Held, 347

**GENESEE TRANSPORTATION COUNCIL**

Establishing \$25,000 as max. annual compensation for professional svcs. agree. for personal wireless comm. facility consulting svcs. and auth. new agree. for transportation study. Tr. letter, 114, Pssd., 114

**GENESEE VALLEY PARK**

Auth. agree. and amend. 1999-2000 budget for improvements to Genesee Valley Pk. baseball diamonds, Tr. letter, 39, Pssd., 40

Auth. agree. for Genesee Valley Pk. imps. and amend. 2001-02 Budget, Tr. letter, 294, Pssd., 294

**GIESS, LOIS J., COUNCIL PRESIDENT**

Amend. 1999-2000 budget to fund inspectors for pres. primary election, Tr. letter, 35, Pssd., 35

Appt. of marriage officers, Tr. letter, 32, Pssd., 33

Auth. ext. of lead agency agree. between City Council & Mayor for environmental review, Tr. letter, 5, Pssd., 6

Establishing \$30,000 as max. compensation for professional svcs. agree. for restoration of Proceedings of City Council for Years 1921-1967, Tr. letter, 86, Pssd., 86

Reso. appt. temp. members to Bd. of Assessment Review, Tr. letter, 33, Adpt., 34

Reso. for nomination & selection as President of City Council, Adpt., 1

Establishing \$25,000 as max. compensation for professional svcs. agree. with Finger Lakes Health Systems Agency for study of the medically uninsured, Tr. letter, 110, Pssd., 111

Motion to amend Int. No. 174, Pssd., 144

Negative votes, Int. No. 195, Failed, 164; Int. No. 406, Failed, 321

Reso. of budgetary intent - Efficiency Audit - Bureau of Human Resource Management, Tr. letter, 204, Adpt., 205

Amend. proposed 2000-01 Budget in regard to Webster Ave. ice rink - \$48,400, Tr. letter, 207,

Pssd., 207

Reso. of budgetary intent - advert. on City property, Tr. letter, 208, Adpt., 208

Amend. proposed 2000-01 Budget in regard to ctr. City signage, Tr. letter, 208, Pssd., 209

Auth. amend. agree. with Cognitive Marketing, Inc. for promotional svcs., Tr. letter, 213, Pssd., 214

Reso. establish schedule for regular council meetings during 2001, Tr. letter, 311, Pssd., 311

Establish max. comp. for professional svcs. agree. with Ctr. for Governmental Research, Inc. for facilitation svcs. - \$20,000, Tr. letter, 316, Pssd., 317

Reso. approving appt. to Bd. of Assessment Review, Tr. letter, 333, Adpt., 333

#### **GOOD GRADES PAY PROGRAM**

Auth. appl. and agree. relating to the 2000 Good Grades Pay Program, Tr. letter, 134, Pssd., 134

Auth. amend. agree. relating to 2000 Good Grades Pay Program, Tr. letter 218, Pssd., 219

#### **GOODKIND & O'DEA, INC.**

Establishing \$135,000 as max. compensation for resident proj. representation svcs. for the Jay Street improvement proj. and approp. funds, Tr. letter, 101, Pssd., 105

#### **GRACE URBAN MINISTRIES**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

Auth. agree. for human svcs. program, Tr. letter, 236, Pssd., 237

#### **GRAFFITI**

Auth. agree. relating to Graffiti Control Program and Adopt-A-Lot Program, Tr. letter, 188, Pssd., 189

#### **GRANTS**

Auth. agree. for tree planting grant and amend. 1999-2000 budget, Tr. letter, 39, Pssd., 40

#### **GRAPHIC ARTS SERVICES**

Establishing \$10,000 as max. comp. for amendatory professional svcs. agree. for digital graphic arts svcs., Tr. letter, 34, Pssd., 34

#### **GREATER ROCHESTER HOUSING PARTNERSHIP, INC.**

Auth. agree. with Greater Rochester Housing Partnership, Inc. for housing svcs. - \$138,000, Tr. letter, 154, Pssd., 154

#### **GREATER ROCHESTER METRO CHAMBER OF COMMERCE, INC.**

Establishing \$50,000 as max. compensation for professional svcs. agree. with Greater Rochester Metro Chamber of commerce, Inc. for the Highway Beautification Proj., Tr. letter, 127, Pssd., 128

#### **GREATER ROCHESTER SPORTS AUTHORITY**

Reso. approving appt. to Greater Rochester Sports Authority, Tr. letter, 330, Adpt., 330

#### **"GRETA" PROGRAM**

Establishing \$20,000 as max. compensation for professional svcs. agree. with Andrea Whitcomb for continuation of the "Greta" Program, Tr. letter, 127, Pssd., 127

#### **GRISWOLD, NANCY K., COUNCILWOMAN**

Amend. proposed approp. from 1996-97 Comm. Dev. Program for Housing Dev. Fund, Tr. letter,

114, Pssd., 115

Amend. proposed loan agree. for YWCA Women in Transition Proj., Tr. letter, 115, Pssd., 116

Abstentions, Ord. No. 2000-138, p. 134; Ord. No. 2000-169, p. 156; Ord. No. 2000-245, p. 219; Ord. No. 2000-246, p. 219, Ord. No. 2000-272, p. 237; Ord. No. 2000-354, p. 308

Negative votes, Int. No. 195, Failed, 164; Int. No. 406, Failed, 321

Amend. proposed 2000-01 Budget in regard to Teambuilding Initiative - \$10,000, Tr. letter, 203, Pssd., 203

Amend. 2000-01 Budget in regard to overtime funds for Information Systems - \$6,500, Tr. letter, 204, Pssd., 204

Amend. proposed 2000-01 Budget in regard to Webster Ave. ice rink - \$48,400, Tr. letter, 207, Pssd., 207

#### **GROUP 14621 COMMUNITY ASSOCIATION**

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr. letter, 192, Pssd., 193

Auth. agree. for human svcs. proj., Tr. letter, 299, Pssd., 299

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#### **HSBC COMMUNITY DEVELOPMENT CORPORATION**

Approving 2000 Home Expo Program, Tr. letter, 51, Pssd., 53

#### **HUD ASSET CONTROL AREA PARTNERSHIP**

Auth. amendatory appl. and agree. for 1999-2000 Comm. Dev. Program for float loan for HUD Asset Control Area Partnership Program and amend. Ord. No. 99-349, Tr. letter, 158, Pub. hear., 120, Pssd., 159

Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for the HUD Asset Control Area Partnership Program, auth. agree. and the sale of R.E., Tr. letter, 353, Pub. hear., 336, Held, 355

#### **HARBORTOWN**

Establishing \$570,000 as max. compensation for an amendatory professional svcs. agree. for the Charlotte Harbortown Redevelopment proj., Tr. letter, 11, Pssd., 11

#### **HARTEL ALLEY**

Approving changes in traffic flow on Martin St. between Hartel Alley and Upper Falls Blvd. from two-way to one-way southbound and on Hartel Alley between St. Paul St. and Martin St. from two-way to one-way eastbound, Tr. letter, 279, Pub. hear., 252, Pssd., 280

#### **HAWK FRAME & AXLE, INC.**

Establishing \$60,000 as max. compensation for professional svcs. agree. for motor vehicle collision repair svcs., Tr. letter, 61, Pssd., 63

#### **HAZARDOUS MATERIALS**

Auth. agree. for hazardous materials svcs., Tr. letter, 66, Pssd., 68

#### **HEALTH ASSOCIATION**

Auth. agree. for human svcs. proj., Tr. letter, 134, Pssd., 135

Auth. agree. for human svcs. program, Tr. letter, 236, Pssd., 237

**HECLA ALLEY**

Approving change in traffic flow on Hecla Alley between Comfort Street and Alexander Street from two-way to one-way southbound, Tr. letter, 105, Pub. hear., 91, Pssd., 106

**HEMLOCK FILTRATION PLANT**

Establish \$30,000 as max. comp. for professional svcs. agree. with Optimization Technology, Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 275, Pssd., 275

Establish \$32,000 as max. comp. for amend. professional svcs. agree. with Optimization Technology, Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 337, Pssd., 337

**HIGH FALLS FESTIVAL SITE**

Auth. lease of space in High Falls festival site sub-terrace area, Tr. letter, 143, Pssd., 143

Amend. Ord. No. 2000-151, auth. lease of space in High Falls festival site sub-terrace area, Tr. letter, 220, Pssd., 224

Auth. agree. for maintenance of High Falls festival site and amend. 2000-01 Budget, Tr. letter, 249, Pssd., 250

Amend. Ord. No. 2000-151, relating to lease of space in High Falls Fest. Site sub-terrace area, Tr. letter, 317, Pssd., 318

**HIGH FALLS FILM FESTIVAL**

Establish \$50,000 as max. comp. for professional svcs. agree. for High Falls Film Festival, Tr. letter, 335, Held, 335

**HIGH FALLS PARKING GARAGE**

Auth. agree. with Allright New York Parking, Inc. for continued operation of High Falls Parking Gar., Tr. letter, 143, Pssd., 144

Amend. mun. code with respect to fees for High Falls Gar., Tr. letter, 143, Pssd. 145

Auth. agree. with Allright New York Parking, Inc. for continued operation of High Falls Parking Gar., Tr. letter, 332, Pssd., 332

**HIGH FALLS RIVERFRONT**

Auth. acq. of easements for High Falls Riverfront Pedestrian Imp. Proj., Tr. letter, 325, Pssd., 326

Bond ord. auth. issuance of \$100,000 bonds to finance cost of const. of imps. to High Falls riverfront area, Tr. letter, 325, Pssd., 326

**HIGHLAND AVENUE**

Changing zon. class. of 505-595 Highland Ave. from R-1 single family resi. to R-2 two-family resi., Tr. letter, 196, Pub. hear., 166, Held in Comm., 196, Pssd., 228

**HIGHWAY BEAUTIFICATION**

Establishing \$50,000 as max. compensation for professional svcs. agree. with Greater Rochester Metro Chamber of commerce, Inc. for the Highway Beautification Proj., Tr. letter, 127, Pssd., 128

**HILLSIDE CHILDREN'S CENTER**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**HOLLISTER STREET**

Changing the zon. class. of 92 and 94 Hollister Street from R-2 Two-family Resi. to C-2 Community Commercial, Tr. letter, 46, Pub. hear., 39, Pssd., 47

**HOME EXPO**

Approp. of 1999 HOME Program Funds for

1999 Home Expo and Brown St. Revitalization Proj., Tr. letter, 23, Pssd., 24

Approp. of 1999 HOME Program Funds for 1999 Home Expo and Brown St. Revitalization Proj. and auth. agree., Tr. letter, 23, Pssd., 24

Approving 2000 Home Expo Program, Tr. letter, 51, Pssd., 53

**HOME OWNERSHIP LOAN PROGRAM**

Auth. agree. with Neighborhood Housing Svcs., Tr. letter, 190, Pssd., 190

**HOME PROGRAM**

Approp. of 1999 HOME Program Funds for 1999 Home Expo and Brown St. Revitalization Proj., Tr. letter, 23, Pssd., 24

Approp. of 1999 HOME Program Funds for 1999 Home Expo and Brown St. Revitalization Proj. and auth. agree., Tr. letter, 23, Pssd., 24

Auth. amend. 1995-96 and 1998-99 Comm. Dev. Program and 1999-2000 HOME Program plans, auth. City Dev. Funds and agree. for First Mortgage and TNT Programs, Tr. letter, 30, Pssd., 31

Approp. of funds - Homebuyer Assist. Program, Tr. letter, 224, Pssd., 225

Approp. of funds and auth. agree. for Deconversion Incentive Grant Demon. Program, Tr. letter, 306, Pssd., 307

**HOME RULE MESSAGE**

Reso. for purpose of H.R. message regarding State legislation relative to discontinuing use of certain lands as park lands, Tr. letter, 77, Adpt., 78

**HOME STORE**

Auth. agree. for Home Store, Tr. letter, 190, Pssd., 191

**HOMEBUYER ASSISTANCE PROGRAM**

Approp. of funds - Homebuyer Assist. Program, Tr. letter, 224, Pssd., 225

**HOTELS AND MOTELS**

Amend. mun. code by providing for licensing and regulation of sexually oriented businesses and certain employees and prohibiting body rub parlors and sexual encounter centers and adult hotels and adult motels, Tr. letter, 257, Pssd., 273

**HOUSING**

Auth. amendatory agree. for fair housing study, Tr. letter, 25, Pssd., 26

Auth. agree. with Housing Council in Monroe County Area, Inc. for Rehab. of Investor Properties Program, Tr. letter, 26, Pssd., 26

Establishing \$40,000 as Max. comp. for professional svcs. agree. for downtown housing study, Tr. letter, 27, Pssd., 28

Auth. agree. relating to Housing Opportunities for Persons With AIDS Program, Tr. letter, 45, Pssd., 46

