



City of Rochester

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

FINANCE INTRODUCTORY NO.

324

Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$7,132.26.

New York State owns both 1890 Mt. Hope Avenue and 465 East Henrietta Road. The State is exempt from paying local works charges such as street cleaning, roadway snow plowing, sidewalk plowing, and hazardous sidewalk replacement; however, these charges were inadvertently added when there were administrative subdivisions on the properties starting with the 2014-15 and 2015-16 tax years.

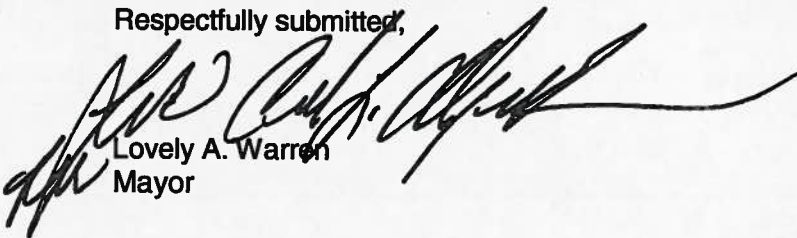
The owner of 584-590 Jefferson Avenue purchased the property from a non-profit organization on December 16, 2016 for the sum of \$45,000. The new owner is also a non-profit organization, but they failed to submit their required application by the filing deadline of February 1, 2017. In addition, they were not utilizing the property by the taxable status date of February 1, 2017 and were not entitled to their own non-profit exemption. Therefore, the property was made taxable and a supplemental tax was charged. The property had been assessed at \$130,000 and was subsequently reduced to the purchase price due to the poor condition of the building. Due to a clerical error, the supplemental tax was based on the prior assessment when it should have been based on the lower value.

If these cancellations are approved, total cancellations thus far for 2017-18 will be as follows:

	<u>Accounts</u>	
City Council	3	\$7,132.26
Administrative	<u>14</u>	<u>\$718.15</u>
Total	17	\$7,850.41

These cancellations represent 0.003% of the tax receivables as of July 1, 2017.

Respectfully submitted,



Lovely A. Warren
Mayor

Cancellation of Taxes and Charges September 19, 2017 Approval

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

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

- (A) The property located at 1890 Mt. Hope Avenue is owned by New York State which is exempt from paying local works charges. The special districts such as street cleaning; roadway snow plowing; sidewalk plowing and hazardous sidewalk replacement were inadvertently added when there was an administrative subdivision on the property starting with the 2014-15 tax year.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
150.21-1-2.2	N	1890 Mt. Hope Ave.	2015	\$935.08	\$935.08
			2016	\$944.50	\$944.50
			2017	\$945.16	\$945.16
			2018	\$973.56	\$973.56

- (B) The property located at 465 E. Henrietta Road is owned by New York State which is exempt from paying local works charges. The special districts such as street cleaning; roadway snow plowing; sidewalk plowing and hazardous sidewalk replacement were inadvertently added when there was an administrative subdivision on the property starting with the 2015-16.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
150.22-1-1.3	N	465 E. Henrietta Rd.	2016	\$534.10	\$534.10
			2017	\$534.47	\$534.47
			2018	\$554.54	\$550.54

- (C) The owner of 584-590 Jefferson Avenue purchased the property from a non-profit organization on December 16, 2016 for the sum of \$45,000. The new owner is also a non-profit organization. However they failed to submit their required application by the filing deadline of February 1, 2017. In addition, they were not utilizing the property by the taxable status date of February 1, 2017 and were not entitled to their own non-profit exemption. Therefore, the property was made taxable and a supplemental tax was charged. The property had been assessed at \$130,000 and was subsequently reduced to the purchase price due to the poor condition of the building. Due to a clerical error, the supplemental tax was based on the prior assessment when it should have been based on the lower value.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
120.68-1-15	N	584-590 Jefferson Ave.	2017	\$1,714.85	\$1,714.85

Grand Total \$7,132.26

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

Section 3. This ordinance shall take effect immediately.



Administrative
Council cancellation

For approval: September 2017

S-B-L: 150.210-0001-002-002

CD: JE

Phone:

Property address: 1890 Mt Hope Av

Owner's name: State of New York

Mailing address: c/o Thomas Finch Ofc-ROW, 1530 Jefferson Road, Rochester, NY 14623

City / School tax		Nonhomestead			tax year	tax rate	amt cancelled
orig asmt	corct asmt	asmt chg	orig exmt	corct exmt			
City					2018	0.012517	
School					2018	0.026933	
City					2017	0.011982	
School					2017	0.025781	
City					2016	0.012884	
School					2016	0.029033	
							total

Embellishments / Refuse

Year			2018		2017		2016		2015	
			billed	cancelled	billed	cancelled	billed	cancelled	billed	cancelled
SC400	orig units	corct units	255.19	255.19	266.11	266.11	254.35	254.35	252.84	252.84
RP600	168	0	407.23	407.23	501.31	501.31	491.74	491.74	482.83	482.83
SP700	168	0	137.26	137.26	147.50	147.50	149.35	149.35	171.86	171.86
HSR	168	0	173.88	173.88	30.24	30.24	49.06	49.06	27.55	27.55
Refuse										
City tax										
School tax										
Grand total			973.56	973.56	945.16	945.16	944.50	944.50	935.08	935.08

Rates	2018	2017	2016	2015
SC400	1.519	1.584	1.514	1.505
RP600	2.424	2.984	2.927	2.874
SP700	0.817	0.878	0.889	1.023
HSR	1.035	0.180	0.292	0.164

Total cancelled
all years: 3,798.30

Reason for cancellation

State of New York does not pay embellishment charges. These were inadvertently applied when the property was subdivided.

Signatures required for approval

Dominic L. Boggett 7/18/17
Originating Department date
Edm 8/14/17
Bureau of Treasury date
Michael J. [Signature] 8/10/17
Bureau of Assessment date

[Signature] 8/10/2017
Law Department date

Director of Finance date

Completed (Treasury) date

8:57:58 Monday, June 05, 2017

ARMSUM ASSESSMENT - SUMMARY DISPLAY - CURRENT YEAR DATE: 06/05/2017 *

150 210 0001 002 002 0000 00 1 JE P 00 CT/B-AD 0038.04 901 14 DISC 0000000000
1890 MT HOPE AV 14620 USE 438 20 SF YR N/A

- OWNER & MAILING INFORMATION - MISC.-
STATE OF NEW YORK

ASSESSMENT DATA
TAXABLES

% THOMAS FINCH-OFC R O W
1530 JEFFERSON RD

RS - SS
8 - 6
ACT HSC
A - N
NGBHD
TOTAL

CURRENT
LAND 75,800
TOTAL 75,800
PRIOR
LAND 75,800
TOTAL 75,800
COUNTY 0
CITY 0
SCHOOL 0
BANK CODE
MORTGAGE

ROCHESTER NY

14623

00003

INVESTOR 00109

- - - - - SALES INFORMATION - - - - -

PRICE 0 DEED DATE 081413

BOOK 01209 PAGE CTL# 00000000

PR OWNER COUNTY OF MONROE

- - DIMENSIONS - - COORDINATES - -

F 168.00 D 373.00 E 404890 N 135775

ACRES 1.24 SP/MRG 00000000 IR LT I

- - - - - SPECIAL DISTRICTS - - - - -

- - - - - EXEMPTIONS - - - RES% 00

CODE AMOUNT PCT IY TY HC

12100 000075800 0.00 14

00000 0000000000 0.00 00

00000 0000000000 0.00 00

SPC UNITS PCT TYPE VALUE

HSR00 168.00 .0000 4 168

RP600 168.00 .0000 4 168

SC400 168.00 .0000 4 168

SP700 168.00 .0000 4 168

0.00 .0000 0.00

0.00 .0000 0.00

PF10-APPRAISER TASK LOG

4 years

Sub
14-15
of lot 2
appropriation

put spec. dist
in secondary
B9B
6-30-17

12:31:53 Tuesday, July 18, 2017

TRASMQY

TXR - ASSESSMENTS AND TAX ADDITIONS

DATE: 07/18/2017 >

SBL NUMBER 150 210 0001 002 002 0000 JE
ADDRESS 1890 MT HOPE AV

TAX YEAR 2018

TAX RATE TYPE: NON-HOMESTEAD

ASSESSMENT	CITY	SCHOOL
LAND ONLY	75,800	75,800
LAND&IMPRVMTS	75,800	75,800
EXEMPTIONS	75,800	75,800
TAXABLE VALUE	0	0
-- EXEMPTIONS --		
NYS OWNER	75,800	75,800

CITY TAX	0.00
SCHOOL TAX	0.00
REFUSE AMOUNT	0.00
TAX ADDITIONS	973.56
TOTAL TAXES	973.56
-- TAX ADDITIONS --	
HAZARD SDWLK REPLACE	173.88
ROADWAY SNOW PLOW	407.23
STREET MAINT. FULL	255.19
SIDEWALK SNOW PLOW	137.26

STAR SVNGS C:	0.00	S:	0.00	TOTAL:	0.00	TRUE AMT:	3,963.87
PF13-NAME/ADDR	PF15-ADJMNTS	PF16-ACCT BAL	PF17-PAYMNTS				
PF18-PAY RCPT	PF19-PRIOR ADDN	PF20-MORE ADDNS	PF12-RETURN TO ARMSUM				

