Proposed Legislation for the September 19, 2023 City Council Meeting

* * Please Note * *

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



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



FINANCE INTRODUCTORY NO.

369

August 30, 2023 MAYOR 26

TO THE COUNCIL

Ladies and Gentlemen:

Re: City Support of Neighborhood Ambassador Programs

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

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

Transmitted herewith for your approval is legislation to appropriate funding and authorize agreements with three Community Based Organizations (CBOs) for pilot Neighborhood Ambassador Programs. This legislation will authorize the appropriation of the following funding sources:

- a. \$125,000 from the 2023-24 Budget of Undistributed for a downtown program:
- b. \$250,000 in Restricted Opioid settlement funds received in the Opioid Compensation Fund authorized in Ordinance No. 2022-266 for pilot programs in the North Clinton Avenue and Jefferson Avenue areas

Three programs will be initiated over the coming 12 months: North Clinton Avenue Ambassador Program; Jefferson Avenue Ambassador Program; and Downtown Ambassador Program.

These pilot programs will be partnerships with established Community Based Organizations (CBOs) in each neighborhood, which will be selected by the administration. These programs will be designed to activate people who live in each neighborhood to help address the unique needs and opportunities there.

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

Respectfully submitted,

Malik D. Evans Mayor 26:01 A UE 3UA EXOX

CLERKYCOUNCIL OFFICE CITY OF ROCHESTER RECEIVED

Phone: 585.428.7045

Fax: 585.428.6059

TTY: 585.428.6054

EEO/ADA Employer

(4)

369

Ordinance No.

Appropriating Opioid Compensation funds and authorizing agreements for the Neighborhood Ambassador Program

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

Section 1. The sum of \$250,000 is hereby appropriated from the Restricted Account of the Opioid Compensation Fund established pursuant to §8.5 of the Municipal Code to implement a Neighborhood Ambassador Program (Program) in each of the North Clinton Avenue and Jefferson Avenue areas of the city.

Section 2. The Mayor is hereby authorized to enter into one or more professional services agreements with community based organizations to be chosen by the Mayor to implement a Program in each of the following three areas for the maximum aggregate area compensation amount as follows:

- a) Downtown area for \$125,000 funded by the 2023-24 Budget of Undistributed Expenses;
- b) North Clinton Avenue area for \$125,000 funded from the appropriation authorized in Section 1; and
- c) Jefferson Avenue area for \$125,000 funded from the appropriation authorized in Section 1.

The term for each agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.



Malik D. Evans Mayor

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



COMMITTEE OF THE WHOLE INTRODUCTORY NO.

370

MAYOR 27

September 5, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Confirmation of the Chief of Rochester Fire Department

Transmitted herewith for your approval is legislation confirming, as required by the City Charter, the appointment of Stefano Napolitano.

Stefano Napolitano's resume is on file in the City Clerk's Office.

Respectfully submitted,

Malik D. Evans

Mayor

RECEIVED
CITY OF ROCHESTER
CLERK/COUNCIL OFFICE

370

Resolution No.

Resolution confirming the appointment of the Fire Chief

WHEREAS, the Mayor has appointed Stefano Napolitano to the position of Fire Chief, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he has the ability and qualifications to execute the duties and responsibilities of the office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Stefano Napolitano as Fire Chief.

This resolution shall take effect immediately.



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

FINANCE INTRODUCTORY NO.



September 7, 2023

PARKING 28

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Flash Parking, Inc. for Revenue Control Equipment at Genesee Crossroads Garage, High Falls Garage, Sister Cities Garage, Court St Garage, Mortimer St Garage and Washington Square Garage.

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the following agreements with Flash Parking, Inc. Juan Rodriguez, principal, Austin, TX for Hardware As A Service (HaaS) for revenue control equipment lease at the following City-owned parking garages:

- 1. For Genesee Crossroads Garage, to amend the existing agreement with Flash Parking, Inc. authorized by Ordinance No. 2021-315 to increase the maximum compensation by \$28,620 to a new maximum total of \$58,560 and to extend the term for up to two more years commencing upon execution. The compensation increase will reflect a one-time installation fee of \$2,220 and increasing the monthly fee for up to two more years by \$1,100 to a new total monthly rate of \$2,200.
- 2. For each of five additional parking garages, a new revenue control equipment and service agreement for a term up to two years commencing upon execution and subject to the following one time installation fees and monthly fees:

Garage	Address	One Time Cost	Monthly Fee
Court St Garage	194 Court St	\$7,560	\$4,595
High Falls Garage	240 State St	\$2,340	\$2,420
Mortimer St Garage	83 Mortimer St	\$4,590	\$2,420
Sister Cities Garage	28 N.Fitzhugh St	\$5,900	\$3,845
Washington Square Garage	250 S.Clinton Ave	\$10,380	RECEIVED TY OF ROCHESTER RKVCQUINCIL OFFICE RXVCQUINCIL OFFICE RXVCQUINCIL OFFICE RXVCQUINCIL OFFICE

Phone: 585.428.7045

Fax: 585.428:6059

TTY: 585.428.6054

EEO/ADA Employer

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Flash Parking, Inc. is a contract vendor through National Cooperative Purchasing Alliance (NCPA) NCPA is a cooperative that works to reduce the cost of goods and services. Flash Parking, Inc. provides a cost effective parking garage revenue control equipment lease solution. Transient parkers can use a credit card at the exit and a mobile payment app. As with all our credit card point of sale locations, there are credit card processing fees that the City will have to pay. The optional mobile app payment feature involves a \$.35 fee that will be paid by the parking patron.

The agreements authorized herein shall allow the Mayor, if they so choose, to assign the City rights and obligations to a subsequent owner or operator if the parking garage is conveyed to a new owner.

A no RFP justification statement is attached. The compensation for each agreement will be funded from the 2023-24 and subsequent years' Budgets of the Department of Finance, contingent upon the approval of the subsequent years' Budgets.

Respectfully submitted,

Malik D. Evans

Mayor

NO REP JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

- 1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$20,000, and
- 2. To the contract record when entered in Munis:

Department: Finance/ Parking Bureau

Services(s): Hardware as a Service

Vendor/Consultant selected: FlashParking, Inc.

How was the vendor selected? National Cooperative Purchasing Alliance (NCPA)

Why was no RFP issued for this service?

NCPA utilizes state of the art procurement resources and solutions that result in cooperative purchasing contracts that ensure all public agencies are receiving products and services of the highest quality at the lowest prices

NCPA works with a lead public agency, who competitively solicits master contracts. Contracts are based on quality, performance, and most importantly pricing. These contracts are established using the following process:

- The Lead Agency issues a competitive solicitation for a product or service on behalf of NCPA and all public agencies.
- The solicitation is advertised nationally for a minimum of 30 days.
- The solicitation contains language that allows the contract to be accessible nationally to public agencies in states whose laws allow for intergovernmental contract use (also known as "piggybacking" or "adopting").
- Vendors respond to the solicitation with sealed responses that are recorded and publicly opened.
- The Lead Agency evaluates the responses based on "Identified Evaluation Criteria" and awards contracts.
- Is there previous experience with the vendor? Yes. Describe why it is in the City's best interest to continue with them and not solicit others. FlashParking, Inc. meets our need for revenue control equipment at low cost to the City.
- Are there unique or emergency circumstances? Yes. Describe how an RFP process would jeopardize the success of the project.

The existing revenue control equipment will sunset in December 2023. There are garages currently due to be sold. An RFP process would mean many months of operating without revenue control in place.

 Is the service specialized and unique? Is the number of qualified providers limited? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.

Flash Parking Inc. provides hardware as a service, rather than requiring the City to purchase the equipment. Other vendors require the purchase of the hardware.

Does the project include multi-year State or Federal funding? Explain why it is
in the best interest of the project and the City to continue with the same
consultant (e.g. where the design consultant on a project is retained for resident
project representation services).

The project does not include multi-year State or Federal funding. FlashParking, Inc. meets our need for revenue control equipment at low cost to the City.

Compensation

Amount: \$19,730/ month

How was this determined? FlashParking, Inc. quote. Explain how it is a reasonable and best value for the City. For \$19,730/ month the City; receive state of the art equipment, with no-cost repairs and replacements if needed for six garages. Term is 24 months. Equipment can be relocated to another-facility if garage is no longer in service.

The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals. MWBE Officer Initials: S.M.D. for S.J.S Date: 9/7/2023

Signature: Department Head

Form date 1/7/19

Date

371

Ordinance No.

Authorizing agreements to provide revenue control equipment and services for municipal parking garages

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 FlashParking, Inc. to provide revenue control equipment and services for the Genesee Crossroads parking garage, 69 Andrews Street. The Mayor is hereby authorized to amend the existing agreement authorized in Ordinance No 2021-315 to provide for the installation and servicing of additional revenue control equipment, to extend the term for up to two more years, and to increase the maximum compensation by \$28,620 to a new total of \$58,560. The amendatory compensation amount shall be funded from the 2023-24 or future years' Budgets of the Department of Finance, contingent upon the approval of the future years' Budgets.