Auth. sale of R.E. and auth. agree. for dev. of affordable housing, Tr. letter, 81, Pssd., 82

Auth. agree. and approp. fund for Housing Dev. Fund, Tr. letter, 114, Pssd., 115

Auth. sale of R.E. as part of Thurston Road Housing Proj., Tr. letter, 150, Pssd., 151

Bond ord. auth. issuance of \$323,000 bonds to finance cost of planning and implementing portion of Fulton Ave Redevelopment Proj. and Thurston Rd. Housing Proj. and a portion of Anthony Square Proj. within the City, Tr. letter, 150, Pssd., 152

Auth. agree. for Home Purch. Assist. Program, Tr. letter, 153, Pssd., 154

Auth. agree. with Greater Rochester Housing Partnership, Inc. for housing svcs. - \$138,000, Tr. letter, 154, Pssd., 154

Auth. agree. with Housing Council in the Monroe County Area, Inc. for continued provision of mortgage svcs. - \$225,000, Tr. letter, 154, Pssd., 155

Auth. agree. for housing dev. support, Tr. letter, 191, Pssd., 192

Designa. of SEAC as comm. housing dev. organization., Tr. letter, 195, Pssd., 196

Auth. agree. for Fair Housing Enforce. Proj., Tr. letter, 227, Pssd., 228

Approp. funds for housing program promotion and amend. ord. no. 2000-120 and 99-377, Tr. letter, 305, Pssd., 306

Auth. agree. for fair housing, Tr. letter, 306, Pssd., 306

Approving loan agree. for NEAD Rental Housing Proj., Tr. letter, 319, Pssd., 319

#### **HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE**

Reports of, 20, 44, 80, 113, 149, 186, 220, 239, 253, 301, 316, 347

#### **HOUSING COUNCIL IN THE MONROE COUNTY AREA, INC.**

Auth. agree. with Housing Council in Monroe County Area, Inc. for Rehab. of Investor Properties Program, Tr. letter, 26, Pssd., 26

Auth. agree. for landlord and tenant svcs., Tr. letter, 152, Pssd., 153

Auth. agree. with Housing Council in the Monroe County Area, Inc. for continued provision of mortgage svcs. - \$225,000, Tr. letter, 154, Pssd., 155

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

Auth. amendatory agree. with Housing Council in the Monroe County Area, Inc. for Rehab. of Investor Properties Program, Tr. letter, 242, Pssd., 243

#### **HOUSING OPPORTUNITIES, INC.**

Auth. agree. for housing dev. support, Tr. letter, 191, Pssd., 192

Auth. release of lien for Anthony Sq. Proj. and auth. agree., Tr. letter, 243, Pssd., 244

#### **HUMAN RESOURCE MANAGEMENT, BUREAU OF**

Reso. of budgetary intent - Efficiency Audit - Bureau of Human Resource Management, Tr. letter, 204, Adpt., 205

Establishing \$156,100 as max. compensation for professional svcs. agree. for efficiency audit of Bur. of Human Resource Management, Tr. letter, 356, Pssd., 357

#### **HUMAN SERVICES PROGRAMS**

Auth. agree. for human svcs. program, Tr. letter, 236, Pssd., 237; Tr. letter, 283, Pssd., 283

Auth. agree. for human svcs. proj., Tr. letter, 299, Pssd., 299

#### **HUMANE SOCIETY OF ROCHESTER AND MONROE COUNTY**

Establish. \$27,000 as max. comp. for amend. professional svcs. agree. for veterinary svcs., Tr. letter, 297, Pssd., 298

#### **HUMBOLDT STREET PLAYGROUND AND RECREATION CENTER**

Establishing \$37,000 as max. compensation

for professional svcs. agree. for Humboldt Street playground improvements, Tr. letter, 40, Pssd., 41

Bond ord. auth. issuance of \$617,000 bonds to finance imps. to Meigs and Linden Playground and Humboldt Rec. Ctr., Tr. letter, 216, Pssd., 217

#### **-I-**

#### **IBM CORP.**

Establish max. comp. for professional svcs. agree. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

#### **IMPERIAL ROCHESTER DEVELOPMENT CORPORATION**

Approving 2000 Home Expo Program, Tr. letter, 51, Pssd., 53

#### **INDEPENDENT TITLE AGENCY, LLC**

Establishing \$161,400 as max. compensation for professional svcs. agree. with Independent Title Agency, LLC, for continued provision of R.E. title svcs., Tr. letter, 86, Pssd., 87

Establish \$161,400 as max. annual comp. for professional svcs. agree. with Independent Title Agency, LLC for continued provision of R.E. title svcs., Tr. letter, 309, Pssd., 310

#### **INDUSTRIAL LOAN FUND**

Amend. guidelines, approp. funds and auth. agree. for Comm. Loan Fund and Indus. Loan Fund Program and amend. 2000-01 City Dev. Fund, Tr. letter, 289, Pssd., 290

#### **INNER LOOP**

Establishing \$47,000 as max. comp. for amenatory professional svcs. agree. for engineering planning svcs. for Inner Loop imp. study, Tr. letter, 168, Pssd., 169

#### **INTEGRATED BUILDING CONCEPTS**

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd. 63

#### **INVESTIGATIVE SERVICES**

Establishing \$20,000 as max. comp. for professional svcs. agree. for investigative svcs., Tr. letter, 35, Pssd., 36

#### **INVESTMENT**

Approving amendatory coop. investment agree., Tr. letter, 34, Pssd. 35

#### **ISLA**

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

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#### **JAMES MADISON COMMUNITY CENTER**

Auth. amend. agree. for James Madison Comm. Ctr., Tr. letter, 219, Pssd., 220

#### **JAY STREET**

Auth. changes in pav. wid. of Jay Street, Tr. letter, 71, Pub. hear., 58, Pssd., 73

Auth. acq. by donation, negotiation or condemnation of permanent easements for Jay Street improvement proj. and granting an easement, Tr. letter, 71, Pssd., 73

Dedica. of parcels to street purposes as a part of Jay Street improvement proj., Tr. letter, 71, Pub. hear., 58, Pssd., 74

Bond ord. auth. issuance of \$960,000 bonds to finance cost of constr. and reconstruction of certain

streets related to Jay Street improvement proj., Tr. letter, 101, Pssd., 103

Bond ord. auth. issuance of \$175,000 bonds to finance cost of const. and reconstruction of certain water mains related to the Jay Street improvement proj., Tr. letter, 101, Pssd., 103

Bond ord. auth. issuance of \$110,000 bonds to finance cost of const. and reconstruction of certain sewer improvements related to the Jay Street improvement proj., Tr. letter, 101, Pssd., 104

Establishing \$135,000 as max. compensation for resident proj. representation svcs. for the Jay Street improvement proj. and approp. funds, Tr. letter, 101, Pssd., 105

Establish \$30,000 as max. comp. for professional svcs. agree. for Jay St. pub. imp. proj., Tr. letter, 279, Pssd., 279

#### **JOBS, FINANCE AND GOVERNANCE COMMITTEE**

Reports of, 31, 51, 85, 116, 140, 197, 228, 245, 287, 308, 330, 354

#### **JOHN & SON COLLISION**

Auth. amend. agree. for towing svcs., Tr. letter, 299, Pssd., 300

#### **JOHNSON, WILLIAM P.**

Establishing \$25,000 as max. annual compensation for professional svcs. agree. for personal wireless comm. facility consulting svcs. and auth. new agree. for transportation study, Tr. letter, 114, Pssd., 114

#### **JOINT ENERGY CONSERVATION PROGRAM**

Auth. amend. agree. with Action for a Better Community, Inc. for continued admin. of Joint Energy Conserv. Program - \$90,000, Tr. letter, 194, Pssd., 195

#### **JOSEPH AVENUE**

Designa. Rev. J. D. Jackson Sr. Way, Tr. letter, 243, Pssd., 243

#### **JOSEPH C. WILSON BOULEVARD**

L.I.O. establishing cost of special work and svcs. related to Joseph C. Wilson Blvd. pedestrian lighting district, Tr. letter, 129, Pub. hear., 119, Pssd., 130

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#### **KARIN, DANIEL B.**

Appt. of marriage officers, Tr. letter, 32, Pssd., 33

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#### **LABELLA ASSOCIATES**

Establishing \$570,000 as max. compensation for an amendatory professional svcs. agree. for the Charlotte Harbortown Redevelopment proj., Tr. letter, 11, Pssd., 11

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd., 63

Establish \$40,000 as max. comp. for amend. professional svcs. agree. for investigation of former Emerson St. Landfill site, Tr. letter, 324, Pssd., 324

#### **LABURNAM CRESCENT**

Auth. changes in pav. wid. of Laburnam Crescent, Tr. letter, 276, Pub. hear., 252, Pssd., 277

Approving changes in traffic flow on Suter Terr., Luzerne St., and Laburnam Crescent, Tr. letter, 276,

Pub. hear., 252, Pssd., 278

#### **LAGRANGE AVENUE**

Establish \$48,000 as max. comp. for professional svcs. agree. for design svcs. for Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

Bond ord. auth. issuance of \$485,000 bonds to finance cost of const. of imps. to certain streets related to Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

#### **LAKE AVENUE**

Auth. the acq. by negotiation or condemnation of parcels for the Lake Ave. imp. proj., Tr. letter, 11, Pub. hear., 4, Held, 12, Pssd., 41

Dedica. of parcels to street purposes as a part of the Lake Ave. imp. proj., Tr. letter, 11, Held, 16, Pssd., 41

Determination and finding relating to the acq. of 3885 Lake Avenue as part of Lake Avenue Improvement Proj., Tr. letter, 41, Pssd., 41

Bond ord. auth. issuance of \$1,572,000 bonds to finance cost of constr. and reconstruction of certain streets related to Lake Avenue improvement proj., Tr. letter, 68, Pssd., 69

Bond ord. auth. issuance of \$355,500 bonds to finance cost of constr. and reconstruction of certain water mains related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 70

Bond ord. auth. issuance of \$194,000 bonds to finance cost of constr. and reconstruction of certain sewer improvements related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 71

Establishing \$352,000 as max. compensation for professional svcs. agree. for resident proj. inspection svcs. for Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 71

L.I.O. for areaway abandonment at 4472-76 Lake Ave. as part of Lake Ave. pub. improvement proj., Tr. letter, 129, Pub. hear., 119, Pssd., 129

L.I.O. - Upgrading of street lighting as part of Lake Ave. pub. imp. proj., Tr. letter, 231, Pub. hear., 230, Pssd., 233

Auth. changes in pav. wid. of Lake Ave., River St., Latta Rd. and Stutson St. as part of Stutson St. bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 281

#### **LANDLORD AND TENANT SERVICES**

Auth. agree. for landlord and tenant svcs., Tr. letter, 152, Pssd., 153

#### **LANDMARK SOCIETY OF WESTERN NEW YORK, INC.**

Auth. agree. for R.E. marketing initiative, Tr. letter, 304, Pssd., 305

#### **LANDRO, JOHN**

Establishing \$21,450 as max. compensation for professional svcs. agree. for index of mun. records, Tr. letter, 118, Pssd., 119

#### **LARSEN ENGINEERS**

Auth. agree. for environmental site assessments, Tr. letter, 6, Pssd., 7

#### **LASON SYSTEMS, INC.**

Auth. grant agree. for City records, auth. agree. with Lason Systems, Inc. and amend. 2000-01 Budget, Tr. letter, 248, Pssd., 249

#### **LAW DEPARTMENT**

Establishing \$20,000 as max. comp. for professional svcs. agree. for investigative svcs., Tr. letter,

35, Pssd., 36

Establishing \$20,000 as max. compensation for amendatory professional svcs. agree. for engineering and technical svcs., Tr. letter, 141, Pssd., 141

#### LEAD

Establishing \$18,000 as max. compensation for amendatory agree. with LEaD for customer svcs. training, Tr. letter, 126, Pssd., 127

#### LEAD AGENCY AGREEMENT

Auth. ext. of lead agency agree. between City Council & Mayor for environmental review, Tr. letter, 5, Pssd., 6

#### LEASE AGREEMENTS

Auth. a lease agree. with Waring Plaza Corp. for continued lease of space for Goodman Police Section, Tr. letter, 17, Pssd., 17

Auth. lease of space at 250 South Avenue, Tr. letter, 81, Pssd., 82

Auth. lease agree. for Maple Section parking lot, Tr. letter, 113, returned to comm., 114, Pssd., 196

Auth. lease of space in High Falls festival site sub-terrace area, Tr. letter, 143, Pssd., 143

Auth. lease agree. for space in Ellwanger and Barry Bldg., Tr. letter, 201, Pssd., 202

Auth. lease of space in South Ave. Gar. concourse, Tr. letter, 220, Pssd., 223

Amend. Ord. No. 2000-151, auth. lease of space in High Falls festival site sub-terrace area, Tr. letter, 220, Pssd., 224