8:58:13 Monday, June 05, 2017

TRASMQY

TXR - ASSESSMENTS AND TAX ADDITIONS

DATE: 06/05/2017 >

SBL NUMBER 150 210 0001 002 002 0000 JE
ADDRESS 1890 MT HOPE AV

TAX YEAR 2017

TAX RATE TYPE: NON-HOMESTEAD			CITY TAX	0.00
ASSESSMENT			SCHOOL TAX	0.00
LAND ONLY	75,800	SCHOOL	REFUSE AMOUNT	0.00
LAND&IMPRVMTS	75,800	75,800	TAX ADDITIONS	945.16
EXEMPTIONS	75,800	75,800	TOTAL TAXES	945.16
TAXABLE VALUE	0	0	-- TAX ADDITIONS --	
-- EXEMPTIONS --			HAZARD SDWLK REPLACE	30.24
NYS OWNER	75,800	75,800	ROADWAY SNOW PLOW	501.31
			STREET MAINT. FULL	266.11
			SIDEWALK SNOW PLOW	147.50

STAR SVNGS C: 0.00 S: 0.00 TOTAL: 0.00 TRUE AMT: 3,807.60
PF13-NAME/ADDR PF15-ADJMNTS PF16-ACCT BAL PF17-PAYMNTS
PF18-PAY RCPT PF19-PRIOR ADDN PF20-MORE ADDNS PF12-RETURN TO ARMSUM

8:58:11 Monday, June 05, 2017

TRASMQY

TXR - ASSESSMENTS AND TAX ADDITIONS

DATE: 06/05/2017 >

SBL NUMBER 150 210 0001 002 002 0000 JE
ADDRESS 1890 MT HOPE AV

TAX YEAR 2016

TAX RATE TYPE: NON-HOMESTEAD

ASSESSMENT	CITY	SCHOOL
LAND ONLY	75,800	75,800
LAND&IMPRVMTS	75,800	75,800
EXEMPTIONS	75,800	75,800
TAXABLE VALUE	0	0
-- EXEMPTIONS --		
NYS OWNER	75,800	75,800

CITY TAX	0.00
SCHOOL TAX	0.00
REFUSE AMOUNT	0.00
TAX ADDITIONS	944.50
TOTAL TAXES	944.50
-- TAX ADDITIONS --	
HAZARD SDWLK REPLACE	49.06
ROADWAY SNOW PLOW	491.74
STREET MAINT. FULL	254.35
SIDEWALK SNOW PLOW	149.35

STAR SVNGS C: 0.00 S: 0.00 TOTAL: 0.00 TRUE AMT: 4,121.81
PF13-NAME/ADDR PF15-ADJMNTS PF16-ACCT BAL PF17-PAYMNTS
PF18-PAY RCPT PF19-PRIOR ADDN PF20-MORE ADDNS PF12-RETURN TO ARMSUM

8:58:09 Monday, June 05, 2017

TRASMQY TXR - ASSESSMENTS AND TAX ADDITIONS DATE: 06/05/2017 *
NO OLDER TAX YEAR FOR ACCOUNT REQUESTED - DISPLAYING OLDEST TAX YEAR
SBL NUMBER 150 210 0001 002 002 0000 JE TAX YEAR 2015
ADDRESS 1890 MT HOPE AV

TAX RATE TYPE: NON-HOMESTEAD			CITY TAX	0.00
ASSESSMENT			SCHOOL TAX	0.00
LAND ONLY	CITY	SCHOOL	REFUSE AMOUNT	0.00
75,800	75,800	75,800	TAX ADDITIONS	935.08
LAND&IMPRVMTS	75,800	75,800	TOTAL TAXES	935.08
EXEMPTIONS	75,800	75,800	-- TAX ADDITIONS --	
TAXABLE VALUE	0	0	HAZARD SDWLK REPLACE	27.55
-- EXEMPTIONS --			ROADWAY SNOW PLOW	482.83
NYS OWNER	75,800	75,800	STREET MAINT. FULL	252.84
			SIDEWALK SNOW PLOW	171.86

STAR SVNGS C: 0.00 S: 0.00 TOTAL: 0.00 TRUE AMT: 4,184.02
PF13-NAME/ADDR PF15-ADJMNTS PF16-ACCT BAL PF17-PAYMNTS
PF18-PAY RCPT PF19-PRIOR ADDN PF20-MORE ADDNS PF12-RETURN TO ARMSUM



**Administrative
Council cancellation**

For approval: _____

S-B-L: 120.680-0001-015 CD: NY
 Property address: 584-590 Jefferson Av
 Owner's name: Barakah Muslim Charity, Inc
 Mailing address: 19 Jenna Way, Rochester, NY 14623

Phone: 585-305-5522

<u>City / School tax</u>		Nonhomestead				tax year	tax rate	amt cancelled
orig asmt	corct asmt	asmt chg	orig exmt	corct exmt	exmt chg			
City						2018	0.012517	
School						2018	0.026933	
City	130,000	45,000	-85,000	Supplemental Tax Only		2017	0.011982	544.11
School	130,000	45,000	-85,000	Supplemental Tax Only		2017	0.025781	1,170.74
City						2016	0.012884	
School						2016	0.029033	
								1,714.85 total

Embellishments / Refuse

Year	orig units	corct units	2018		2017		2016		2015	
			billed	cancelled	billed	cancelled	billed	cancelled	billed	cancelled
SC400										
RP600										
SP700										
HSR										
Refuse										
City tax					832.17	544.11				
School tax					1,790.54	1,170.74				
Grand total					2,622.71	1,714.85				

Rates	2018	2017	2016	2015	Total cancelled all years: 1,714.85 Supplemental Tax Only
SC400	1.519	1.584	1.514	1.505	
RP600	2.424	2.984	2.927	2.874	
SP700	0.817	0.878	0.889	1.023	
HSR	1.035	0.180	0.292	0.164	

Reason for cancellation

The subject property was purchased on 12/16/2016 from a tax exempt organization. The new property owner is also an exempt organization, however, they submitted their non-profit exemption forms after the 2/1/2017 deadline and the property was not yet utilized by them. Therefore, it was not eligible for a non-profit exemption. As a result, a tax bill was generated on 7/1/2017 at a revised assessment of \$45,000 (the purchase price). However, due to a clerical error, the supplemental tax bill was calculated at the old assessment, which was \$130,000. This cancellation is to correct the error in the calculation of the supplemental bill only.

Signatures required for approval

Dominic L. Bagell 7/25/17
 Originating Department date
GSM 8/14/17
 Bureau of Treasury date
Michael J. [Signature] 8/10/17
 Bureau of Assessment date

[Signature] 8/15/2017
 Law Department date

 Director of Finance date

 Completed (Treasury) date

SUPPLEMENTAL TAX ESTIMATION

(NON-HOMESTEAD)

OVERALL

SBL: 120.680-0001-015

TOT VALUE 45,000

ADDRESS: 584-590 Jefferson Av

TRANSFER DATE: 12/16/2016

HOMESTEAD	CITY	SCHOOL	COUNTY
TAX YEAR	2016-17	2016-17	2016
RATE	11.982	25.781	10.704644
BEGIN DATE	12/17/2016	12/17/2016	12/17/2016
END DATE	6/30/2017	6/30/2017	1/1/2017
APPL DAYS	195	195	15
DAYS IN YEAR	365	365	365
PRO RATA	0.534246575	0.5342466	0.04109589
EXEMPT VALUE	45,000	45,000	45,000
SUPPL TAX	288.06	619.80	19.80
HOMESTEAD	CITY	SCHOOL	COUNTY
TAX YEAR	2017-18	2017-18	2017
RATE	12.517	26.933	10.535979
BEGIN DATE	7/1/2017	7/1/2017	1/1/2017
END DATE	7/1/2018	7/1/2018	1/1/2018
APPL DAYS	365	365	365
DAYS IN YEAR	365	365	365
PRO RATA	1	1	1
EXEMPT VALUE	-	-	45,000
SUPPL TAX	0.00	0.00	474.12
TOTALS	288.06	619.80	493.92

Total All
1401.78

17:02:49 Thursday, July 13, 2017

ARMSUM ASSESSMENT - SUMMARY DISPLAY - CURRENT YEAR DATE: 07/13/2017 DISPLAY

```
120 680 0001 015 000 0000 00 1 NY P 00 CT/B-AD 0065.00 302 19 DISC 000000000
0584-590 JEFFERSON AV 14611 USE 482 99 SF 7,369 YR 1940
- OWNER & MAILING INFORMATION - MISC.- - - - - ASSESSMENT DATA - - - - -
BARAKAH MUSLIM CHARITY RS - SS CURRENT R TAXABLES
INC 1 - 6 LAND 11,200 COUNTY 45,000
ACT HSC TOTAL 45,000 CITY 45,000
19 JENNA WAY A - N PRIOR SCHOOL 45,000
NGBHD LAND 11,200 BANK CODE 9914623
ROCHESTER NY 14623 00004 TOTAL 45,000 MORTGAGE
INVESTOR 00000
- - - - - SALES INFORMATION - - - - - - - DIMENSIONS - - - COORDINATES - -
PRICE 45,000 DEED W DATE 121616 F 70.50 D 107.10 E 403079 N 146702
BOOK 11800 PAGE 33 CTL# 9999999 ACRES 0.00 SP/MRG 00000000 IR LT
PR OWNER SOUTHWEST AREA NEIGHBORHOOD - - - - - SPECIAL DISTRICTS - - - - -
- - - - - EXEMPTIONS - - - RES% 00 SPC UNITS PCT TYPE VALUE
CODE AMOUNT PCT IY TY HC SC400 107.00 .0000 0.00
RP600 107.00 .0000 0.00
SP700 71.00 .0000 0.00
HSR00 71.00 .0000 0.00
0.00 .0000 0.00
0.00 .0000 0.00
* NO EXISTING EXEMPTIONS *
PF10-APPRAISER TASK LOG
```


17:02:53 Thursday, July 13, 2017

TRASMQY TXR - ASSESSMENTS AND TAX ADDITIONS DATE: 07/13/2017 *
TAX YEAR NOT FOUND - DISPLAYING MOST RECENT OPEN TAX YEAR FOR ACCOUNT
SBL NUMBER 120 680 0001 015 000 0000 NY TAX YEAR 2018
ADDRESS 0584-590 JEFFERSON AV