Section 2. The Mayor is hereby authorized to enter into agreements with FlashParking, Inc. to provide revenue control equipment and services for each of the following five parking garages for the one-time cost and monthly fee as follows:

Garage	Address	One-Time Cost	Monthly Fee
Court Street	194 Court Street	\$7,560	\$4,595
High Falls	240 State Street	\$2,340	\$2,420
Mortimer Street	83 Mortimer Street	\$4,590	\$2,420
Sister Cities	28 North Fitzhugh Street	\$5,900	\$3,845
Washington Square	250 S. Clinton Avenue	\$10,380	\$4,250

Each agreement shall have a term of up to two years. The cost and fees for the agreements shall be funded from the 2023-24 year's Budget of the Department of Finance or future years' Budgets of that department, contingent upon the approval of the future years' budgets.

Section 3. For each one of the agreements authorized herein, the Mayor shall have the option to assign the City's rights and obligations to a subsequent owner or operator if the subject parking garage is conveyed to a new owner.

Section 4. Each one of the agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

372, 373



September 7, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: City Council Standard Work Day and Reporting Resolution

Transmitted herewith for your approval are two resolutions approving the standard monthly workday reporting for retirement purposes for certain members of the City Council. The standard work day approach referred to in this legislation was authorized by the City Council in Resolution No. 2012-13 in accordance with the New York State and Local Retirement System Regulation at 2 NYCRR §315.4.

This legislation is being submitted for Councilmembers Mitch Gruber, Stanley Martin, Kim Smith, Mike Patterson and Council President Miguel Meléndez. The legislation accepts the Councilmembers' three-month Record of Activities (ROA) logs, which have been submitted and are on file with the Clerk's Office.

We previously approved the same ROA's for the same members in March via Resolution Nos. 2023-8 and 2023-9. The State Pension Integrity office rejected those resolutions, however, because the accompanying forms did not specify the start and end date for each Councilmember's current term. The proposed resolutions remedy that oversight and have been reviewed and approved as to form by the Pension Integrity office.

The legislation is split into two resolutions so that every affected Councilmember can abstain from voting on their own retirement record without depriving the Council of a 5-member quorum to vote on each resolution.

Respectfully submitted,

Mary Lupien
Vice President

Phone: (585) 428-7538

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MBR SD -7 P 2: 40

372

Resolution No.

Resolution relating to standard work day and retirement reporting for Councilmembers Gruber, Martin and Smith

WHEREAS, Councilmembers Mitch D. Gruber, Stanley Martin and Kimberly Smith are enrolled in the New York State and Local Retirement System and each of them has maintained a log of Council work-related activities (Record of Activities) pursuant to 2 NYCRR 315.4 in order to factor the number of hours worked into the calculation of a standard number of days worked per month to be reported to the Retirement System;

WHEREAS, in Resolution No. 2012-13, the Council established the standard work day for members of the City Council as six hours in a standard five-day, thirty-hour work week; and

WHEREAS, based on the standard number of hours worked per month and the standard six-hour work day, the number of days worked per month for each of the three Councilmembers has been calculated in accordance with the Retirement System's Standard Work Day and Reporting Resolution form number RS 2417-A (Reporting Resolution Form), which has been presented to Council.

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

Section 1. The Council hereby certifies that it has received and accepts a Record of Activities pursuant to 2 NYCRR 315.4 from each one of the following Councilmembers and that such records shall form the basis for the number of work days to be reported to the New York State and Local Retirement System:

Councilmember	Current Term
	Beginning and End
Mitch D. Gruber	01/01/2022 - 12/31/2025
Stanley Martin	01/01/2022 - 12/31/2025
Kimberly Smith	01/01/2022 - 12/31/2025

Section 2. Based on the number of hours set forth in each of their Record of Activities, the monthly reporting to the Retirement System of days worked for Councilmembers Mitch D. Gruber, Stanley Martin and Kimberly Smith shall be calculated based on the total number of six-hour work day equivalents worked each month, as specified in the Reporting Resolution Form.

Section 3. The Council hereby approves and incorporates into this resolution the Standard Work Day, the Record of Activities Result, and the Current Term of Office for Councilmembers Mitch D. Gruber, Stanley Martin and Kimberly Smith as set forth in the accompanying Reporting Resolution Form, which is annexed hereto. The Council

hereby directs the City Clerk to post this resolution and the Reporting Resolution Form in public (with the Social Security and NYSLRS identification numbers redacted) for a period of at least 30 days after which she shall file said resolution and unredacted form, along with an affidavit of posting, with the Retirement System.

Section 4. This resolution shall take effect immediately.

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373

Resolution No.