Amend. Ord. No. 2000-151, relating to lease of space in High Falls Fest. Site sub-terrace area, Tr. letter, 317, Pssd., 318

Approving assignment of parking lot lease, Tr. letter, 331, Pssd., 332

#### LEGAL AID SOCIETY

Auth. agree. for landlord and tenant svcs., Tr. letter, 152, Pssd., 153

#### LEMOYN AVENUE

Dedica. of additional R.O.W. and renaming portion of Lemoyne Ave. as North Lemoyne Ave., Tr. letter, 173, Pub. hear., 166, Pssd., 174

#### LEROY STREET

Establishing \$104,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Chesterfield Drive and Leroy Street improvement proj., Tr. letter, 75, Pssd., 76

#### LEWIS STREET CENTER

Auth. agree. for human svcs. proj., Tr. letter, 299, Pssd., 299

#### LIBRARY

Reso. approving appt. to Bd. of Trustees of Rochester Pub. Library, Tr. letter, 83, Pssd., 83

Auth. agree. for Central Library cafe, Tr. letter, 165, Pssd., 165

Acceptance of library grants and amend. 2000-01 budgets for Rochester Pub. Library, Tr. letter, 333, Pssd., 334

#### LIFESPAN

Auth. agree. for human svcs. proj., Tr. letter, 299, Pssd., 299

#### LIFT LINE INC.

Establish \$290,000 as max. comp. for professional svcs. agree. with Lift Line Inc. for operation of EZ Rider Entertainment Shuttle, Tr. letter, 185, Pssd., 186

#### LIMA, TOWN OF

Bond ord. auth. issuance of \$888,500 bonds to finance constr. of water system improvements to City water conduit crossover in towns of Lima and West Bloomfield, Tr. letter, 100, Pssd., 101

#### LITHOCROME CORPORATION

Establishing \$10,000 as max. comp. for amendatory professional svcs. agree. for digital graphic arts svcs., Tr. letter, 34, Pssd., 34

#### LIVABLE COMMUNITIES PROGRAM

Auth. agree. for Livable Communities Program and amend. 2000-01 Budget, Tr. letter, 237, Pssd., 239

#### LOCAL IMPROVEMENT ORDINANCE

1452 - L.I.O. for care and embellishment of var. neighborhood street malls for 2000 - \$70,102.54, Tr. letter, 74, Pub. hear., 58, Pssd., 75

1453 - L.I.O. for upgrading of sidewalks as part of the Dartmouth Street improvement proj., Tr. letter, 106, Pub. hear., 91, Pssd., 107

1454 - L.I.O. for snow removal at the Pub. Market, Tr. letter, 111, Pub. hear., 91, Pssd., 112

1455 - L.I.O. for security at the Pub. Market, Tr. letter, 111, Pub. hear., 91, Pssd., 113

1456 - L.I.O. establishing cost of special work and svcs. related to upgrading of landscape features for Cascade Historic District, Tr. letter, Pub. hear., 119, 128, Pssd., 128

1457 - L.I.O. for areaway abandonment at 4472-76 Lake Ave. as part of Lake Ave. pub. improvement proj., Tr. letter, 129, Pub. hear., 119, Pssd., 129

1458 - L.I.O. establishing cost of special work and svcs. related to Joseph C. Wilson Blvd. pedestrian lighting district, Tr. letter, 129, Pub. hear., 119, Pssd., 130

1459 - L.I.O. establishing cost of special work and svcs. related to Lyell Ave. street lighting district I, Tr. letter, 129, Pub. hear., 119, Pssd., 130

1460 - L.I.O. establishing cost of special work and svcs. related to Lyell Ave. street lighting district II, Tr. letter, 129, Pub. hear., 119, Pssd., 130

1461 - L.I.O. establishing cost of special work and svcs. related to Monroe Ave. street lighting district I, Tr. letter, 129, Pub. hear., 119, Pssd., 131

1462 - L.I.O. establishing cost of special work and svcs. related to Monroe Ave. street lighting and sidewalk district II, Tr. letter, 129, Pub. hear., 120, Pssd., 131

1463 - L.I.O. establishing cost of special work and svcs. related to Cascade Historic District street lighting district, Tr. letter, 129, Pub. hear., 120, Pssd., 131

1464 - L.I.O. establishing cost of special work and svcs. related to Norton St. Urban Renew. District street lighting upgrade proj., Tr. letter, 129, Pub. hear., 120, Pssd., 131

1465 - L.I.O. establishing cost of special work and svcs. related to Main Street improvements, Tr. letter, 131, Pub. hear., 120, Pssd., 132

1466 - L.I.O. establishing cost of special work and svcs. related to Downtown Guides and auth. an agree., Tr. letter, 148, Pub. hear., 120, Pssd., 149

1467 - L.I.O. establishing cost of special work and svcs. related to Merchants/Winton Road Open Space District, Tr. letter, 156, Pub. hear., 120, Pssd., 157

1468 - Continuation of L.I.O. No. 1298 relating to South Ave. neighborhood comm. parking lot, Tr. letter, 159, Pub. hear., 120, Pssd., 160

1469 - L.I.O. establishing operating and maintenance costs of neighborhood comm. or resi. parking

areas, Tr. letter, 159, Pub. hear., 120, Pssd., 160  
 1470 - L.I.O. upgrading sidewalks as part of University Ave. pub. imp. proj., Tr. letter, 176, Pub. hear., 166, Pssd., 181  
 1471 - L.I.O. - street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 212  
 1472 - L.I.O. - Upgrading of street lighting as part of Lake Ave. pub. imp. proj., Tr. letter, 231, Pub. hear., 230, Pssd., 233

**LOCAL LAW**

1 - L.L. amend. City Charter with respect to delegation of approval of R.E. instruments to Corporation Counsel, Tr. letter, 198, Pssd., 199  
 2 - L.L. amend. City Charter with respect to delegation of approval of agree. to Commissioner of Parks, Rec. and Human Svcs., Tr. letter, 198, Pssd., 199  
 3 - L.L. amend. City Charter to change name of Bur. of Data Processing to Bur. of Info. Systems, Tr. letter, 247, Pssd., 248  
 4 - L.L. amend. City Charter with respect to Emergency Comm. Ctr., Tr. letter, 247, Pssd., 248

**LOCAL LAW ENFORCEMENT BLOCK GRANT**

Auth. agree. for Local Law Enforcement Block Grant Program, Tr. letter, 328, Pssd., 329

**LUZERNE STREET**

Approving changes in traffic flow on Suter Terr., Luzerne St., and Laburnam Crescent, Tr. letter, 276, Pub. hear., 252, Pssd., 278

**LYELL AREA REVITALIZATION COMMITTEE**

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

**LYELL AVENUE**

L.I.O. establishing cost of special work and svcs. related to Lyell Ave. street lighting district I, Tr. letter, 129, Pub. hear., 119, Pssd., 130  
 L.I.O. establishing cost of special work and svcs. related to Lyell Ave. street lighting district II, Tr. letter, 129, Pub. hear., 119, Pssd., 130

**-M-****M/E ENGINEERING, P.C.**

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd. 63

**MAIN STREET**

L.I.O. establishing cost of special work and svcs. related to Main Street improvements, Tr. letter, 131, Pub. hear., 120, Pssd., 132  
 Changing zon. class. of 1650-1660 E. Main St. and 831-839 Culver Rd. from R-3 low-medium resi./O-O overlay ofc. to C-2 community commercial, Tr. letter, 244, Pub. hear., 230, Pssd., 245

**MAINS, TIM O., COUNCILMAN**

Negative votes, Ord. No. 2000-25, Pssd., 30, Ord. No. 2000-35, Pssd., 38, Reso. 2000-10, Adpt., 78, Ord. No. 2000-131, Pssd., 126; Motion to discharge, Int. No. 174, Pssd., 145; Int. No. 195, Failed, 164; Ord. No. 2000-202, Pssd., 186; Ord. No. 2000-203, Pssd., 186; Ord. No. 2000-309, Pssd., 280; Ord. No. 2000-343, Pssd., 302; Int. No. 406, Failed, 321; Reso. No. 2000-25, Adpt., 331  
 Amend. proposed establishing max. compensation for professional svcs. agree. for 311 svcs. and amend. 1999-2000 budget, Tr. letter, 93, Pssd.,

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Amend. 2000-01 Budget in regard to dev. of trail connections along Genesee Riverway - \$50,000, Tr. letter, 205, Pssd., 206  
 Reso. of budgetary intent - trail links to City neighborhoods, Tr. letter, 205, Adpt., 206  
 Reso. of budgetary intent - advert. on City property, Tr. letter, 208, Adpt., 208  
 Amend. proposed 2000-01 Budget in regard to ctr. City signage, Tr. letter, 208, Pssd., 209  
 Motion to amend, Ord. No. 2000-212, p., 210; L.I.O. 1471, p. 212;  
 Motion to discharge from comm., Ord. No. 2000-264, p. 229  
 Motion to amend, Ord. No. 2000-385, p. 335

**MANHATTAN SQUARE PARK**

Establish \$180,000 as max. comp. for professional svcs. agree. with Urban Strategies, Inc. for design of imps. to Manhattan Sq. Pk., Tr. letter, 335, Pssd., 336

**MARCOR REMEDIATION, INC.**

Auth. agree. for hazardous materials svcs., Tr. letter, 66, Pssd., 68

**MARKETVIEW HEIGHTS ASSOCIATION**

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 61, Pssd., 61  
 Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr. letter, 192, Pssd., 193

**MARRIAGE OFFICERS**

Appt. of marriage officers, Tr. letter, 32, Pssd., 33

**MARTIN STREET**

Approving changes in traffic flow on Martin St. between Hartel Alley and Upper Falls Blvd. from two-way to one-way southbound and on Hartel Alley between St. Paul St. and Martin St. from two-way to one-way eastbound, Tr. letter, 279, Pub. hear., 252, Pssd., 280

**MARTINOT AVENUE**

Approving Clifford Ave. pub. imp. proj. and changes in pav. wid. of Clifford Ave., Woodman Pk. and Martinot Ave., Tr. letter, 174, Pub. hear., 166, Pssd., 175

**MAUSER, RICHARD ALFRED, ARCHITECTS**

Establishing \$2,000 as max. compensation for amendatory professional svcs. agree. for Parks & Rec. Maintenance Facil. relocation, Tr. letter, 60, Pssd., 61

**MAYOR, COMMUNICATIONS FROM**

Administrative cancellation or refund of erron. taxes and chg., 4, 91, 119, 213, 230, 252, 315, 336  
 Regular pub. auction, 91  
 Quarterly reports, 91, 119, 230, 315  
 Pub. disclosure, 230, 252  
 Homesteading lottery, 230  
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**MCAULEY, CATHERINE**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**MCCORD LANDSCAPE ARCHITECTURE**

Establish \$1,400 as max. comp. for amend. professional svcs. agree. for design of pedestrian trail along Genesee River, Tr. letter, 215, Pssd., 216

**MEDICAL MOTOR SERVICE**

Auth. agree. for Project Connect, Tr. letter 218, Pssd., 219

**MEDICALLY UNINSURED STUDY**

Establishing \$25,000 as max. compensation for professional svcs. agree. with Finger Lakes Health Systems Agency for study of the medically uninsured, Tr. letter, 110, Pssd., 111

**MEIGS AND LINDEN PLAYGROUND**

Bond ord. auth. issuance of \$617,000 bonds to finance imps. to Meigs and Linden Playground and Humboldt Rec. Ctr., Tr. letter, 216, Pssd., 217

**MERCHANTS ROAD**

L.I.O. establishing cost of special work and svcs. related to Merchants/Winton Road Open Space District, Tr. letter, 156, Pub. hear., 120, Pssd., 157

**MERKEL DONAHUE**

Establish max. comp. for professional svcs. agree. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

**METROPOLITAN MEDICAL RESPONSE SYSTEM**

Auth. agree. with respect to dev. of metropolitan medical response system and amend. 2000-01 Budget, Tr. letter, 301, Pssd., 301

**MILLER STREET**

Approving changes in traffic flow on Trust St. between Portland Ave. and Miller St. from one-way eastbound to two-way and on Miller St. between Trust St. and Aebersold St. from one-way southbound to two-way and auth. closure of Miller St. to through traffic, Tr. letter, 352, Pub. hear., 336, Pssd., 352

**MONROE AVENUE**

Auth. agree. with respect to the Quality Communities Demon. Program, Tr. letter, 58, Pssd., 59

L.I.O. establishing cost of special work and svcs. related to Monroe Ave. street lighting district I, Tr. letter, 129, Pub. hear., 119, Pssd., 131

L.I.O. establishing cost of special work and svcs. related to Monroe Ave. street lighting and sidewalk district II, Tr. letter, 129, Pub. hear., 120, Pssd., 131

Approving acq. of portion of 890 Monroe Ave. for sidewalk easement by negotiation or condemnation, Tr. letter, 276, Pssd., 277