TAX RATE TYPE: NON-HOMESTEAD			CITY TAX	563.27
ASSESSMENT	CITY	SCHOOL	SCHOOL TAX	1,211.99
LAND ONLY	11,200	11,200	REFUSE AMOUNT	0.00
LAND&IMPRVMTS	45,000	45,000	TAX ADDITIONS	3,176.11
EXEMPTIONS	0	0	TOTAL TAXES	4,951.37
TAXABLE VALUE	45,000	45,000	-- TAX ADDITIONS --	
-- EXEMPTIONS --			STREET MAINT. FULL	162.53
			ROADWAY SNOW PLOW	259.37
			SIDEWALK SNOW PLOW	58.01
			HAZARD SDWLK REPLACE	73.49
			SUPPLMTL TAX - CITY	832.17
			SUPPLMTL TAX-SCHOOL	1,790.54

2,328.71

STAR SVNGS C: 0.00 S: 0.00 TOTAL: 0.00 TRUE AMT: 2,328.66
PF13-NAME/ADDR PF15-ADJMNTS PF16-ACCT BAL PF17-PAYMNTS
PF18-PAY RCPT PF19-PRIOR ADDN PF20-MORE ADDNS PF12-RETURN TO ARMSUM



**Administrative
Council cancellation**

For approval: September

S-B-L: 150.220-0001-001.003 CD: JS Phone:
 Property address: 465 E Henrietta Rd
 Owner's name: State of New York
 Mailing address: c/o Thomas Finch-Ofc ROW, 1530 Jefferson Road, Rochester, NY 14623

<u>City / School tax</u>	Nonhomestead						tax year	tax rate	amt cancelled
	orig asmt	corct asmt	asmt chg	orig exmt	corct exmt	exmt chg			
City							2018	0.012517	
School							2018	0.026933	
City							2017	0.011982	
School							2017	0.025781	
City							2016	0.012884	
School							2016	0.029033	
									total

Embellishments / Refuse

Year			2018		2017		2016		2015	
			billed	cancelled	billed	cancelled	billed	cancelled	billed	cancelled
SC400	95	0	144.31	144.31	150.48	150.48	143.83	143.83		
RP600	95	0	230.28	230.28	283.48	283.48	278.07	278.07		
SP700	95	0	77.62	77.62	83.41	83.41	84.46	84.46		
HSR	95	0	98.33	98.33	17.10	17.10	27.74	27.74		
Refuse										
City tax										
School tax										
Grand total			550.54	550.54	634.47	634.47	534.10	534.10		

Rates	2018	2017	2016	2015
SC400	1.519	1.584	1.514	1.505
RP600	2.424	2.984	2.927	2.874
SP700	0.817	0.878	0.889	1.023
HSR	1.035	0.180	0.292	0.164

Total cancelled
all years: 1,619.11

Reason for cancellation

State of New York does not pay embellishment charges. These were inadvertently applied when the property was subdivided.

Signatures required for approval

Dominic L. Boggett 7/18/17
 Originating Department date
Com 8/14/17
 Bureau of Treasury date
Michael J. Z... 8/10/17
 Bureau of Assessment date

[Signature] 8/10/2017
 Law Department date
 Director of Finance date
 Completed (Treasury) date

8:54:53 Monday, June 05, 2017

ARMSUM ASSESSMENT - SUMMARY DISPLAY - CURRENT YEAR DATE: 06/05/2017 *

150 220 0001 001 003 0000 00 1 JS P 00 CT/B-AD 0038.04 901 14 DISC 000000000
0465 E HENRIETTA RD 14620 USE 330 20 SF YR N/A
- OWNER & MAILING INFORMATION - MISC. - - - - - ASSESSMENT DATA - - - - -
STATE OF NEW YORK RS - SS CURRENT TAXABLES
8 - 6 LAND 5,300 COUNTY 0
% THOMAS FINCH-OFC R O W ACT HSC TOTAL 5,300 CITY 0
1530 JEFFERSON RD A - N PRIOR LAND 5,300 SCHOOL 0
ROCHESTER NY 14623 00003 TOTAL 5,300 MORTGAGE
INVESTOR 00109
- - - - - SALES INFORMATION - - - - - - - DIMENSIONS - - - COORDINATES - -
PRICE 0 DEED P DATE 000000 F 95.00 D 72.00 E 406525 N 135000
BOOK 01210 PAGE 00209 CTL# 00000000 ACRES 0.07 SP/MRG 00000000 IR LT I
PR OWNER COUNTY OF MONROE - - - - - SPECIAL DISTRICTS - - - - -
- - - - - EXEMPTIONS - - - RES% 00 SPC UNITS PCT TYPE VALUE
CODE AMOUNT PCT IY TY HC HSR00 ~~95.00~~ .0000 4 0.00 95
12100 000005300 0.00 15 RP600 ~~95.00~~ .0000 4 0.00 95
00000 000000000 0.00 00 SC400 ~~95.00~~ .0000 4 0.00 95
00000 000000000 0.00 00 SP700 ~~95.00~~ .0000 4 0.00 95
PF10-APPRAISER TASK LOG 0.00 .0000 0.00 .0000 0.00

Sub
15-16
of sub lot 00 to
appropriation

Spec sheet
in secondary

Express
3 years

B9B
6-30-17

12:28:41 Tuesday, July 18, 2017

TRASMQY TXR - ASSESSMENTS AND TAX ADDITIONS DATE: 07/18/2017 *
NO MORE TAX YEARS FOR ACCOUNT REQUESTED - DISPLAYING LAST YEAR FOR ACCOUNT
SBL NUMBER 150 220 0001 001 003 0000 JS TAX YEAR 2018
ADDRESS 0465 E HENRIETTA RD

TAX RATE TYPE: NON-HOMESTEAD			CITY TAX	0.00
			SCHOOL TAX	0.00
ASSESSMENT	CITY	SCHOOL	REFUSE AMOUNT	0.00
LAND ONLY	5,300	5,300	TAX ADDITIONS	550.54
LAND&IMPRVMTS	5,300	5,300	TOTAL TAXES	550.54
EXEMPTIONS	5,300	5,300	-- TAX ADDITIONS --	
TAXABLE VALUE	0	0	HAZARD SDWLK REPLACE	98.33
-- EXEMPTIONS --			ROADWAY SNOW PLOW	230.28
NYS OWNER	5,300	5,300	STREET MAINT. FULL	144.31
			SIDEWALK SNOW PLOW	77.62

STAR SVNGS C: 0.00 S: 0.00 TOTAL: 0.00 TRUE AMT: 759.62
PF13-NAME/ADDR PF15-ADJMNTS PF16-ACCT BAL PF17-PAYMNTS
PF18-PAY RCPT PF19-PRIOR ADDN PF20-MORE ADDNS PF12-RETURN TO ARMSUM

8:55:20 Monday, June 05, 2017

TRASMQY

TXR - ASSESSMENTS AND TAX ADDITIONS

DATE: 06/05/2017 >

SBL NUMBER 150 220 0001 001 003 0000 JS
ADDRESS 0465 E HENRIETTA RD

TAX YEAR 2017

TAX RATE TYPE: NON-HOMESTEAD			CITY TAX	0.00
ASSESSMENT			SCHOOL TAX	0.00
LAND ONLY	CITY	SCHOOL	REFUSE AMOUNT	0.00
LAND&IMPRVMTS	5,300	5,300	TAX ADDITIONS	534.47
EXEMPTIONS	5,300	5,300	TOTAL TAXES	534.47
TAXABLE VALUE	0	0	-- TAX ADDITIONS --	
-- EXEMPTIONS --			HAZARD SDWLK REPLACE	17.10
NYS OWNER	5,300	5,300	ROADWAY SNOW PLOW	283.48
			STREET MAINT. FULL	150.48
			SIDEWALK SNOW PLOW	83.41

STAR SVNGS C:	0.00	S:	0.00	TOTAL:	0.00	TRUE AMT:	734.61
PF13-NAME/ADDR	PF15-ADJMTS	PF16-ACCT BAL	PF17-PAYMNTS				
PF18-PAY RCPT	PF19-PRIOR ADDN	PF20-MORE ADDNS	PF12-RETURN TO ARMSUM				

8:55:17 Monday, June 05, 2017

TRASMQY TKR - ASSESSMENTS AND TAX ADDITIONS DATE: 06/05/2017 *
NO OLDER TAX YEAR FOR ACCOUNT REQUESTED - DISPLAYING OLDEST TAX YEAR
SBL NUMBER 150 220 0001 001 003 0000 JS TAX YEAR 2016
ADDRESS 0465 E HENRIETTA RD

TAX RATE TYPE: NON-HOMESTEAD			CITY TAX	0.00
ASSESSMENT	CITY	SCHOOL	SCHOOL TAX	0.00
LAND ONLY	5,300	5,300	REFUSE AMOUNT	0.00
LAND&IMPRVMTS	5,300	5,300	TAX ADDITIONS	534.10
EXEMPTIONS	5,300	5,300	TOTAL TAXES	534.10
TAXABLE VALUE	0	0	-- TAX ADDITIONS --	
-- EXEMPTIONS --			HAZARD SDWLK REPLACE	27.74
NYS OWNER	5,300	5,300	ROADWAY SNOW PLOW	278.07
			STREET MAINT. FULL	143.83
			SIDEWALK SNOW PLOW	84.46

STAR SVNGS C: 0.00 S: 0.00 TOTAL: 0.00 TRUE AMT: 756.26
PF13-NAME/ADDR PF15-ADJMNTS PF16-ACCT BAL PF17-PAYMNTS
PF18-PAY RCPT PF19-PRIOR ADDN PF20-MORE ADDNS PF12-RETURN TO ARMSUM

324

Ordinance No.