Resolution relating to standard work day and retirement reporting for Councilmembers Meléndez and Patterson

WHEREAS, Councilmembers Miguel A. Meléndez, Jr. and Michael A. Patterson, are enrolled in the New York State and Local Retirement System and each of them has maintained a log of Council work-related activities (Record of Activities) pursuant to 2 NYCRR 315.4 in order to factor the number of hours worked into the calculation of a standard number of days worked per month to be reported to the Retirement System;

WHEREAS, in Resolution No. 2012-13, the Council established the standard work day for members of the City Council as six hours in a standard five-day, thirty-hour work week; and

WHEREAS, based on the standard number of hours worked per month and the standard six-hour work day, the number of days worked per month for each of the two Councilmembers has been calculated in accordance with the Retirement System's Standard Work Day and Reporting Resolution form number RS 2417-A (Reporting Resolution Form), which has been presented to Council.

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

Section 1. The Council hereby certifies that it has received and accepts a Record of Activities pursuant to 2 NYCRR 315.4 from each one of the following Councilmembers and that such records shall form the basis for the number of work days to be reported to the New York State and Local Retirement System.

Councilmember	Current Term
	Beginning and End
Miguel A. Meléndez, Jr.	01/01/2022 - 12/31/2025
Michael A. Patterson	01/01/2020 - 12/31/2023

Section 2. Based on the number of hours set forth in each of their Record of Activities, the monthly reporting to the Retirement System of days worked for Councilmembers Miguel A. Meléndez, Jr. and Michael A. Patterson shall be calculated based on the total number of six-hour work day equivalents worked each month, as specified in the Reporting Resolution Form.

Section 3. The Council hereby approves and incorporates into this resolution the Standard Work Day, the Record of Activities Result, and the Current Term of Office for Councilmembers Miguel A. Meléndez, Jr. and Michael A. Patterson, as set forth in the accompanying Reporting Resolution Form, which is annexed hereto. The Council hereby directs the City Clerk to post this resolution and the Reporting Resolution Form in public (with the Social Security and NYSLRS identification numbers redacted) for a

period of at least 30 days after which she shall file said resolution and the unredacted form, along with an affidavit of posting, with the Retirement System.

Section 4. This resolution shall take effect immediately.

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Main entrance Secretary or Clerk's office at:	v or Clerk's a	fice at:		å	Page 1	(for	additional rows	(for additional rows, attach a RS 2417-B for	117.B fo
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City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290 Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

September 18, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity: Resolution in

support of the Pro-Housing Communities Program

Pursuant to Section XVI of the Rules of Council, I hereby request that the Council act on the attached resolution at our September 19th meeting without requiring prior reference to and discharge from a standing committee.

This resolution is necessary for the City of Rochester to apply for certification as a Pro-Housing Community, which will prioritize City applications to \$650 Million in State funding related to housing growth.

Respectfully submitted,

Hon. Miguel A. Meléndez, Jr. – President

Rochester City Council

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City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

Sponsor: Michael A. Patterson, Chair, Neighborhood and Business Development Committee; Northeast Representative

Cosponsor(s): Miguel A. Meléndez, Jr., President; Councilmembers: Mitch Gruber, LaShay D. Harris, and Willie J. Lightfoot, Sr.

September 18, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Pro-Housing Communities Pledge

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution adopting the Pro-Housing Community Pledge. In July of this year, Governor Hochul signed Executive Order 30 creating the Pro-Housing Community Program. This program rewards local government that are working hard to address New York's housing crisis by prioritizing applications to certain State funding streams amounting to \$650 million.

Cities must submit an application to New York State's Homes and Community Renewal (HCR) agency to be designated and certified as a "Pro-Housing Community." The application requires submission of a letter of intent, a Zoning map and Zoning code summary, a Housing Planning and Building Permit information from the last five years, and an executed Pro-Housing Community Resolution by the relevant governing body.

The pledge outlines a number of proactive measures, listed below, that the City can take to further cement our commitment to address the housing crisis.

- 1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
- 2. Adopting policies that affirmatively further fair housing.
- 3. Incorporating regional housing needs into planning decisions.
- 4. Increasing development capacity for residential uses.
- 5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

Respectfully submitted,

Michael A. Patterson

Northeast District

LaShay D. Harris

At-Large South District

Miguel A. Meléndez, Jr. President

1 Toolaoni

Willie J. Lightfoot, Sr.

At-Large

Mitch Gruber

374

Resolution No.

Resolution adopting the Pro-Housing Communities Pledge

WHEREAS, the City of Rochester (hereinafter "local government") believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Rochester that the City, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have us endeavor to take the following important steps:

- Section 1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
 - Section 2. Adopting policies that affirmatively further fair housing.
 - Section 3. Incorporating regional housing needs into planning decisions.
 - Section 4. Increasing development capacity for residential uses.
- Section 5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
 - Section 6. This resolution shall take effect immediately.