Dedica. of add. R.O.W. at 890 Monroe Ave., Tr. letter, 276, Pub. hear., 252, Pssd., 277

**MONROE COMMUNITY COLLEGE**

Establishing \$48,000 as max. compensation for professional svcs. agree. for assessment and instructional svcs., Tr. letter, 88, Pssd., 89

**MONROE COUNTY**

Auth. amendatory agree. for fair housing study, Tr. letter, 25, Pssd., 26

Auth. agree. with the County of Monroe for funding for police svcs., Tr. letter, 109, Pssd., 110

Auth. agree. with respect to Stop-DWI Program, Tr. letter, 295, Pssd., 296

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Auth. agree. with County of Monroe for Fire/EMS Radio Communications Bd., Tr. letter, 329,

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Auth. easements to Monroe County for traffic signalization equip. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

**MONROE COUNTY LEGAL ASSISTANCE CORPORATION**

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**MONTGOMERY NEIGHBORHOOD CENTER**

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**MR. TOW, INC.**

Auth. amend. agree. for towing svcs., Tr. letter, 299, Pssd., 300

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Amend. Chapter 115 of mun. code, zoning ord., with respect to schools in the O-R Overlay Resi. District, Tr. letter, 47, Pub. hear., 39, Pssd., 48

Amend. mun. code with respect to animals, Tr. letter, 48, Pssd., 51

Amend. mun. code with respect to taxicab fares, Tr. letter, 91, Pssd., 92

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Amend. mun. code with respect to water rates, Tr. letter, 209, Pssd., 213

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Amend. mun. code with respect to Senior Citizens Tax Exemption, Tr. letter, 292, Pub. hear., 252, Pssd., 293

Amend. mun. code with respect to designa. of depositories, Tr. letter, 310, Pssd., 310

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Amend. mun. code with respect to control of dogs, Tr. letter, 361, Held, 363

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**NEIGHBORHOOD HOUSING SERVICES**

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**NEIGHBORS BUILDING NEIGHBORHOODS PROGRAM**

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**NEW YORK STATE ADOLESCENT PREGNANCY PREVENTION SERVICES**

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**NEW YORK STATE CORPS COLLABORATIVE**

Auth. agree. for Service Learning Inst. of Rochester, Tr. letter, 250, Pssd., 250

**NEW YORK STATE CRIME VICTIMS BOARD**

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**NEW YORK STATE DEPARTMENT OF EDUCATION**

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**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERV.**

Auth. appl. and agree. for funding for recycling equipment, Tr. letter, 60, Pssd., 60

**NEW YORK STATE DEPARTMENT OF STATE**

Auth. appl. and agree. for grant funds, Tr. letter, 274, Pssd., 275

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

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**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

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**NORTH CLINTON AVENUE**

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**NORTH EAST BLOCK CLUB ALLIANCE**

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**NORTHEASTERN PRODUCTION SYSTEMS, INC.**

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**NORTHWEST COMMUNITY SERVICES**

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#### **OP-TECH ENVIRONMENTAL, INC.**

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#### **OPTIMATION TECHNOLOGY, INC.**

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Establish \$32,000 as max. comp. for amend. professional svcs. agree. with Optimation Technology, Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 337, Pssd., 337

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#### **ORGANIZATIONAL DEVELOPMENT GROUP**

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#### **OUTER LOOP INDUSTRIAL PARK**

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#### **PSCOMM LLC**

Establish \$143,000 as max. comp. for professional svcs. agree. with PSComm LLC for consulting svcs. and amend. 1999-2000 Budget, Tr. letter, 184, Pssd., 185

#### **PARDI PARTNERSHIP**

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#### **PARKDALE TERRACE**

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#### **PARKING GARAGES**

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Auth. agree. with Allright New York Parking, Inc. for continued operation of High Falls Parking Gar., Tr. letter, 143, Pssd., 144

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Approving lease agree. for comm. space in Sister Cities Gar., Tr. letter, 302, Pssd., 304

Auth. agree. for operation of Mortimer St. Parking Gar., Tr. letter, 331, Held in comm., 333

Establishing \$70,000 as max. comp. for professional svcs. agree. for engineering svcs. for South Ave. Gar. structural improvements proj., Tr. letter, 358, Pssd., 358

Bond ord. auth. issuance of \$800,000 bonds to finance cost of constr. of Phase 2 structural improvements to South Ave. Parking Gar., Tr. letter, 358, Pssd., 359

#### **PARKING LOTS**

Auth. amendatory parking lot agree., Tr. letter, 87, Pssd., 87

Auth., amend. and terminating agree. relating to parking along Exchange Boulevard and Court Street, Tr. letter, 94, Pssd., 95

Auth. lease agree. for Maple Section parking lot, Tr. letter, 113, returned to comm., 114

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Auth. agree. and amend. 1999-2000 budget for improvements to Genesee Valley Pk. baseball diamonds, Tr. letter, 39, Pssd., 40

Establishing \$57,500 as max. comp. for professional svcs. agree. for parks master plan, Tr. letter, 169, Pssd., 170

Auth. agree. for Genesee Valley Pk. imps. and amend. 2001-02 Budget, Tr. letter, 294, Pssd., 294

Establish \$180,000 as max. comp. for professional svcs. agree. with Urban Strategies, Inc. for design of imps. to Manhattan Sq. Pk., Tr. letter, 335, Pssd., 337

Establish \$32,000 as max. comp. for professional svcs. agree. for "Party In The Park" concerts, Tr. letter, 341, Pssd., 342

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**PARKS, RECREATION AND HUMAN SERVICES COMMISSIONER**

L.L. No. 2 amend. City Charter with respect to delegation of approval of agree. to Commissioner of Parks, Rec. and Human Svcs., Tr. letter, 198, Pssd., 199

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Establishing \$2,000 as max. compensation for amendatory professional svcs. agree. for Parks & Rec. Maintenance Facil. relocation, Tr. letter, 60, Pssd., 61

Approving appl., agree. and 2000 administrative and program budgets of Rochester-Monroe County Youth Bureau, Tr. letter, 76, Pssd., 77

Reso. for purpose of H.R. message regarding State legislation relative to discontinuing use of certain lands as park lands, Tr. letter, 77, Adpt., 78

Amend. proposed 2000-01 Budget in regard to Webster Ave. ice rink - \$48,400, Tr. letter, 207, Pssd., 207

Establish \$25,000 as max. comp. for professional svcs. agree. with Rochester Area Comm. Found., Tr. letter, 286, Pssd., 287

Establish \$50,000 as max. comp. for professional svcs. agree. for resident proj. representation svcs. for rec. site imp. proj., Tr. letter, 328, Pssd., 328

**PARSELLS AVENUE**

Bond ord. auth. issuance of \$55,000 bonds to finance cost of planning and implementing portion of Parsells Avenue redevelopment plan, Tr. letter, 83, Pssd., 85

**PARTY IN THE PARK**

Establish \$32,000 as max. comp. for professional svcs. agree. for "Party In The Park" concerts, Tr. letter, 341, Pssd., 342

**PATHFINDER ENGINEERS, P.C.**

Auth. agree. for mechanical/electrical/plumbing engineering svcs., Tr. letter, 62, Pssd. 63

**PEDESTRIAN LIGHTING**

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**PENNSYLVANIA AVENUE**

Approving changes in pav. wid. of Pennsylvania Ave., Tr. letter, 233, Pub. hear., 230, Pssd., 233

**PERKINS, EILEEN AND WILLIAM**

Auth. agree. for Central Library cafe, Tr. letter, 165, Pssd., 165

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Signed by 14 people of E. Main Neighbors with concerns about temp. reassignment of Crime Prevention Officer for that area to the NET Ofc., 316

**PICTURE FEST INTERNATIONAL**

Establish \$50,000 as max. comp. for professional svcs. agree. for High Falls Film Festival, Tr. letter, 335, Held, 335

**PLAYGROUNDS**

Establishing \$37,000 as max. compensation for professional svcs. agree. for Humboldt Street playground improvements, Tr. letter, 40, Pssd., 41

**POLICE**

Auth. a lease agree. with Waring Plaza Corp. for continued lease of space for Goodman Police Section, Tr. letter, 17, Pssd., 17

Bond ord. auth. issuance of \$612,000 bonds to finance cost of replacing central records system of Police Department, Tr. letter, 42, Pssd., 43

Establishing \$379,000 as max. compensation for professional svcs. agree. for Police records system conversion, Tr. letter, 42, Pssd., 43

Auth. agree. with U.S. government for funding police svcs. and amend. budget, Tr. letter, 92, Pssd., 93

Bond ord. auth. issuance of \$100,000 bonds to finance cost of planning and implementing environmental clean-up at the Police Outdoor Range, Tr. letter, 97, Pssd., 99

Auth. agree. with the County of Monroe for funding for police svcs., Tr. letter, 109, Pssd., 110

Auth. lease agree. for Maple Section parking lot, Tr. letter, 113, returned to comm., 114, Pssd., 196

Auth. agree. for Local Law Enforcement Block Grant Program, Tr. letter, 135, Pssd., 136

Auth. an appl. and agree. for funding from New York State Crime Victims Bd., Tr. letter, 136, Pssd., 136

Amend. 2000-01 Budget in regard to Byrne Grant matching funds - \$20,000, Tr. letter, 206, Pssd., 206

Establish \$124,877 as max. comp. for professional svcs. agree. for continuation of citizen complaint svcs. for Rochester Police Dept., Tr. letter, 235, Pssd., 235

Establish \$50,000 as max. comp. for professional svcs. agree. with Rochester Area Crimestoppers, Inc., Tr. letter, 235, Pssd., 235

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Auth. appl. and agree. with respect to seat belt enforcement amend 2000-01 Budget, Tr. letter, 284, Pssd., 285

Auth. agree. for Operation Clean Spot and amend. 2000-01 Budget, Tr. letter, 284, Pssd., 286

Auth. agree. with respect to Stop-DWI Program, Tr. letter, 295, Pssd., 296

Auth. agree. with respect to Aid to Law Enforcement Program, Tr. letter, 295, Pssd., 297

Establish. \$38,000 as max. comp. for professional svcs. agree. for resident proj. representation svcs. for Police outdoor range imps. proj., Tr. letter, 297, Pssd., 297

Establishing \$90,000 as max. comp. for professional svcs. agree. for Police Resource Allocation Study, Tr. letter, 344, Pssd., 345

Bond ord. auth. issuance of \$436,000 bonds, in addition to \$377,700 grant funds previously auth. therefor, to finance cost of upgrading Police computer system, Tr. letter, 345, Pssd., 346

#### **PORT OF ROCHESTER**

Establish max. comp. for professional svcs. agree. and approp. funds for Port of Rochester Harbor Imp. Proj., Tr. letter, 321, Pssd., 322

#### **PROCEEDINGS OF CITY COUNCIL**

Establishing \$30,000 as max. compensation for professional svcs. agree. for restoration of Proceedings of City Council for Years 1921-1967, Tr. letter, 86, Pssd., 86

#### **PROJECT CONNECT**

Auth. agree. for Project Connect, Tr. letter 218, Pssd., 219

#### **PROPERTY PROTECTION AND SALVAGE SERVICES**

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Establishing max. comp. for agree. with Protectives, Inc. for property protection and salvage svcs., Tr. letter, 182, Pssd., 183

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#### **PUBLIC INTEREST LAW OFFICE OF ROCHESTER**

Auth. agree. for fair housing, Tr. letter, 306, Pssd., 306

#### **PUBLIC SAFETY BUILDING**

Establishing max. comp. for professional svcs. agree. for new pub. safety bldg., Tr. letter, 19, Pssd., 20

Bond ord. auth. issuance of \$13,300,000 bonds in addition to \$1,195,000 bonds previously auth. therefor, to finance cost of constr. new Pub. Safety Bldg., Tr. letter, 78, Pssd., 80

Establishing max. compensation for professional svcs. agree. for new Pub. Safety Bldg. proj., Tr. letter, 78, Pssd., 80

Auth. easements to Monroe County for traffic signalization equip. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

Establish max. comp. for professional svcs. agree. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

Bond ord. auth. issuance of \$4,783,200, in add. to \$14,495,000 bonds previously auth. therefor, to

finance cost of const. New Pub. Safety Bldg., Tr. letter, 342, Pssd., 344

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#### **PUBLIC SAFETY TRAINING FACILITY**

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#### **PUERTO RICAN YOUTH DEVELOPMENT**

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

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#### **QUALITY COMMUNITIES DEMONSTRATION PROGRAM**

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Approving acq. of 110-118 Stout Street, Tr. letter, 83, Pssd., 84

Approving acq. of 90 Thurston Rd., Tr. letter 150, Pssd., 150

Approving acq. of parcel for University Ave. pub. imp. proj. by negotiation or condemnation, Tr. letter, 176, Pssd., 177

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Approving acq. of portion of 890 Monroe Ave. for sidewalk easement by negotiation or condemnation, Tr. letter, 276, Pssd., 277