Cancellation of erroneous taxes and charges

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

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

- (A) The property located at 1890 Mt. Hope Avenue is owned by New York State which is exempt from paying local works charges. The special districts such as street cleaning; roadway snow plowing; sidewalk plowing and hazardous sidewalk replacement were inadvertently added when there was an administrative subdivision on the property starting with the 2014-15 tax year.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
150.21-1-2.2	N	1890 Mt. Hope Ave.	2015	\$935.08	\$935.08
			2016	\$944.50	\$944.50
			2017	\$945.16	\$945.16
			2018	\$973.56	\$973.56

- (B) The property located at 465 E. Henrietta Road is owned by New York State which is exempt from paying local works charges. The special districts such as street cleaning; roadway snow plowing; sidewalk plowing and hazardous sidewalk replacement were inadvertently added when there was an administrative subdivision on the property starting with the 2015-16 tax year.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
150.22-1-1.3	N	465 E. Henrietta Rd.	2016	\$534.10	\$534.10
			2017	\$534.47	\$534.47
			2018	\$554.54	\$550.54

- (C) The owner of 584-590 Jefferson Avenue purchased the property from a non-profit organization on December 16, 2016 for the sum of \$45,000. The new owner is also a non-profit organization. However they failed to submit their required application by the filing deadline of February 1, 2017. In addition, they were not utilizing the property by the taxable status date of February 1, 2017 and were not entitled to their own non-profit exemption. Therefore, the property was made taxable and a supplemental tax was charged. The property had been assessed at \$130,000 and was subsequently reduced to the purchase price due to the poor condition of the building. Due to a clerical error, the supplemental tax was based on the prior assessment when it should have been based on the lower value.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
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120.68-1-15	N	584-590 Jefferson Ave.	2017	\$1,714.85	\$1,714.85
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Grand Total				\$7,132.26
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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.



City of Rochester

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

FINANCE
INTRODUCTORY NO.
325

2

Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – IPT LLC d/b/a PayLock, Parking
Enforcement Vehicle Booting Program

Transmitted herewith for your approval is legislation authorizing an agreement with IPT, LLC d/b/a PayLock, for a self-release immobilization (booting) program for vehicles with three or more outstanding parking tickets that are 90 or more days old. The firm is considered a sole-source provider and has been the provider of this service for the City for the last seven years. This agreement will be for a term of five years, with two optional one-year renewals.

The booting program will be used to increase collections on tickets issued to "scofflaw" vehicles while simultaneously providing better customer service. A scofflaw vehicle is one that has three or more unpaid tickets that are 90 or more days old and, if a New York plate, at least one of which is in judgment. From July 1, 2012 through June 30, 2017, approximately \$6 million in ticket payments was remitted to the City because of the booting program.

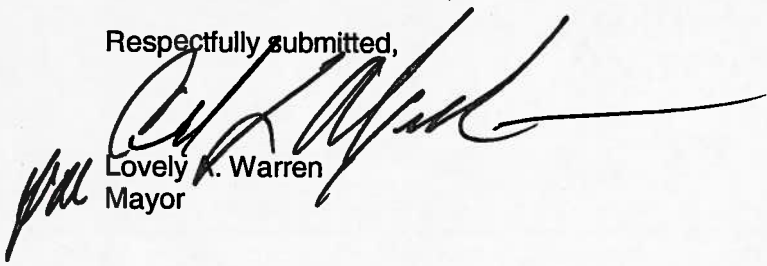
The agreement with PayLock does not require any upfront payment from the City. PayLock will continue to provide license plate recognition hardware, software, self-releasing mechanical boots, and payment services. For each booted vehicle, PayLock will charge a fee of 17% of the collected fines and the boot fee of \$85. These terms remain unchanged from the previous agreement between PayLock and the City.

Parking Enforcement vehicles will be equipped with license plate recognition cameras, laptop with software provided by PayLock and a database provided by the City, which will allow staff to identify scofflaw (as well as stolen and amber alert) vehicles and confirm the amount of outstanding fines. Once the identified vehicle is booted, a sticker with the toll-free number of the PayLock call center is applied to the vehicle.

Payment by credit card or Automated Clearing House (ACH) checks is processed by the call center and the code to release the boot is given to the driver/owner of the vehicle. They then have 48 hours to return the boot to the City; failure to return the boot will result in late fees of \$25 per day up to a maximum of \$500, the replacement cost.

PayLock will calculate the City's payment (full payment of all fines and fees minus the \$85 booting fee and the 17% collection rate) and remit the net amount bi-weekly to the City.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing an agreement for the immobilization and redemption of scofflaw motor vehicles

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

Section 1. The Mayor is hereby authorized to enter into an agreement with IPT LLC, d/b/a PayLock (PayLock) for an immobilization and redemption program for motor vehicles with three or more outstanding parking tickets that may be immobilized pursuant to Section 111-77 of the City Traffic Ordinance. PayLock shall provide to the City software and hardware to identify such vehicles for installation of the immobilization device. The motor vehicle owner or operator shall be able to release the device upon payment to PayLock of the sum of \$85 plus the payments of outstanding notices of violation or notices of liability. The vehicle owner or operator shall also be required to return the immobilization device to the City, and shall be responsible to PayLock for an additional fee of \$25 per day for each day, or part thereof, after the first 48 hours, for which the immobilization device or mechanism is not returned to the City, up to a maximum of \$500.

Section 2. The agreement shall obligate PayLock to pay to the City of Rochester at least 83% of the collections made on the outstanding notices of violation or notices of liability.

Section 3. The agreement shall extend for a term of five years, with two one-year options to renew.

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

Section 5. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
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**FINANCE
INTRODUCTORY NO.**

326

3
Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

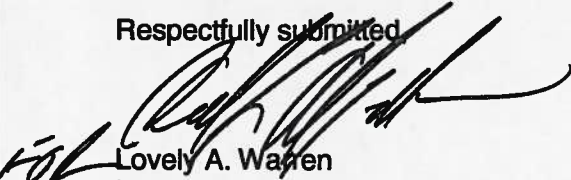
Ladies and Gentlemen:

Re: Amendatory Agreement - Kronos Incorporated,
Enterprise Process and System Solution for
Scheduling, Time and Attendance

Transmitted herewith for your approval is legislation authorizing an amendatory agreement to extend the term by two years with Kronos Incorporated for services related to the implementation of an Enterprise Process and System Solution for Scheduling, Time and Attendance. The original agreement, authorized in October 2015 via Ordinance No. 2015-315, established maximum compensation of \$1,880,000 for a term of two years. This amendment will extend the term by two additional years to October 28, 2019, at no additional cost.

Kronos is providing software, hardware and implementation services to replace existing scheduling legacy systems and automate existing manual processes for time entry, attendance tracking and reporting.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing an amendatory agreement with Kronos Incorporated

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Kronos Incorporated related to the implementation of an Enterprise Process & System Solution for Scheduling, Time and Attendance. The term of the agreement authorized in Ordinance No. 2015-315 is hereby extended for an additional two years, to October 28, 2019.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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FINANCE INTRODUCTORY NO.

327

32

Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Clarissa Street Reunion

Council Priority: Creating and Sustaining a Culture of
Vibrancy; Rebuilding and Strengthening
Neighborhood Housing

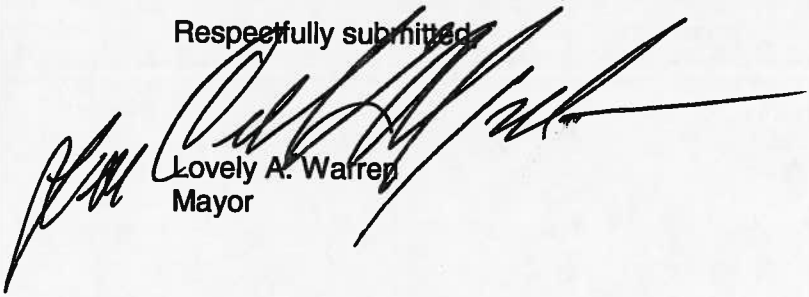
Transmitted herewith for your approval is legislation related to the production of the Clarissa Street Reunion. This legislation will:

1. Authorize the receipt and use of a \$5,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) for the Clarissa Street Reunion; and
2. Amend the 2017-18 Budget of the Bureau of Communications by \$5,000 to reflect said grant.

The City will also provide the festival with \$5,000 in City funding from the budget of the Bureau of Communications and Special Events. With the addition of the NYS grant funds, the total amount the City will disburse to the festival in 2017-18 will be \$10,000. This term of this agreement is one year.

The Clarissa Street Reunion has taken place annually for the past 22 years. This event brings thousands of current and former residents, families, and friends together for a full day of festivities, including parades, food, music and other activities.

Respectfully submitted,


Lovely A. Warren
Mayor



327

Ordinance No.

Authorizing a grant agreement for the Clarissa Street Reunion and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for the receipt and use of \$5,000 to be used for the Clarissa Street Reunion. The agreement shall be for a term not to exceed one year.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Bureau of Communications by the sum of \$5,000 received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.



**BUSINESS & ECONOMIC
DEVELOPMENT
INTRODUCTORY NO.**

328

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreements - 2017-18 Street Liaisons

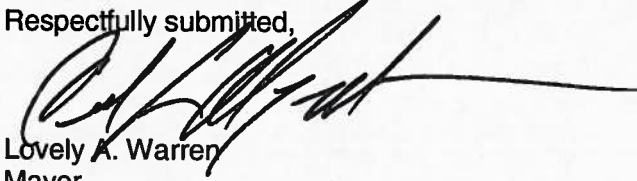
Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for agreements for Street Liaison business development services in each of the City's quadrants, as follows: Action for a Better Community, Incorporated for the Northeast Quadrant; Highland Planning LLC, for the Northwest and Southeast Quadrants; and the 19th Ward Community Southwest Association of Rochester, New York, Inc., for the Southwest Quadrant. The combined maximum compensation of \$80,000 will be financed by the funds appropriated to the Neighborhood Commercial Assistance Program from the Promote Economic Stability fund of the 2017-18 Consolidated Community Development, Annual Action Plan in Ordinance No. 2017-224 (\$54,000) and the 2017-18 Budget of the Department of Neighborhood and Business Development (\$26,000). The term of each agreement will expire on June 30, 2018.

The mission of the Street Liaison is to provide outreach and assistance to businesses within the targeted commercial corridors found in their respective quadrants of the city of Rochester. Their assistance is expected to result in increased business and community investment and the retention and creation of new jobs. The Street Liaison may also contribute to additional business and community development efforts, as detailed in the attached program description.

The consultants were selected through a request for proposals process which is described in the attached summary.

Respectfully submitted,


Lovely A. Warren
Mayor



Request for Proposals

June 30, 2017

City of Rochester Street Liaison Program RFP



REQUEST FOR PROPOSAL CITY OF ROCHESTER STREET LIAISON PROGRAM

Issued: June 30, 2017

Due: Monday, July 17, 2017, 12:00 p.m.

I. Purpose.

The City of Rochester is soliciting proposals for a Street Liaison position in each of the four (4) quadrants of the city of Rochester (Northwest, Northeast, Southwest and Southeast, Downtown). The Street Liaison will work closely with the City of Rochester's (City) Neighborhood Service Center Bureau (NSC) at accomplishing the goals and objectives established in each quadrant. The program will be funded by the federal Community Development Block Grant Program (CDBG) and or Professional Service Agreement Funds. If additional funding is utilized from other sources, it will be noted within each respective Street Liaison agreement. The City will review proposals and make one selection for each quadrant based on criteria stated in Section VII.

All proposals and materials submitted with the proposal shall become the property of the City of Rochester and will be subject to the NYS Freedom of Information Law (FOIL) and that if any proprietary information is submitted with the proposal, it must be clearly identified and a request to keep such information confidential must be submitted.

II. Program Description.

The Street Liaison is expected to deliver essential services to the business community within targeted commercial corridors found in their respective quadrants by providing access to information to support business growth, attracting new businesses and supporting economic development in neighborhood business corridors.

The agreements will be in effect from September 1, 2017 through June 30, 2018.

For any PSA that will equal or exceed \$50,000, the consultant will be required to comply with the City's Living Wage requirements. In this event, the RFP shall require the consultant to include with their proposal a written commitment to pay all "covered employees" a "living wage," as those terms are defined in the Rochester Living Wage Ordinance that can be found in Section 8A-18 of the Municipal Code of the City of Rochester. The successful consultant will be required to enter into a City Professional Service Agreement (PSA) with the City. For all PSAs that exceed \$10,000, including multiple agreements with the same consultant for the same or similar services that may result in an aggregate in one fiscal year that exceeds \$10,000 City Council approval will be required.

III. Scope of Services.

By acting as the City's representative, it is expected that the Consultant maintains customer service as an important core value and commits to deliver these services with the highest level of professionalism.

Deliverables include:

- Function as a liaison between the City of Rochester Business Development Team, NSC Administrators and neighborhood businesses.
- Meet the following annual goals:

1. Attract a minimum of \$100,000 in new investment in designated business corridors.
 2. Assist in the retention of 30 jobs and creation of 20 new jobs
 3. Submit a minimum of 10 qualified leads to the Division of Business Development.
 4. Meet goal of 80% occupancy rate in neighborhood business corridors.
 5. Attend 80% of business association meetings
 6. Attend a minimum of four (4) quad meetings
- Provide detailed reports (Attachment B) of business activities and concerns faced by businesses to City of Rochester staff by the 4th Monday of each month.
 - Work collaboratively with business associations and City of Rochester staff to attract and populate business corridors with products and services that meet the consumer needs of the local and greater community.
 - Work collaboratively with other quadrant Street Liaisons and other interested citizens to share information and best practices for replication and successful business growth. Attend Street Liaison Meetings hosted by the City of Rochester, NSC office.
 - Facilitate business recruitment functions that attract new businesses.
 - Assist new and existing businesses with information and referral for effective permitting and compliance with regulatory requirements.

Report business corridor accomplishments monthly (4th Monday of each month) to NSC Administrators and NSC Director.

IV. Funding

The City of Rochester contract for services will be up to \$20,000 for each quadrant. Funding will be from Community Development Block Grant funding. Amounts may be less depending upon the amount of time a Street Liaison works within their respective areas.

V. Eligibility.

To be eligible to submit a proposal for this RFP, applicants must satisfy the criteria below:

- A) Must be a legally established organization and be in good standing with the City of Rochester.
- B) Must have a minimum of 2 years' experience in working with businesses and assisting with their growth and development.
- C) Respondents must submit a proposal for their own agency. Proposals for a collaborative effort which involves two or more agencies will not be accepted.

- D) Respondents must maintain insurance for at least \$1 million for general liability, naming the City of Rochester, 30 Church Street, Rochester, New York 14614 as additional insured. Additionally workers compensation and disability insurance is required.
- E) Respondents must provide a cost allocation plan which details how Community Development Block Grant funding will be assigned. This will include detail salaries, fringe benefits and overhead, etc. If indirect cost are being requested, an indirect cost plan is required.
- F) Respondents must adhere to federal regulations at 24 CFR part 84 or 85 concerning administrative requirements and adhere to all applicable CDBG circulars.
- G) Must comply with the City of Rochester's subrecipient agreement (attached).
- H) The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

VI. Reporting.

- A) Report business corridor accomplishments and provide outcomes monthly to NSC Administrators regarding tasks coordinated within their offices.
- B) Provide copy of the list of businesses and organizations contacted, along with leads provided to Business Development (name and company overview, etc.).
- C) Details of businesses contacted and attracted to business corridors to reach goal of 80% occupancy rates.
- D) Names and addresses of businesses provided with information and support for effective permitting and compliance with regulatory requirements and business development opportunities.

VII. Selection Process.

Each proposal will be evaluated and scored by the City according to the submission criteria listed below. Cost proposals must include the salary, fringe and indirect costs associated with the personnel to be paid by Community Development Block Grant funds.

There will **not** be a pre-proposal conference for this RFP.

The selection of a consultant is within the City's sole discretion, that no reasons for rejection or acceptance of proposals are required to be given and that the division will be based on qualifications and not solely on cost. Submission Criteria will be graded upon the following:

- | | | |
|----|---|---------|
| 1. | Completeness and quality of proposal | 20 pts. |
| 2. | Statement of organizational capacity and experience
(Including resumes, organizational papers & description; insurance documentation | 30 |

[General liability, workers compensation and disability insurance], and program description). Also, please provide references and/or description of experiences with similar project.

3.	Cost proposal.	15
4.	Approach and methods to carry out the work.	20
5.	Staffing plan with resume(s) of those conducting the work.	10
6.	Statement of how consultant will maintain confidentiality of private information received as a Street Liaison.	5
	Total	100

VI. Deadline/Submission Requirements.

Three (3) Hard copy responses of the proposal are due no later than **Monday, July 17, 2017 12:00 PM** to:

Daisy Algarin
Director, Bureau of Neighborhood Service Center
30 Church St., Room 224B
Rochester, NY 14614

Proposals will be reviewed by a team consisting of a minimum of three (3) people. Decisions will be made on choosing consultants within 14 days of the submission deadline. The City reserves the right not to choose a consultant.

The City of Rochester reserves the right to alter all aforementioned deadlines as necessary. The City may request additional information, amend (upon notification to all vendors) and/or withdraw the RFP for any reason. The City shall have no liability for any costs incurred by organizations in preparing their proposal.

All questions concerning this RFP may be referred to only Daisy Algarin, through email at the following address: Daisy.Algarin@Cityofrochester.gov. Questions regarding the RFP may be submitted no later than July 7th. All answers will be posted on the original RFP by July 10thth.

Department – Neighborhood and Business Development

Project / Service sought – Economic Development Street Manager

Consultant Selected: There were three consultants selected for each of the three quadrants where proposals were received, as follows:

Southwest: 19TH Ward Community Association

Southeast: Highland Planning LLC

Northeast: Action for a Better Community, Inc.

Northwest: Highland Planning

Proposals were not received for the Northwest Quadrant of the city.

Method of selection: X Request for Proposal [*Complete 1-6*]

 Request for Qualifications [*Complete 1-6*]

 From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-5*]

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

June 30, 2017

2. The RFP / RFQ was also sent directly to the following Rochester based providers:

Group 14621

NEAD

Highland Planning LLC

Southwedge Planning Committee

PathStone

Ibero Development Corp.

CONEA

North Winton Village Association

Highland Planning

ABC

19th Ward Community Association

3. Proposals were received from:

FIRM

City/ST

Sector 4 Community Development Corporation, Rochester, NY 14611 - Southwest

Action for a Better Community, Inc., Rochester, New York 14604 - Northeast

Highland Planning LLC , 820 South Clinton Avenue #3, Rochester, New York 14620

4. Evaluation criteria

	<u>Points possible</u>	<u>Points received by FIRM</u>
Quality and Completeness of Proposal	10	Highland Planning LLC: 81.0
Statement of Organizational Capacity/Exp.	30	Action for a Better Community: 74.0
Cost Proposal	10	19 th Ward: 83.0
Approach and Methods	20	
Staffing Plan	10	
City Organization	5	
M/WBE	10	
Confidentiality Plan	<u>5</u>	
TOTAL	100	

5. Review team included staff from: NBD/Neighborhood Neighborhood Preservation (4)
NBD/Business and Housing Development (2)

6. Additional considerations/explanations

None

328

Ordinance No.