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Auth. amendatory 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for the HUD Asset Control Area Partnership Program, auth. agree. and the sale of R.E., Tr. letter, 353, Pub. hear., 336, Held, 355

#### REAL ESTATE TITLE SERVICES

Establishing \$161,400 as max. compensation for professional svcs. agree. with Independent Title Agency, LLC, for continued provision of R.E. title svcs., Tr. letter, 86, Pssd., 87

Establish \$161,400 as max. annual comp. for professional svcs. agree. with Independent Title Agency, LLC for continued provision of R.E. title svcs., Tr. letter, 309, Pssd., 310

#### RECOGNITION CEREMONIES

Held, 4, 166, 230, 252, 293, 315, 335

#### RECYCLING

Auth. appl. and agree. for funding for recycling equipment, Tr. letter, 60, Pssd., 60

#### REFUSE

Auth. agree. with Rochester Housing Authority for refuse collection, Tr. letter, 275, Pssd., 276

#### REHABILITATION OF INVESTOR PROPERTIES PROGRAM

Auth. agree. with Housing Council in Monroe County Area, Inc. for Rehab. of Investor Properties Program, Tr. letter, 26, Pssd., 26

Auth. amendatory agree. with Housing Council in the Monroe County Area, Inc. for Rehab. of Investor Properties Program, Tr. letter, 242, Pssd., 243

#### RESIDENT PROJECT INSPECTION SERVICES

Establishing \$352,000 as max. compensation for professional svcs. agree. for resident proj. inspection svcs. for Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 71

#### RESIDENT PROJECT REPRESENTATION SERVICES

Amendatory agree. for St. Joseph's Area Urban Renew. District Streetscape Imp. Proj., Tr. letter, 8, Pssd., 9

Establishing \$104,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Chesterfield Drive and Leroy Street improvement proj., Tr. letter, 75, Pssd., 76

Establishing \$135,000 as max. compensation for resident proj. representation svcs. for the Jay Street improvement proj. and approp. funds, Tr. letter, 101, Pssd., 105

Establishing max. comp. for resident proj. representation svcs. for Erie Harbor-East River Walk and approp. funds, Tr. letter, 171, Pssd., 173

Establish. \$38,000 as max. comp. for professional svcs. agree. for resident proj. representation svcs. for Police outdoor range imps. proj., Tr. letter, 297, Pssd., 297

Establish \$50,000 as max. comp. for professional svcs. agree. for resident proj. representation svcs. for rec. site imp. proj., Tr. letter, 328, Pssd., 328

#### RESIDENTIAL ASSISTANCE PROGRAM

Auth. amendatory agree. for admin. of resi. assist. program - \$31,000, Tr. letter, 24, Pssd., 25

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr. letter, 192, Pssd., 193

#### RESOLUTIONS

2000-1 - Reso. for nomination & selection of Lois Giess as President of City Council, Adpt., 1

2000-2 - Reso. for nomination & selection of Gladys Santiago as Vice President of City Council, Adpt., 1

2000-3 - Reso. for selection & appt. of Carolee Conklin as City Clerk, Adpt., 1

2000-4 - Reso. adpt. Rules of Council, Adpt., 4

2000-5 - Reso. approving reappointments to City Planning Comm., Tr. letter, 22, Adpt., 23

2000-6 - Reso. approving appt. to Rochester Preservation Bd., Tr. letter, 23, Adpt., 23

2000-7 - Reso. approving appt. and reappointments to Elevator Exam. Bd., Tr. letter, 28, Adpt., 28

2000-8 - Reso. approving appt. to Mun. Civil Service Comm., Tr. letter, 33, Adpt., 33

2000-9 - Reso. appt. temp. members to Bd. of Assessment Review, Tr. letter, 33, Adpt., 34

2000-10 - Reso. for purpose of H.R. message regarding State legislation relative to discontinuing use of certain lands as park lands, Tr. letter, 77, Adpt., 78

2000-11 - Reso. approving appt. to Electrical

Examining Bd., Tr. letter, 82, Pssd., 83  
 2000-12 - Reso. approving appt. to Bd. of Trustees of Rochester Pub. Library, Tr. letter, 83, Pssd., 83  
 2000-13 - 1999-2000 debt reso., Tr. letter, 89, Adpt., 90  
 2000-14 - Reso. approving appt. to Zon. Bd. of Appeals, Tr. letter, 94, Adpt., 94  
 2000-15 - Reso. approving appt. to Rochester Environmental Comm., Tr. letter, 126, Adpt., 126  
 2000-16 - Reso. approving appt. to Rochester Economic Dev. Corporation (REDCO), Tr. letter, 198, Adpt., 198  
 2000-17 - Reso. of budgetary intent - Efficiency Audit - Bureau of Human Resource Management, Tr. letter, 204, Adpt., 205  
 2000-18 - Reso. of budgetary intent - trail links to City neighborhoods, Tr. letter, 205, Adpt., 206  
 2000-19 - Reso. of budgetary intent - advert. on City property, Tr. letter, 208, Adpt., 208  
 2000-20 - Reso. approving reappointments to Rochester Preservation Bd., Tr. letter, 228, Adpt., 228  
 2000-21 - Reso. approving appt. and reappointments to Downtown Enhance. District Advisory Comm., Tr. letter, 228, Adpt., 229  
 2000-22 - Reso. approving appt. to Mun. Civil Service Comm., Tr. letter, 273, Adpt., 274  
 2000-23 - Reso. establish schedule for regular council meetings during 2001, Tr. letter, 310, Adpt., 311  
 2000-24 - Reso. approving appt. to Bd. of Stationary Engineers, Tr. letter 318, Adpt., 318  
 2000-25 - Reso. approving appt. to Greater Rochester Sports Authority, Tr. letter, 330, Adpt., 330  
 2000-26 - Reso. approving appt. to Bd. of Assessment Review, Tr. letter, 333, Adpt., 333  
 2000-27 - Reso. approving appt. to Zon. Bd. of Appeals, Tr. letter, 350, Adpt., 351  
 2000-28 - Reso. approving appt. to City Planning Comm., Tr. letter, 351, Adpt., 351

#### **RETIREMENT AND SOCIAL SECURITY LAW**

Providing benefits of Section 384-e of Retirement and Social Security Law to Police Dept., Tr. letter, 239, Pssd., 239

#### **REVEREND J. D. JACKSON SR. WAY**

Designa. Rev. J. D. Jackson Sr. Way, Tr. letter, 243, Pssd., 243

#### **REVOLVING LOAN FUND**

Auth. agree. with Neighborhood Housing Svcs., Tr. letter, 190, Pssd., 190

#### **RIGHT-OF-WAY**

Dedica. of additional R.O.W. and renaming portion of Lemoyne Ave. as North Lemoyne Ave., Tr. letter, 173, Pub. hear., 166, Pssd., 174  
 Dedica. of additional R.O.W. at intersection of Beacon St. and Atlantic Ave., Tr. letter, 176, Pub. hear., 166, Pssd., 178  
 Dedica. of add. R.O.W. at 890 Monroe Ave., Tr. letter, 276, Pub. hear., 252, Pssd., 277  
 Dedica. of add. R.O.W. for Stutson St. and River St. as part of Stutson St. Bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 282

#### **RIVER STREET**

Auth. changes in pav. wid. of Lake Ave., River St., Latta Rd. and Stutson St. as part of Stutson St. bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 281  
 Dedica. of add. R.O.W. for Stutson St. and River

St. as part of Stutson St. Bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 282

#### **ROBACH COMMUNITY CENTER**

Auth. agree. with County of Monroe for renovation of Robach Comm. Ctr., Tr. letter, 326, Pssd., 327

#### **ROBINSON, BRUCE E., INC.**

Establishing \$24,000 as max. compensation for professional svcs. agree. for forest resource management svcs., Tr. letter, 125, Pssd., 126

#### **ROCHESTER AMERICANS**

Auth. agree. for reimbursement of cost of new scoreboard for Blue Cross Arena at the War Memorial, Tr. letter, 137, Pssd., 137

#### **ROCHESTER AREA COMMUNITY FOUNDATION**

Establish \$25,000 as max. comp. for professional svcs. agree. with Rochester Area Comm. Found., Tr. letter, 286, Pssd., 287

#### **ROCHESTER AREA CRIMESTOPPERS, INC.**

Establish \$50,000 as max. comp. for professional svcs. agree. with Rochester Area Crimestoppers, Inc., Tr. letter, 235, Pssd., 235

#### **ROCHESTER AUTO COLLECTION**

Establishing \$60,000 as max. compensation for professional svcs. agree. for motor vehicle collision repair svcs., Tr. letter, 61, Pssd., 63

#### **ROCHESTER BROADWAY THEATRE LEAGUE**

Establishing max. compensation for agree. for 2000 MusicFest, Tr. letter, 109, Pssd., 109

#### **ROCHESTER DISTRICT HEATING COOPERATIVE, INC.**

Continuing franchise for distribution of steam by Rochester District Heating Coop., Inc. in portion of the City, Tr. letter, 278, Pssd., 279  
 Continuing membership and use agree. with Rochester District Heating Coop., Inc. for thermal energy at var. City bldgs., Tr. letter, 278, Pssd., 279

#### **ROCHESTER ECONOMIC DEVELOPMENT CORPORATION**

Reso. 2000-16 approving appt. to Rochester Economic Dev. Corporation (REDCO), Tr. letter, 198, Adpt., 198

#### **ROCHESTER ENVIRONMENTAL COMMISSION**

Reso. approving appt. to Rochester Environmental Comm., Tr. letter, 126, Adpt., 126

#### **ROCHESTER GAS & ELECTRIC CORPORATION**

Auth. easement for substation access to RG&E, Tr. letter, 215, Pssd., 216

#### **ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY**

Auth. an agree. with RGRTA for fueling of City vehicles, Tr. letter, 125, Pssd., 125

#### **ROCHESTER HOUSING AUTHORITY**

Approving wage and salary incr. for employees of the Rochester Housing Authority, Tr. letter, 119, Held, 119, Pssd., 149  
 Auth. agree. with Rochester Housing Authority for refuse collection, Tr. letter, 275, Pssd., 276

**ROCHESTER MIDLAND CORPORATION**

Auth. brownfields economic dev. initiative grant appl. for Rochester Midland Corporation Proj., Tr. letter, 145, Pssd., 147

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and brownfields economic dev. initiative grant for Rochester Midland Corp. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

**ROCHESTER/MONROE COUNTY SUMMER SCIENCE & TECHNOLOGY CAMP**

Auth. agree. for Rochester/Monroe County Summer Science & Tech. Camp, Tr. letter, 183, Pssd., 184

**ROCHESTER-MONROE COUNTY YOUTH BUREAU**

Approving appl., agree. and 2000 administrative and program budgets of Rochester-Monroe County Youth Bureau, Tr. letter, 76, Pssd., 77

**ROCHESTER PHILHARMONIC ORCHESTRA**

Establish \$100,000 as max. comp. for professional svcs. agree. with Rochester Philharmonic Orchestra for pub. concerts, Tr. letter, 282, Pssd., 283

**ROCHESTER PRESERVATION BOARD**

Reso. approving appt. to Rochester Preservation Bd., Tr. letter, 23, Adpt., 23

Reso. approving reappointments to Rochester Preservation Bd., Tr. letter, 228, Adpt., 228

**ROCHESTER PUBLIC MARKET**

Bond ord. auth. issuance of \$140,000 bonds to finance cost of planning and implementing environmental clean-up at the Rochester Pub. Market, Tr. letter, 97, Pssd., 98

L.I.O. for snow removal at the Pub. Market, Tr. letter, 111, Pub. hear., 91, Pssd., 112

L.I.O. for security at the Pub. Market, Tr. letter, 111, Pub. hear., 91, Pssd., 113

Bond ord. auth. issuance of \$862,000 bonds previously auth. and auth. expenditure of additional funds to finance cost of planning and implementing var. infrastructure improvements related to Rochester Pub. Market, Tr. letter, 138, Pssd., 140

Establishing \$124,000 as max. compensation for professional svcs. agree. for engineering inspection svcs. for Pub. Market Improvement Program, Tr. letter, 138, Pssd., 140

**ROCHESTER RESOURCE ALLIANCE, INC.**

Auth. agree. for Workforce Investment Act programs, Tr. letter, 250, Pssd., 251

**ROXIN AND COMPANY**

Establishing \$35,000 as max. comp. for professional svcs. agree. for Employee Suggestion Program, Tr. letter 37, Pssd., 38

**RURAL METRO**

Establishing \$60,000 as max. compensation for professional svcs. agree. for motor vehicle collision repair svcs., Tr. letter, 61, Pssd., 63

Auth. amend. agree. with Rural Metro Medical Svcs. for continued provision of emergency ambulance svcs., Tr. letter, 312, Pssd., 312

Changing zon. class. of 165 and 175 St. Bridget's Dr. within the Upper Falls Urban Renew. District from Semi Pub. to Light Indus. (T-1), Tr. letter, 320, Pub. hear., 316, Failed, 321

**ST. JOSEPH'S AREA URBAN RENEWAL DISTRICT**

Amendatory agree. for St. Joseph's Area Urban Renew. District Streetscape Imp. Proj., Tr. letter, 8, Pssd., 9

**ST. MARTIN'S PLACE**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**ST. MARY'S CHURCH**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**ST. PAUL STREET**

Changing the zon. class. of 690 St. Paul Street from M Manufacturing Indus. to M Manufacturing Indus./O-R Overlay Resi., Tr. letter, 47, Pub. hear., 39, Pssd., 48

**SANTIAGO, GLADYS, COUNCILWOMAN**

Reso. for nomination & selection as Vice President of City Council, Adpt., 1

Establishing \$25,000 as max. compensation for professional svcs. agree. with Finger Lakes Health Systems Agency for study of the medically uninsured, Tr. letter, 110, Pssd., 111

Negative votes, Int. No. 195, Failed, 164; Int. No. 406, Failed, 321

Amend. 2000-01 Budget in regard to web site interactivity - \$10,000, Tr. letter, 204, Pssd., 204

Amend. 2000-01 Budget in regard to overtime funds for Information Systems - \$6,500, Tr. letter, 204, Pssd., 204

Amend. 2000-01 Budget in regard to Byrne Grant matching funds - \$20,000, Tr. letter, 206, Pssd., 206

**SCHREIBER, JOHN**

Establishing max. comp. for agree. for 2000 MusicFest, Tr. letter, 20, Pssd., 20

**SCHOOLS**

Bond ord. auth. issuance of \$22,295,000 bonds to finance cost of partial reconstruction of var. pub. school bldgs., Tr. letter, 36, Pssd., 37

Amend. Chapter 115 of mun. code, zoning ord., with respect to schools in the O-R Overlay Resi. District, Tr. letter, 47, Pub. hear., 39, Pssd., 48

**SEAR BROWN GROUP**

Auth. agree. for environmental site assessments, Tr. letter, 6, Pssd., 7

Establishing \$47,000 as max. comp. for amendatory professional svcs. agree. for engineering planning svcs. for Inner Loop imp. study, Tr. letter, 168, Pssd., 169

Establish \$200,000 as max. comp. for amend. professional svcs. agree. for environmental site remediation, Tr. letter, 339, Pssd., 340

Establishing \$70,000 as max. comp. for professional svcs. agree. for engineering svcs. for South Ave. Gar. structural improvements proj., Tr. letter, 358, Pssd., 358

**SECTION 108 BUSINESS LOAN**

Amend. 1999-2000 Comm. Dev. Block Grant and approving Section 108 Business Loan and Economic Dev. Initiative Grant for Children's Beverage Group, Inc. Proj., Tr. letter, 202, Pub. hear., 166, Pssd., 203

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**ST. BRIDGET'S DRIVE**

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and economic dev. initiative grant for Genesee Brewing Co., Inc. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

Amend. 2000-01 Comm. Dev. Block Grant and approving Section 108 Business Loan and brown-fields economic dev. initiative grant for Rochester Midland Corp. Proj., Tr. letter 288, Pub. hear., 252, Pssd., 289

Auth. amend. appl. and agree. for 1993-94, 1994-95 and 1995-96 Comm. Dev. Program to terminate Section 108 Microloan Program and auth. add. funding for Section 108 Business Loan Program, Tr. letter, 292, Pub. hear., 252, Pssd., 292

### SECTOR 3

Auth. agree. for Sector 3 strategic planning consulting svcs., Tr. letter, 351, Pssd., 351

### SECURITY

L.I.O. for security at the Pub. Market, Tr. letter, 111, Pub. hear., 91, Pssd., 113

### SERVICE LEARNING INSTITUTE OF ROCHESTER

Auth. agree. for Service Learning Inst. of Rochester, Tr. letter, 250, Pssd., 250

### SEWARD STREET

Approving change in traffic flow on Seward Street between Reynolds Street and Magnolia Street from two-way to one-way southbound, Tr. letter, 105, Pub. hear., 91, Returned to comm., 106

Approp. funds for improvements to intersection of Seward Street and Magnolia Street, Tr. letter, 105, Return to comm., 106

### SEWER(S)

Bond ord. auth. issuance of \$194,000 bonds to finance cost of constr. and reconstruction of certain sewer improvements related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 71

Bond ord. auth. issuance of \$110,000 bonds to finance cost of const. and reconstruction of certain sewer improvements related to the Jay Street improvement proj., Tr. letter, 101, Pssd., 104

Bond ord. auth. issuance of \$530,000 bonds to finance cost of const. and reconstruction of certain sewer improvements related to milling and resurfacing and resi. street improvement programs, Tr. letter, 122, Pssd., 125

Bond ord. auth. issuance of \$149,000 bonds to finance cost of const. and reconstruction of certain sewer imp. related to University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 180

### SEXUALLY ORIENTED BUSINESS

Amend. Chapter 115 of mun. code, zon. ord., with respect to sexually oriented businesses, Tr. letter, 257, Pub. hear., 252, Pssd., 263

Amend. mun. code by providing for licensing and regulation of sexually oriented businesses and certain employees and prohibiting body rub parlors and sexual encounter centers and adult hotels and adult motels, Tr. letter, 257, Pssd., 273

### SIDEWALKS

L.I.O. - upgrading of sidewalks as part of the Dartmouth Street improvement proj., Tr. letter, 106, Pub. hear., 91, Pssd., 107

L.I.O. - upgrading sidewalks as part of University Ave. pub. imp. proj., Tr. letter, 176, Pub. hear., 166, Pssd., 181

L.I.O. - street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 212

Approving acq. of portion of 890 Monroe Ave. for sidewalk easement by negotiation or condemnation, Tr. letter, 276, Pssd., 277

### SIGL, AL, CENTER

Changing zon. class. of 1600 South Ave. from IPD to IPD#9-Al Sigl Ctr. and amend. the current plan for IPD#9, Tr. letter, 161, Pub. hear., 120, Pssd., 163

### SNOW REMOVAL

Auth. agree. with NYS Dept. of Transportation for snow removal, Tr. letter, 7, Pssd., 7

L.I.O. for snow removal at the Pub. Market, Tr. letter, 111, Pub. hear., 91, Pssd., 112

Amend. 2000-01 budget in regard to additional snow plowing - \$18,100, Tr. letter, 203, Pssd., 203

L.I.O. - street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 212

### SOJOURNER HOUSE

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

### SOUND AND LIGHTING

Establishing max. comp. for professional svcs. agree. with Northeastern Production Systems, Inc. for sound and lighting svcs., Tr. letter, 182, Pssd., 182

### SOUTH AVENUE

Continuation of L.I.O. No. 1298 relating to South Ave. neighborhood comm. parking lot, Tr. letter, 159, Pub. hear., 120, Pssd., 160

Changing zon. class. of 1600 South Ave. from IPD to IPD#9-Al Sigl Ctr. and amend. the current plan for IPD#9, Tr. letter, 161, Pub. hear., 120, Pssd., 163

### SOUTH AVENUE GARAGE

Auth. lease of space in South Ave. Gar. concourse, Tr. letter, 220, Pssd., 223

Establishing \$70,000 as max. comp. for professional svcs. agree. for engineering svcs. for South Ave. Gar. structural improvements proj., Tr. letter, 358, Pssd., 358

Bond ord. auth. issuance of \$800,000 bonds to finance cost of constr. of Phase 2 structural improvements to South Ave. Parking Gar., Tr. letter, 358, Pssd., 359

### SOUTH EAST AREA COALITION

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr. letter, 192, Pssd., 193

Designa. of SEAC as comm. housing dev. organization., Tr. letter, 195, Pssd., 196

### SOUTH RIVER CORRIDOR

Auth. agree. for South River Corridor land use plan, Tr. letter, 255, Pssd., 255

### SOUTH WEDGE PLANNING COMMITTEE

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,110,000, Tr.

letter, 192, Pssd., 193

#### **SOUTHEAST ECUMENICAL MINISTRY**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### **SOUTHWEST AREA NEIGHBORHOOD ASSOCIATION**

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

Auth. amend. agree. for James Madison Comm. Ctr., Tr. letter, 219, Pssd., 220

#### **SPANISH ACTION COALITION**

Auth. agree. for landlord and tenant svcs., Tr. letter, 152, Pssd., 153

#### **SPEEDWELL CONSTRUCTION**

Approving 2000 Home Expo Program, Tr. letter, 51, Pssd., 53

#### **STEAM**

Continuing franchise for distribution of steam by Rochester District Heating Coop., Inc. in portion of the City, Tr. letter, 278, Pssd., 279

#### **STEVENSON, ROBERT J., COUNCILMAN**

Motion to return int. item to comm., Int. No. 119, p. 106; Int. No. 128, p. 114

Negative votes, Int. No. 195, Failed, 164; Int. No. 406, Failed, 321

Amend. 2000-01 Budget in regard to Byrne Grant matching funds - \$20,000, Tr. letter, 206, Pssd., 206

Amend. 2000-01 Budget in regard to service truck - \$11,200, Tr. letter, 207, Pssd., 208

Motion to change order of the committees, 252, Pssd., 253

#### **STOP VIOLENCE AGAINST WOMEN PROGRAM**

Auth. appl. and agree. for STOP Violence Against Women program, and amend. 2000-01 Budget, Tr. letter, 329, Pssd., 329

#### **STOUT STREET**

Approving acq. of 110-118 Stout Street, Tr. letter, 83, Pssd., 84

#### **STREET(S)**

Auth. the acq. by negotiation or condemnation of parcels for the Lake Ave. imp. proj., Tr. letter, 11, Pub. hear., 4, Held, 12, Pssd., 41

Dedica. of parcels to street purposes as a part of the Lake Ave. imp. proj., Tr. letter, 11, Pub. hear., 4, Held, 16, Pssd., 41

Relating to the acq. of 3885 Lake Avenue as part of Lake Avenue Improvement Proj., Tr. letter, 41, Pssd., 41

Auth. agree. with respect to Chili Avenue improvement proj., Tr. letter, 63, Pssd., 64

Bond ord. auth. issuance of \$1,572,000 bonds to finance cost of constr. and reconstruction of certain streets related to Lake Avenue improvement proj., Tr. letter, 68, Pssd., 69

Auth. changes in pav. wid. of Jay Street, Tr. letter, 71, Pub. hear., 58, Pssd., 73

Dedica. of parcels to street purposes as a part of Jay Street improvement proj., Tr. letter, 71, Pub. hear., 58, Pssd., 74

Auth. incr. in pav. wid. of Vinewood Place, Tr. letter, 75, Pub. hear., 58, Pssd., 75

Establishing \$104,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Chesterfield Drive and Leroy Street improvement proj., Tr. letter, 75, Pssd., 76

Abandonment of portions of Addison and Bickford Streets and sale of R.E., Tr. letter, 85, Pub. hear., 58, Pssd., 85

Bond ord. auth. issuance of \$396,000 bonds to finance cost of planning and implementing street improvements in connection with Outer Loop Indus. Pk. Subdivision Proj., Tr. letter, 90, Pssd., 91

Approving change in traffic flow on Seward Street between Reynolds Street and Magnolia Street from two-way to one-way southbound, Tr. letter, 105, Pub. hear., 91, Returned to comm., 106

Bond ord. auth. issuance of \$254,000 bonds and appl. of \$1,988,000 in current funds to finance reconstruction of certain streets related to the milling and resurfacing program, Tr. letter, 122, Pssd., 123

L.I.O. establishing cost of special work and svcs. related to Main Street improvements, Tr. letter, 131, Pub. hear., 120, Pssd., 132

Approving Clifford Ave. pub. imp. proj. and changes in pav. wid. of Clifford Ave., Woodman Pk. and Martinot Ave., Tr. letter, 174, Pub. hear., 166, Pssd., 175

Establishing max. comp. for design svcs. for Clifford Ave. imp. proj. and approp. funds, Tr. letter, 174, Pssd., 175

Approving changes in pav. wid. of Browncroft Blvd. as part of Browncroft Blvd. and North Winston Rd. pub. imp. proj., Tr. letter, 175, Pub. hear., 166, Pssd., 176

Approving acq. of parcel for University Ave. pub. imp. proj. by negotiation or condemnation, Tr. letter, 176, Pssd., 177

Dedica. of additional R.O.W. at intersection of Beacon St. and Atlantic Ave., Tr. letter, 176, Pub. hear., 166, Pssd., 178

Bond ord. auth. issuance of \$1,897,000 bonds and appl. of \$33,000 in current funds to finance cost of const. and reconstruction of certain streets related to the University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 178

Approving changes in pav. wid. of Pennsylvania Ave., Tr. letter, 233, Pub. hear., 230, Pssd., 233