Authorizing agreements for the 2017-2018 Street Liaison Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with each of the following organizations in the maximum amount of \$20,000 each to provide Street Liaison services for the specified City quadrants as follows:

- a) Action for a Better Community, Incorporated, Northeast
- b) Highland Planning LLC, Southeast
- c) Highland Planning LLC, Northwest
- d) 19th Ward Community Southwest Association of Rochester, New York, Inc., Southwest

Section 2. The term of said agreements shall continue to June 30, 2018.

Section 3. The amount of \$80,000, or so much thereof as may be necessary for the agreements, shall be funded from the funds appropriated to the Neighborhood Commercial Assistance Program from the Promote Economic Stability fund of the 2017-18 Consolidated Community Development Annual Action Plan in Ordinance No. 2017-224 (\$54,000) and the 2017-18 Budget of Neighborhood and Business Development (\$26,000).

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

Section 5. The City shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.



City of Rochester

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NEIGHBORHOOD & COMMUNITY DEVELOPMENT INTRODUCTORY NO.

24
Lovely A. Warren
Mayor

329

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

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

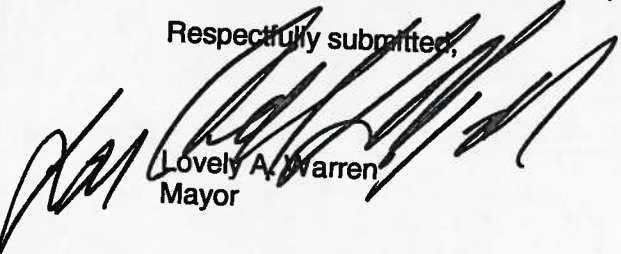
The first two properties are vacant lots sold by negotiated sale to the adjacent owners. The purchasers will combine the lot with their existing property and utilize it as green space.

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

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,195.

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

Respectfully submitted,


Lovely A. Warren
Mayor



24

**Sales to Be Presented to City Council
September 19, 2017**

I. Negotiated Sale – Vacant Land With Proposal

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Code Violations</u>	<u>Zoning/ Legal</u>
26 Boston St	106.23-4-29.1	68 x 96	6,538	\$475	Ronald Phelps	N	R-1/Y
135 Breck St	107.77-1-5	40 x 100	4,000	\$400	Ruthie & Daryl Burke	N	R-1/Y

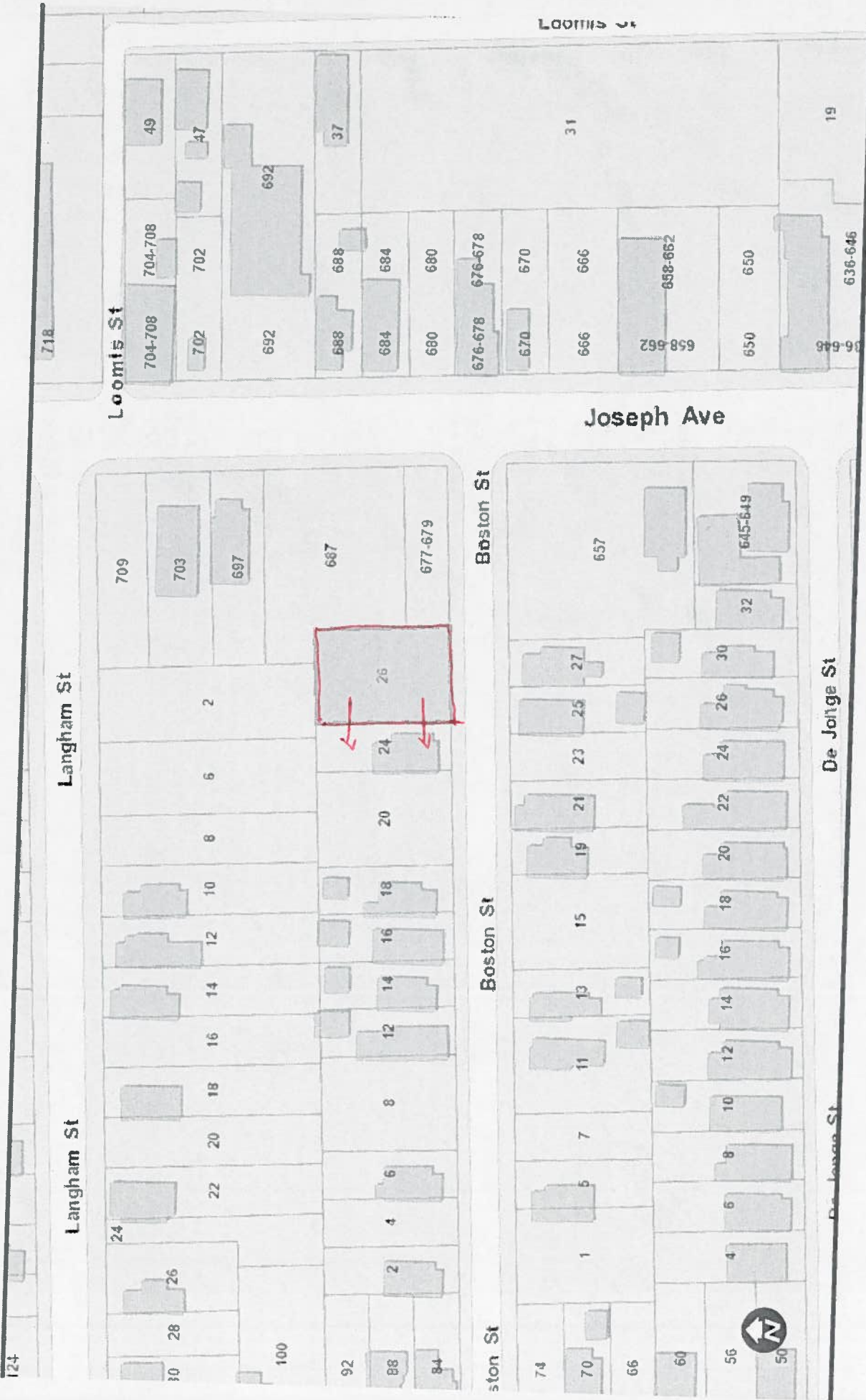
II. Negotiated Sale – Unbuildable Vacant Land

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>	<u>Zoning/ Legal</u>
117 Reynolds St	120.52-1-28	21 x 49	1,029	James I. McClary	R-1/Y
1113 N. Winton Rd	107.59-1-5	46 x 7	359	Katherine Petty	R-1/Y

Sales to be Presented to Council
September 19, 2017

<u>I. Negotiated Sale - Vacant Land with Proposal</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>	<u>Code</u> <u>Violations</u>	<u>Zoning/L</u> <u>Legal</u>
26 Boston St	106.23-4-29.1	68 x 96	6538	475	Ronald Phelps	Rochester NY 14606	\$ 591	N	R-1/Y
135 Breck St	107.77-1-5	40 x 100	4000	400	Ruthie & Daryl Burke	Rochester NY 14609	\$ 338	N	R-1/Y
						Subtotal	\$ 930		
<u>II. Negotiated Sale - Unbuildable Vacant Land</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>		<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>		<u>Zoning/L</u> <u>Legal</u>
117 Reynolds St	120.52-1-28	21 x 49	1029		James I. McClary	Rochester NY 14608	\$ 246	N	R-1/Y
1113 N. Winton Rd	107.59-1-5	46 x 7	359		Katherine Petty	Rochester NY 14609	\$ 20	N	R-1/Y
						Subtotal	\$ 266		
						Total Tax Impact	\$ 1,195		