Designa. Rev. J. D. Jackson Sr. Way, Tr. letter, 243, Pssd., 243

Auth. changes in pav. wid. of Laburnam Crescent, Tr. letter, 276, Pub. hear., 252, Pssd., 277

Dedica. of add. R.O.W. at 890 Monroe Ave., Tr. letter, 276, Pub. hear., 252, Pssd., 278

Approving changes in traffic flow on Suter Terr., Luzerne St., and Laburnam Crescent, Tr. letter, 276, Pub. hear., 252, Pssd., 278

Establish \$30,000 as max. comp. for professional svcs. agree. for Jay St. pub. imp. proj., Tr. letter, 279, Pssd., 279

Auth. changes in pav. wid. of Lake Ave., River St., Latta Rd. and Stutson St. as part of Stutson St. bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 281

Auth. incr. in pav. wid. of Garland Ave., Tr. letter, 294, Pub. hear., 293, Pssd., 295

Bond ord. auth. issuance of \$485,000 bonds to finance cost of const. ofimps. to certain streets related to Driving Pk./LaGrange Beautification Proj., Tr. letter, 322, Pssd., 323

Establish \$110,000 as max. comp. for professional svcs. agree. for engineering svcs. for Railroad Underpass Imps. Proj., Tr. letter, 337, Pssd., 338

Bond ord. auth. issuance. of \$760,000 bonds to finance cost of const. of imp. to railroad underpass areas, Tr. letter, 337, Pssd., 339

Dedica. of additional parcel for Exchange St., Tr. letter, 342, Pub. hear., 336, Pssd., 344

**STREET CLEANING**

L.I.O. - street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 212

**STREET LIGHTING**

L.I.O. establishing cost of special work and svcs. related to Lyell Ave. street lighting district I, Tr. letter, 129, Pub. hear., 119, Pssd., 130

L.I.O. establishing cost of special work and svcs. related to Lyell Ave. street lighting district II, Tr. letter, 129, Pub. hear., 119, Pssd., 130

L.I.O. establishing cost of special work and svcs. related to Monroe Ave. street lighting district I, Tr. letter, Pub. hear., 119, 129, Pssd., 131

L.I.O. establishing cost of special work and svcs. related to Monroe Ave. street lighting and sidewalk district II, Tr. letter, 129, Pub. hear., 120, Pssd., 131

L.I.O. establishing cost of special work and svcs. related to Cascade Historic District street lighting district, Tr. letter, 129, Pub. hear., 120, Pssd., 131

L.I.O. establishing cost of special work and svcs. related to Norton St. Urban Renew. District street lighting upgrade proj., Tr. letter, 129, Pub. hear., 120, Pssd., 131

L.I.O. - Upgrading of street lighting as part of Lake Ave. pub. imp. proj., Tr. letter, 231, Pub. hear., 230, Pssd., 233

**STREET MALLS**

L.I.O. for care and embellishment of var. neighborhood street malls for 2000 - \$70,102.54, Tr. letter, 74, Pub. hear., 58, Pssd., 75

**STUTSON STREET**

Auth. changes in pav. wid. of Lake Ave., River St., Latta Rd. and Stutson St. as part of Stutson St. bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 281

Dedica. of add. R.O.W. for Stutson St. and River St. as part of Stutson St. Bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 282

**STUTSON STREET BRIDGE**

Approving sale of parcels and easements for Stutson St. Bridge proj., Tr. letter 186, Pssd., 188

Auth. changes in pav. wid. of Lake Ave., River St., Latta Rd. and Stutson St. as part of Stutson St. bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 281

Dedica. of add. R.O.W. for Stutson St. and River St. as part of Stutson St. Bridge replacement proj., Tr. letter, 280, Pub. hear., 252, Pssd., 282

**SUMMER ON THE CITY FARM PROGRAM**

Auth. agree. for Summer on the City Farm Program, Tr. letter, 183, Pssd., 184

**SUTER TERRACE**

Approving changes in traffic flow on Suter Terr., Luzerne St., and Laburnam Crescent, Tr. letter, 276, Pub. hear., 252, Pssd., 278

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**TNT PROGRAM**

Auth. amend. 1995-96 and 1998-99 Comm. Dev. Program and 1999-2000 HOME Program plans, auth. City Dev. Funds and agree. for First Mortgage and TNT Programs, Tr. letter, 30, Pub. hear., 4, Pssd., 31

**TAXES**

Approving apportionment of taxes and chg., Tr.

letter, 147, Pssd., 148

Levying taxes for mun. purposes for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 211

Levying taxes for school purposes for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 211

Confirm. assessments, amounts and chg. to be inserted in annual tax rolls for FY commencing July 1, 2000 and expiring June 30, 2001, Tr. letter, 209, Pssd., 212

Approving property tax exemption and auth. In Lieu Of Tax agree. for Anthony Sq. Proj., Tr. letter, 224, Pssd., 224

Amend. mun. code with respect to Senior Citizens Tax Exemption, Tr. letter, 292, Pub. hear., 252, Pssd., 293

**TAXES, CANCELED**

Administrative Cancellation or Refund of Erron. Taxes and Chg., 4, 91, 119, 213

Auth. Dir. of Finance to cancel real prop. taxes or chg. of \$1,000 or less, Tr. letter, 31, Pssd., 32

Cancellation of taxes and chg., Tr. letter, 32, Pssd., 32; Tr. letter, 51; Pssd., 51; Tr. letter, 116, Pssd., 117; Tr. letter, 141, Pssd., 141; Tr. letter, 246, Pssd., 246; Tr. letter, 287, Pssd., 288; Tr. letter, 309, Pssd., 309; Tr. letter, 331, Pssd., 331; Tr. letter, 355, Pssd., 355

**TAXI**

Amend. mun. code with respect to taxicab fares, Tr. letter, 91, Pssd., 92

**TEAMBUILDING INITIATIVE**

Amend. proposed 2000-01 Budget in regard to Teambuilding Initiative - \$10,000, Tr. letter, 203, Pssd., 203

**TECHNICAL ASSISTANCE AND CONSULTING PROGRAM**

Auth. agree. with Urban League of Rochester, Inc. to admin. the Tech. Assist. and Consulting Program, Tr. letter, 26, Pssd., 27

Auth. agree. with Urban League of Rochester, Inc. to administer Technical Assist. and Consulting Program - \$10,000, Tr. letter, 334, Pssd., 335

**TEEN PREGNANCY PREVENTION**

Auth. agree. with respect to teen pregnancy prevention and amend. 2000-01 Budget, Tr. letter, 283, Pssd., 284

**TEMPRO DEVELOPMENT**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**THERMAL ENERGY**

Continuing membership and use agree. with Rochester District Heating Coop., Inc. for thermal energy at var. City bldgs., Tr. letter, 278, Pssd., 279

**THOMPSON, TONY M., COUNCILMAN**

Motion to return int. item to comm., Int. No. 117., p. 106; Int. No. 118, p. 106

Negative votes, Int. No. 195, Failed, 164; Int. No. 406, Failed, 321

Amend. 2000-01 Budget in regard to dev. of trail connections along Genesee Riverway - \$50,000, Tr. letter, 205, Pssd., 206

Reso. of budgetary intent - trail links to City neighborhoods, Tr. letter, 205, Adpt., 206

Amend. 2000-01 Budget in regard to service truck - \$11,200, Tr. letter, 207, Pssd., 208

**THRESHOLD**

Auth. amend. agree. for adolescent pregnancy prevention program, Tr. letter 218, Pssd., 219

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

Auth. agree. for human svcs. proj., Tr. letter, 299, Pssd., 299

**THURSTON ROAD**

Approving acq. of 90 Thurston Rd., Tr. letter 150, Pssd., 151

Auth. sale of R.E. as part of Thurston Road Housing Proj., Tr. letter, 150, Pssd., 151

Bond ord. auth. issuance of \$323,000 bonds to finance cost of planning and implementing portion of Fulton Ave Redevelopment Proj. and Thurston Rd. Housing Proj. and a portion of Anthony Square Proj. within the City, Tr. letter, 150, Pssd., 152

**TOBACCO**

Auth. agree. with respect to underage tobacco enforcement and amend. 2000-01 Budget, Tr. letter, 284, Pssd., 285

**TOGETHERNESS IN LOVE COMMUNITY**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

**TOOL LENDING LIBRARY**

Approp. funds and auth. agree. for Tool Lending Library Programs, Tr. letter, 193, Pssd., 194

**TOWING**

Auth. amend. agree. for towing svcs., Tr. letter, 299, Pssd., 300

**TRAFFIC**

Approving change in traffic flow on Hecla Alley between Comfort Street and Alexander Street from two-way to one-way southbound, Tr. letter, 105, Pub. hear., 91, Pssd., 106

Approving change in traffic flow on Seward Street between Reynolds Street and Magnolia Street from two-way to one-way southbound, Tr. letter, 105, Pub. hear., 91, Returned to comm., 106

Approving change in traffic flow on Murray Street between Otis Street and Lyell Avenue from one-way northbound to one-way southbound, Tr. letter, 105, Return to comm., 106, Pub. hear., 91, Pssd., 126

Approving change in traffic flow on Breck Street between Barnum Street and Herkimer Street from two-way to one-way eastbound, Tr. letter, 132, Pub. hear., 120, Pssd., 132

Approving changes in traffic flow on Suter Terr., Luzerne St., and Laburnam Crescent, Tr. letter, 276, Pub. hear., 252, Pssd., 278

Approving changes in traffic flow on Martin St. between Hartel Alley and Upper Falls Blvd. from two-way to one-way southbound and on Hartel Alley between St. Paul St. and Martin St. from two-way to one-way eastbound, Tr. letter, 279, Pub. hear., 252, Pssd., 280

Auth. easements to Monroe County for traffic signalization equip. for New Pub. Safety Bldg. Proj., Tr. letter, 342, Pssd., 343

Approving changes in traffic flow on Trust St. between Portland Ave. and Miller St. from one-way eastbound to two-way and on Miller St. between Trust St. and Aebersold St. from one-way southbound to two-way and auth. closure of Miller St. to through traffic, Tr. letter, 352, Pub. hear., 336, Pssd., 352

**TRAIL(S)**

Amend. 2000-01 Budget in regard to dev. of trail connections along Genesee Riverway - \$50,000, Tr. letter, 205, Pssd., 206

Reso. of budgetary intent - trail links to City neighborhoods, Tr. letter, 205, Adpt., 206

Establish \$1,400 as max. comp. for amend. professional svcs. agree. for design of pedestrian trail along Genesee River, Tr. letter, 215, Pssd., 216

**TRAINING**

Establishing \$18,000 as max. compensation for amendatory agree. with LEaD for customer svcs. training, Tr. letter, 126, Pssd., 127

Establishing \$6,000 as max. compensation for amendatory professional svcs. agree. with Organizational Dev. Group for training, Tr. letter, 126, Pssd., 127

**TRANSPORTATION**

Establishing \$25,000 as max. annual compensation for professional svcs. agree. for personal wireless comm. facility consulting svcs. and auth. new agree. for transportation study, Tr. letter, 114, Pssd., 114

**TRANSYSTEMS**

Auth. agree. for assist. in selection of fast ferry svcs. operator, Tr. letter, 233, Pssd., 234

**TREES**

Auth. agree. for tree planting grant and amend. 1999-2000 budget, Tr. letter, 39, Pssd., 40

**TRUST STREET**

Approving changes in traffic flow on Trust St. between Portland Ave. and Miller St. from one-way eastbound to two-way and on Miller St. between Trust St. and Aebersold St. from one-way southbound to two-way and auth. closure of Miller St. to through traffic, Tr. letter, 352, Pub. hear., 336, Pssd., 352

**-U-****UNITED STATES GOVERNMENT**

Auth. agree. with U.S. government for funding police svcs. and amend. budget, Tr. letter, 92, Pssd., 93

Auth. agree. for L.L. Enforcement Block Grant Program, Tr. letter, 135, Pssd., 136

Auth. economic dev. initiative grant appl. for Genesee Brewing Co. Proj., Tr. letter, 145, Pssd., 146

Auth. brownfields economic dev. initiative grant appl. for Rochester Midland Corporation Proj., Tr. letter, 145, Pssd., 147

Auth. submission of the Consolidated Comm. Dev. Program/2000-01 Annual Action Plan and execution of grant agree. with United States Dept. of Housing and Urban Dev., Tr. letter, 164, Pssd., 165

Amend. Ord. No. 2000-98 relating to amend. to 1999-2000 Budget, Tr. letter, 237, Pssd., 239

Establish max. comp. for professional svcs. agree. and approp. funds for Port of Rochester Harbor Imp. Proj., Tr. letter, 321, Pssd., 322

Auth. agree. for L.L. Enforcement Block Grant Program, Tr. letter, 329, Pssd., 330

**UNIVERSITY AVENUE**

Approving acq. of parcel for University Ave. pub. imp. proj. by negotiation or condemnation, Tr. letter, 176, Pssd., 177

Bond ord. auth. issuance of \$1,897,000 bonds

and appl. of \$33,000 in current funds to finance cost of const. and reconstruction of certain streets related to the University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 178

Bond ord. auth. issuance of \$414,000 bonds to finance cost of const. and reconstruction of certain water mains related to University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 179

Bond ord. auth. issuance of \$149,000 bonds to finance cost of const. and reconstruction of certain sewer imps. related to University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 180

L.I.O. - upgrading sidewalks as part of University Ave. pub. imp. proj., Tr. letter, 176, Pub. hear., 166, Pssd., 181

Establishing max. comp. for agree. for University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 181

#### UPPER FALLS

Changing zon. class. of 165 and 175 St. Bridget's Dr. within the Upper Falls Urban Renew. District from Semi Pub. to Light Indus. (T-1), Tr. letter, 320, Pub. hear., 316, Failed, 321

#### UPSTATE ORGANIZATIONS DEVELOPMENT GROUP

Auth. agree. for human svcs. program, Tr. letter, 236, Pssd., 237

#### URBAN LEAGUE OF ROCHESTER ECONOMIC DEVELOPMENT CORPORATION

Approving 2000 Home Expo Program, Tr. letter, 51, Pssd., 53

Auth. agree. for Home Store, Tr. letter, 190, Pssd., 191

Auth. agree. for housing dev. support, Tr. letter, 191, Pssd., 192

#### URBAN LEAGUE OF ROCHESTER, INC.

Auth. agree. with Urban League of Rochester, Inc. to admin. the Tech. Assist. and Consulting Program, Tr. letter, 26, Pssd., 27

Auth. agree. for Home Purch. Assist. Program, Tr. letter, 153, Pssd., 154

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

Auth. agree. with Urban League of Rochester, Inc. to administer Technical Assist. and Consulting Program - \$10,000, Tr. letter, 334, Pssd., 335

#### URBAN RENEWAL

Amendatory agree. for St. Joseph's Area Urban Renew. District Streetscape Imp. Proj., Tr. letter, 8, Pssd., 9

#### URBAN STRATEGIES, INC.

Establish \$180,000 as max. comp. for professional svcs. agree. with Urban Strategies, Inc. for design of imps. to Manhattan Sq. Pk., Tr. letter, 335, Pssd., 337

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#### VETERANS OUTREACH CENTER

Auth. agree. for human svcs. proj., Tr. letter, 134, Pssd., 135

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### VETERINARY SERVICES

Establish \$27,000 as max. comp. for amend. professional svcs. agree. for veterinary svcs., Tr. letter, 297, Pssd., 298

#### VINEWOOD PLACE

Auth. incr. in pav. wid. of Vinewood Place, Tr. letter, 75, Pub. hear., 58, Pssd., 75

#### VINEYARD CHRISTIAN CHURCH

Auth. ext. of lease agree. for Boys Club parking lot, Tr. letter, 290, Pssd., 291

#### VOLUNTEERS OF AMERICA

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### VOYAGER SYSTEMS

Establishing \$379,000 as max. compensation for professional svcs. agree. for Police records system conversion, Tr. letter, 42, Pssd., 43

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#### WXXI PUBLIC BROADCASTING

Establishing max. comp. for a professional svcs. agree. for City 12, Tr. letter, 38, Held, 38, Pssd., 229

Establishing max. comp. for professional svcs. agree. with WXXI Pub. Broadcasting for City 12, Tr. letter, 361, Held, 361

#### WAGES AND SALARIES

Approving wage and salary incr. for employees of the Rochester Housing Authority, Tr. letter, 119, Held, 119, Pssd., 149

Amend. City Code to adopt guidelines for wage rates for employees of companies awarded service contracts and business assist., Tr. letter, 312, Held, 315

#### WARING PLAZA CORP.

Auth. a lease agree. for continued lease of space for Goodman Police Section, Tr. letter, 17, Pssd., 17

#### WATER

Establishing \$10,500 as max. compensation for amendatory professional svcs. agree. with Environmental Health Laboratory for drinking water testing, Tr. letter, 99, Pssd., 100

Amend. mun. code with respect to water rates, Tr. letter, 209, Pssd., 213

Auth. acq. of temp. easement for water pipeline replacement, Tr. letter, 302, Pssd., 304

Establish \$32,000 as max. comp. for amend. professional svcs. agree. with Optimization Technology, Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 337, Pssd., 337

#### WATER MAIN(S)

Bond ord. auth. issuance of \$355,500 bonds to finance cost of constr. and reconstruction of certain water mains related to Lake Avenue pub. improvement proj., Tr. letter, 68, Pssd., 70

Bond ord. auth. issuance of \$888,500 bonds to finance constr. of water system improvements to City water conduit crossover in towns of Lima and West Bloomfield, Tr. letter, 100, Pssd., 101

Establishing max. compensation for amendatory professional svcs. agree. for conduit modernization proj., Tr. letter, 100, Pssd., 101

Bond ord. auth. issuance of \$175,000 bonds to finance cost of const. and reconstruction of certain water mains related to the Jay Street improvement proj., Tr. letter, 101, Pssd., 103

Bond Ord. auth. the issuance of \$528,000 bonds to finance reconstruction of var. water mains related to the milling and resurfacing program, Tr. letter, 122, Pssd., 124

Bond ord. auth. reconstruction of var. water

mains, stating est. max. cost thereof is \$1,049,887, approp. said amount therefor, and auth. issuance of \$906,000 bonds in addition to \$143,887 bonds previously auth., Tr. letter, 167, Pssd., 168

Bond ord. auth. issuance of \$414,000 bonds to finance cost of const. and reconstruction of certain water mains related to University Ave. pub. imp. proj., Tr. letter, 176, Pssd., 179

#### **WATER SPORTS CENTER**

Establish \$7,500 as max. comp. for amend. professional svcs. agree. for design of water sports ctr., Tr. letter, 278, Pssd., 278

#### **WEED & SEED PROGRAM**

Auth. agree. for Weed & Seed Program and amend. 1999-2000 budget, Tr. letter, 17, Pssd., 18

Auth. agree. for Weed & Seed Program and amend. 2000-01 Budget, Tr. letter, 237, Pssd., 239

#### **WEST BLOOMFIELD, TOWN OF**

Bond ord. auth. issuance of \$888,500 bonds to finance constr. of water system improvements to City water conduit crossover in towns of Lima and West Bloomfield, Tr. letter, 100, Pssd., 101

#### **WEST MAIN BUSINESS ASSOCIATION**

Auth. agree. for Adopt-a-Block Program and amend. ord., Tr. letter, 96, Pssd., 97

#### **WEST RIDGE ROAD**

Establishing \$1,343,600 as max. compensation for professional svcs. agree. for preliminary engineering and design svcs. for West Ridge Road reconstruction proj. and approp. funds, Tr. letter 105, Pssd., 105

#### **WEST SQUARE MANOR**

Amend. Ord. No. 99-102 relating to issuance of bonds for environmental clean-up at former West Square Manor site to include entire Anthony Square Proj. site, Tr. letter, 51, Pssd., 54

Establish \$10,000 as max. comp. for amend. professional svcs. agree. relating to environmental cleanup of former West Square Manor site, Tr. letter, 243, Pssd., 244

#### **WHITCOMB, ANDREA**

Establishing \$20,000 as max. compensation for professional svcs. agree. with Andrea Whitcomb for continuation of the "Greta" Program, Tr. letter, 127, Pssd., 127

#### **WILSON COMMENCEMENT PARK**

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

#### **WINTON ROAD**

Local improvement ord. 1466 establishing cost of special work and svcs. related to Merchants/Winton Road Open Space District, Tr. letter, 156, Pub. hear., 120, Pssd., 157

Approving changes in pav. wid. of Browncroft Blvd. as part of Browncroft Blvd. and North Winton Rd. pub. imp. proj., Tr. letter, 175, Pub. hear., 166, Pssd., 176

#### **WIRELESS COMMUNICATION**

Establishing \$25,000 as max. annual compensation for professional svcs. agree. for personal wireless comm. facility consulting svcs. and auth. new agree. for transportation study. Tr. letter, 114, Pssd., 114

#### **WOMEN IN TRANSITION PROJECT**

Auth. loan agree. for YWCA Women In Transition Proj., Tr. letter, 115, Pssd., 116

#### **WOODMAN PARK**

Approving Clifford Ave. pub. imp. proj. and changes in pav. wid. of Clifford Ave., Woodman Pk. and Martinot Ave., Tr. letter, 174, Pub. hear., 166, Pssd., 175

#### **WORDCRAFTER PROGRAM**

Establish \$15,600 as max. comp. for professional svcs. agree. with Writers & Books, Inc. for Wordcrafter Program, Tr. letter, 327, Pssd., 328

#### **WORKFORCE INVESTMENT ACT**

Auth. agree. for Workforce Investment Act programs, Tr. letter, 250, Pssd., 251

#### **WRITERS & BOOKS, INC.**

Establish \$15,600 as max. comp. for professional svcs. agree. with Writers & Books, Inc. for Wordcrafter Program, Tr. letter, 327, Pssd., 328

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#### **YMCA**

Auth. agree. for Rochester/Monroe County Summer Science & Tech. Camp, Tr. letter, 183, Pssd., 184

Auth. agree. for human svcs. programs, Tr. letter, 283, Pssd., 283

#### **YWCA**

Auth. loan agree. for YWCA Women In Transition Proj., Tr. letter, 115, Pssd., 116

Auth. appl. and agree. relating to Emergency Shelter Grant Program, Tr. letter, 155, Pssd., 156

Auth. agree. for adolescent pregnancy prevention program, Tr. letter, 237, Pssd., 237

#### **YOUNG EXPLOSIVES**

Establishing \$20,000 as max. comp. for professional svcs. agree. for fireworks, Tr. letter, 182, Pssd., 182

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#### **ZONING**

Amend. mun. code with respect to issuance of immediate tickets for comm. activities conducted in violation of zon. ord., Tr. letter, 28, Pssd., 30

Changing the zon. class. of 92 and 94 Hollister Street from R-2 Two-family Resi. to C-2 Community Commercial, Tr. letter, 46, Pub. hear., 39, Pssd., 47

Changing the zon. class. of 690 St. Paul Street from M Manufacturing Indus. to M Manufacturing Indus./O-R Overlay Resi., Tr. letter, 47, Pub. hear., 39, Pssd., 48

Amend. Chapter 115 of mun. code, zoning ord., with respect to schools in the O-R Overlay Resi. District, Tr. letter, 47, Pub. hear., 39, Pssd., 48

Continuing a moratorium on appl. for certificates of zon. compliance for adult bookstores and adult entertainment establishments, Tr. letter, 120, Pssd., 121

Amend. Chapter 115 of mun. code, zon. ord., with respect to administrative decisions and appeals, Tr. letter, 160, Pub. hear., 120, Pssd., 161

Changing zon. class. of 1600 South Ave. from IPD to IPD#9-A1 Sigl Ctr. and amend. the current plan for IPD#9, Tr. letter, 161, Pub. hear., 120, Pssd., 163

Changing zon. class. of 151 Bernice St. from T-P Transitional Parking to M Manufacturing Indus.,

Tr. letter, 163, Pub. hear., 120, Failed, 164  
Changing zon. class. of 505-595 Highland Ave. from R-1 single family resi. to R-2 two-family resi., Tr. letter, 196, Pub. hear., 166, Held in Comm., 196, Pssd., 228  
Continuing moratorium on appl. for certificates of zon. compliance for adult bookstores and adult entertainment establishments, Tr. letter, 231, Pssd., 231  
Changing zon. class. of 1650-1660 E. main St. and 831-839 Culver Rd. from R-3 low-medium resi./O-O overlay ofc. to C-2 community commercial, Tr. letter, 244, Pub. hear., 230, Pssd., 245  
Changing zon. class. of 48 and 52 Parkdale Terr. from R-1 single family resi. to C-2 community commercial, Tr. letter, 244, Pub. hear., 230, Pssd., 245  
Amend. Chapter 115 of mun. code, zon. ord., with respect to sexually oriented businesses, Tr. letter, 257, Pub. hear., 252, Pssd., 263  
Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program plans and approp funds for Zon. Ord. and Map Revision Proj., Tr. letter, 320, Pub. hear., 316, Pssd., 320  
Changing zon. class. of 165 and 175 St. Bridget's Dr. within the Upper Falls Urban Renew. District from Semi Pub. to Light Indus. (T-1), Tr. letter, 320, Pub. hear., 316, Failed, 321

**ZONING BOARD OF APPEALS**

Reso. approving appt. to Zon. Bd. of Appeals, Tr. letter, 94, Adpt., 94; Tr. letter, 350, Adpt., 351

**ZONING DIRECTOR**

Submits notices of environmental determination, 58, 91, 166, 230