26 BOSTON ST



July 5, 2017

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

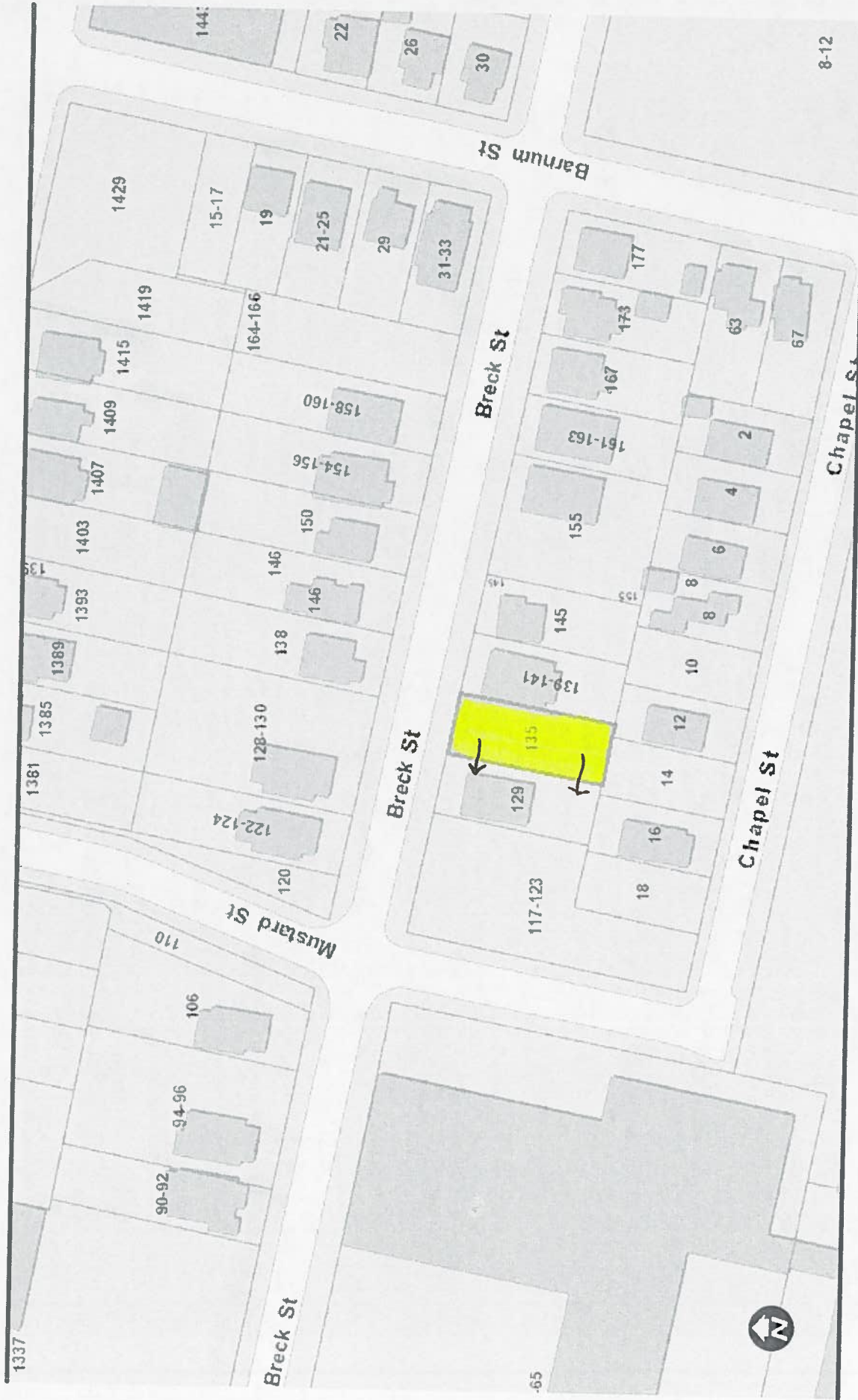
City of Rochester, NY



City of Rochester, NY
Lovely A. Warren, Mayor

24

135 BRECK ST



August 2, 2017

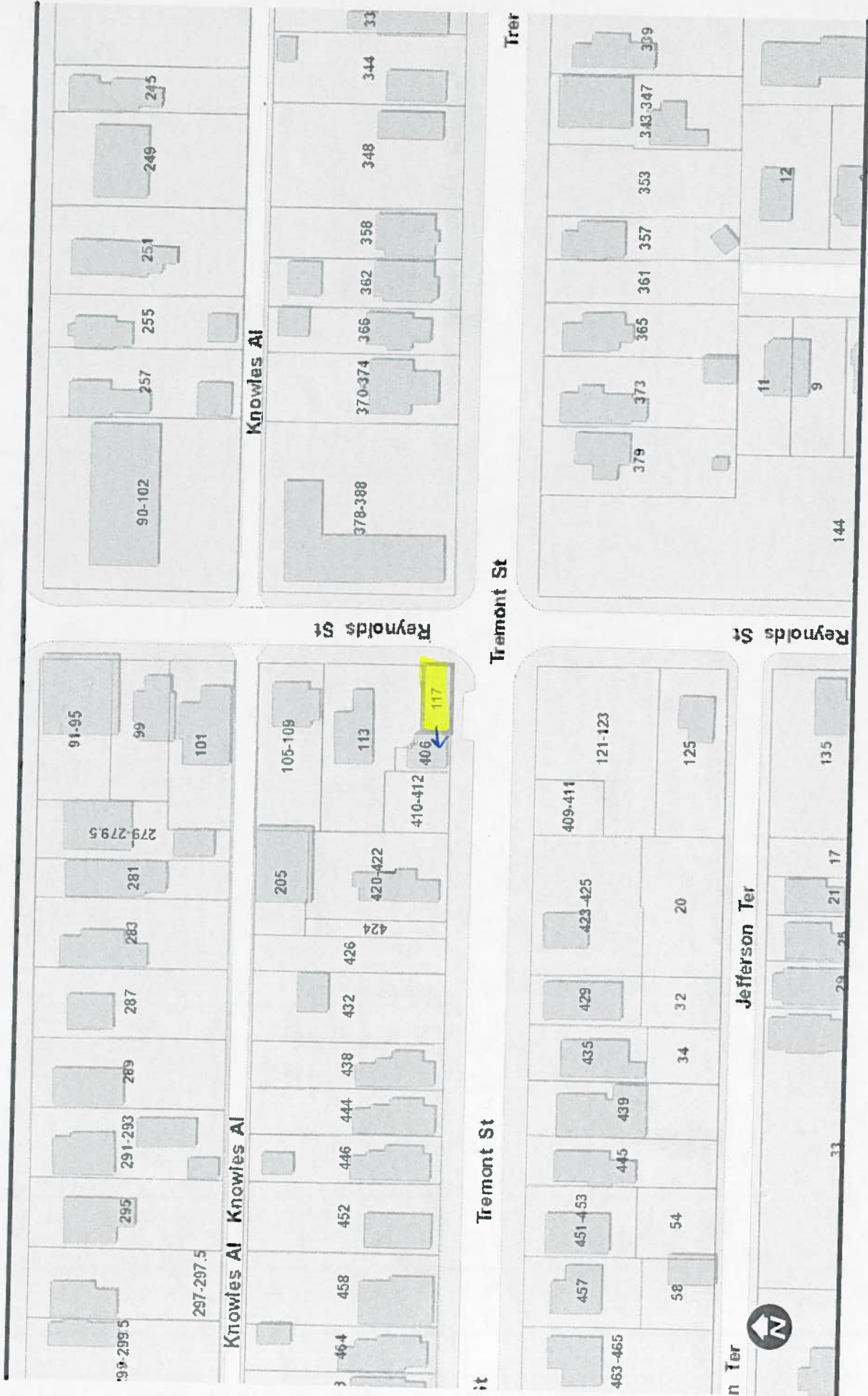
This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY
Lorely A. Warren, Mayor

24

117 REYNOLDS ST



July 26, 2017

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



City of Rochester, NY
Lovely A. Warren, Mayor

24

1113 N WINTON RD



August 2, 2017

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



City of Rochester, NY
Lovely A. Warren, Mayor

24

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

24

Address of City Lot: 117 Reynolds St

The property has been reviewed to ensure that it is residentially zoned and does not adjoin a City-owned parcel with which it could be combined to create a development site.

Date: 7/26/17

Initials: dcp

Based on criteria below:

This lot is a Buildable Lot

This lot is an Un-Buildable Lot X

Tier I

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked and less than 6,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
Assuming a 30' width for a house and garage, would there be less than 5' setback from each sideline?	X	
Assuming a 20' set back and a 30' house length, is the rear yard less than 50'?	X	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable. If all answers are "No", complete Tier II.

Tier II

ITEM	YES	NO
Is the lot less than 3,601 sq. ft.?		
Does the lot have less than 37' of frontage?		
Are the adjacent houses built less than 5' from the lot line?		
Do the adjoining owners lack off street parking?		
Is the average price of single family houses in the zip code in which the City lot is located below \$60,000 (MLS sales for past 18 months will produce average sale price)		
Has this lot ever been offered on a public sale and not sold? (Applies to lots in \$60,000+ neighborhoods)		
TOTAL		

If the majority of responses for Tier II are yes - the lot is considered to be unbuildable

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

24

Address of City Lot: 1113 N. Winton Rd

SBL # 107.59-1-5

The property has been reviewed to ensure that it is residentially zoned and does not adjoin a City-owned parcel with which it could be combined to create a development site.

Date: August 2, 2017

Initials: JTS

Based on criteria below:

This lot is a Buildable Lot ☐

This lot is an Un-Buildable Lot ☒

Tier I

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked and less than 6,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
Assuming a 30' width for a house and garage, would there be less than 5' setback from each sideline?	X	
Assuming a 20' set back and a 30' house length, is the rear yard less than 50'?	X	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable. If all answers are "No", complete Tier II.

Tier II

ITEM	YES	NO
Is the lot less than 3,601 sq. ft.?		
Does the lot have less than 37' of frontage?		
Are the adjacent houses built less than 5' from the lot line?		
Do the adjoining owners lack off street parking?		
Is the average price of single family houses in the zip code in which the City lot is located below \$60,000 (MLS sales for past 18 months will produce average sale price)		
Has this lot ever been offered on a public sale and not sold? (Applies to lots in \$60,000+ neighborhoods)		
TOTAL		

If the majority of responses for Tier II are yes - the lot is considered to be unbuildable



City of Rochester

Development Proposal Outline

24

ADDRESS OF PROPERTY
TO BE PURCHASED

24 Boston St

PURCHASER'S NAME

Ronald Phelps

DATE

6-29-17

PURCHASE PRICE (state the amount of your bid)

\$ 475

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

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

If you answered yes, describe your adjoining property:

Address: 24 Boston St whole house

Type of property / current use and occupancy: _____

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

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

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

1. Apartments _____

2. Store _____

3. Offices _____

4. Industrial _____

5. Parking Lot _____

6. Other Grass land / extra space

Time required to complete construction of improvements will be 0 months.

4.) PARKING LOT PROPOSALS: SUBMISSION OF A SITE PLAN IS REQUIRED.

Information regarding site plans can be obtained from the office of Planning and Zoning at (585) 428-7043.

For parking lot proposals, skip Section 5 and complete Sections 6, 7, 8 and 9.

5.) NEW CONSTRUCTION:

FOR ALL NEW CONSTRUCTION, SUBMISSION OF A SITE PLAN IS REQUIRED.

All proposals for new construction, whether residential or commercial, should include a front elevation.

Proposals for new commercial or mixed-use construction should include a façade plan.

Façade Plan (applicable to commercial or mixed-use structures only.) - Describe in detail below the proposed street façade of the building, including:

- a) Exterior siding materials;
- b) Type, size and number of windows and doors;
- c) Proposed color of exterior;
- d) Exterior lighting plan;
- e) Security measures, if any; and
- f) Size, location and number of exterior signs.

DESCRIPTION (attach additional pages if needed) :

[This section contains several horizontal lines for text entry, which have been crossed out with a large diagonal line.]

6.) EXPERIENCE - Describe in detail below previous experience in completing similar projects.

Include references and photographs if possible. If your project will be carried out by more than one individual, describe the experience and role of each team member. Attach additional pages if needed.

<u>ADDRESS</u>	<u>SCOPE OF PROJECT</u>	<u>COST OF PROJECT</u>	<u>REFERENCE & TELEPHONE #</u>

[This table contains several horizontal lines for text entry, which have been crossed out with a large diagonal line.]

7.) CONSTRUCTION COST ESTIMATE

Please develop an itemized estimate of anticipated construction costs using the Cost Estimate Outline below:

EXTERIOR

1. Chimneys - point or rebuild
2. Roof - repair or replace
3. Cornice and trim repairs
4. Siding - repair or replace
5. Gutters & downspouts
6. Exterior door - repair or replace
7. Steps & porch repairs
8. Foundation wall pointing & repair
9. Exterior protective covering
10. Storms & screens
11. Accessory Building repairs
12. Service walks repairs
13. Driveway/Parking Lot
14. Landscaping
15. Fence
16. Other: _____

SUBTOTAL EXTERIOR:

INTERIOR

16. Joist or beam repairs
17. Wall changes
18. Wall & ceiling treatments
19. Electric
20. Heating
21. Plumbing
22. Window repairs
23. Door repairs
24. Stairways & railings
25. Insulation - attic/sidewall
26. Kitchen cabinets & counters
27. Floor repairs
28. Cellar enclosures
29. Other: _____

SUBTOTAL INTERIOR:

TOTAL ESTIMATED COSTS:

PURCHASE PRICE:**TOTAL EXPENDITURE:**

Cost per sq. ft. \$ 0

Cost per unit \$ 6

ESTIMATED COSTS

[illegible]

Name source of estimates:

Architect: _____ Contractor: _____

8.) **FINANCING - SOURCE OF FUNDS**

A. **Personal Funds**

(you must provide verification, i.e. bank statements, etc.)

\$ _____

B. **Bank Financing** (Letter of Interest from bank must be included if your proposal relies on bank financing.)

\$ _____

C. **Other (Grant Financing from State etc),**

\$ _____

***TOTAL**

\$ _____

*Total amount of financing must be greater than or equal to bid price plus development / construction cost as set forth in Section 7. Adjoining owners must demonstrate proof of funds for bid price only.

9.) **CONTINGENCIES (indicate which, if any, contingencies apply to your proposal.)**

A.. **Combination**

Upon acquiring ownership of the City-owned vacant land that is the subject of this proposal, I agree to combine the land with my adjoining property. (Note: this contingency is required for purchasers are owners of adjoining property.)

Signature _____

Signature _____

B. **Zoning** Yes _____ No _____

Reason for contingency _____

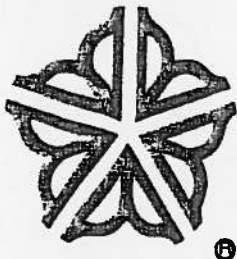
C. **Financing** Yes _____ ☒ No

Time required to obtain loan commitment _____

D. **Other** _____

X DATE 6/30/17

X SIGNATURE(S) Ronald Phelps



City of Rochester

Development Proposal Outline

ADDRESS OF PROPERTY
TO BE PURCHASED

135 Breck ST

PURCHASER'S NAME

Ruthie Burke

DATE

7-14-17

PURCHASE PRICE (state the amount of your bid)

\$ 400

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

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

If you answered yes, describe your adjoining property:

Address:

129 Breck ST

Type of property / current use and occupancy:

Residential

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

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

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

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

Time required to complete construction of improvements will be 0 months.

4.) PARKING LOT PROPOSALS: SUBMISSION OF A SITE PLAN IS REQUIRED.

Information regarding site plans can be obtained from the office of Planning and Zoning at (585) 428-7043.

For parking lot proposals, skip Section 5 and complete Sections 6, 7, 8 and 9.

5.) NEW CONSTRUCTION:

FOR ALL NEW CONSTRUCTION, SUBMISSION OF A SITE PLAN IS REQUIRED.

All proposals for new construction, whether residential or commercial, should include a front elevation.

Proposals for new commercial or mixed-use construction should include a façade plan.

Façade Plan (applicable to commercial or mixed-use structures only.) - Describe in detail below the proposed street façade of the building, including:

- a) Exterior siding materials;
- b) Type, size and number of windows and doors;
- c) Proposed color of exterior;
- d) Exterior lighting plan;
- e) Security measures, if any; and
- f) Size, location and number of exterior signs.

DESCRIPTION (attach additional pages if needed) :

6.) EXPERIENCE - Describe in detail below previous experience in completing similar projects. Include references and photographs if possible. If your project will be carried out by more than one individual, describe the experience and role of each team member. Attach additional pages if needed.

<u>ADDRESS</u>	<u>SCOPE OF PROJECT</u>	<u>COST OF PROJECT</u>	<u>REFERENCE & TELEPHONE #</u>
----------------	-------------------------	------------------------	------------------------------------

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

7.) **CONSTRUCTION COST ESTIMATE**

Please develop an itemized estimate of anticipated construction costs using the Cost Estimate Outline below:

EXTERIOR

ESTIMATED COSTS

1. Chimneys - point or rebuild
2. Roof - repair or replace
3. Cornice and trim repairs
4. Siding - repair or replace
5. Gutters & downspouts
6. Exterior door - repair or replace
7. Steps & porch repairs
8. Foundation wall pointing & repair
9. Exterior protective covering
10. Storms & screens
11. Accessory Building repairs
12. Service walks repairs
13. Driveway/Parking Lot
14. Landscaping
15. Fence
16. Other: _____

\$ _____

SUBTOTAL EXTERIOR:

\$ _____

INTERIOR

16. Joist or beam repairs
17. Wall changes
18. Wall & ceiling treatments
19. Electric
20. Heating
21. Plumbing
22. Window repairs
23. Door repairs
24. Stairways & railings
25. Insulation - attic/sidewall
26. Kitchen cabinets & counters
27. Floor repairs
28. Cellar enclosures
29. Other: _____

\$ _____

SUBTOTAL INTERIOR:

\$ _____

TOTAL ESTIMATED COSTS:

\$ _____

PURCHASE PRICE:

\$ _____

TOTAL EXPENDITURE:

\$ _____

Cost per sq. ft. \$ _____
 Cost per unit \$ _____

Name source of estimates:

Architect: _____ Contractor: _____

24

8.) FINANCING - SOURCE OF FUNDS

A. Personal Funds

(you must provide verification, i.e. bank statements, etc.)

\$ _____

B. Bank Financing (Letter of Interest from bank must be included if your proposal relies on bank financing.)

\$ _____

C. Other (Grant Financing from State etc),

\$ _____

***TOTAL**

\$ _____

*Total amount of financing must be greater than or equal to bid price plus development / construction cost as set forth in Section 7. Adjoining owners must demonstrate proof of funds for bid price only.

9.) CONTINGENCIES (indicate which, if any, contingencies apply to your proposal.)

A.. Combination

Upon acquiring ownership of the City-owned vacant land that is the subject of this proposal, I agree to combine the land with my adjoining property. (Note: this contingency is required for purchasers are owners of adjoining property.)

Signature _____

Signature _____

B. Zoning

Yes _____

No _____

Reason for contingency _____

C. Financing

Yes _____

No _____

Time required to obtain loan commitment _____

D. Other _____

DATE _____

SIGNATURE(S) _____

Ordinance No.

Authorizing the sale of real estate

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

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

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
26 Boston St	106.23-4-29.1	68 x 96	6,538	\$475	Ronald Phelps
135 Breck St	107.77-1-5	40 x 100	4,000	\$400	Ruthie & Daryl Burke

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
117 Reynolds St	120.52-1-28	21 x 49	1,029	James I. McClary
1113 N. Winton Rd	107.59-1-5	46 x 7	359	Katherine Petty

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.



City of Rochester

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

NEIGHBORHOOD & COMMUNITY DEVELOPMENT INTRODUCTORY NO.

25
Lovely A. Warren
Mayor

330

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: 2017 Lead Hazard Control Grant Program

Council Priority: Creating and Sustaining a Culture of
Vibrancy; Rebuilding and Strengthening Neighborhood
Housing

Transmitted herewith for your approval is legislation related to the City's 2017 Lead Hazard Control Grant Program. This legislation will:

1. Accept and appropriate \$1,000,000 from the U.S. Department of Housing and Urban Development to fund the program;
 - a. From the above appropriation, a total of \$769,000 will be made available for the City's use to operate the program.
2. Establish \$45,000 as maximum compensation for an agreement with Environmental Education Associates, Inc. (EEA) for lead hazard control training to be funded from the appropriation in Section 1, and the term will be for one year with the option to extend for an additional two years if funding remains in the agreement.
3. Establish \$87,000 as maximum aggregate compensation for term agreements with the following consultants to be funded from the appropriation made in Section 1:

Environmental, Testing & Consulting Inc. (Batavia, New York)
UNYSE Environmental Consultants (Buffalo, New York)

The term of the agreements will be for one year with the option to extend for an additional two years if funding remains in the agreements.

The City applied to HUD's Office of Healthy Homes and Lead Hazard Control for lead hazard control funding in March 2017. The City was notified of the funding award in June 2017. The HUD funding award will allow the City to continue operating its Lead Hazard Control Grant Program by offering financial assistance to eligible owners of one to four unit privately-held housing. Funding will be made available to correct lead-based paint hazards and other environmental health hazards. Typical lead hazard control work activities will include: window/door replacement; porch repair/replacement; siding; minor rehabilitation work; and bare soil treatment. The City will continue to work with its base of certified lead abatement contractors to carry out these efforts. Participating property owners must be up-to-date with their City and County property tax payments or have a payment plan in place.

The program will concentrate on serving rental properties where lead-poisoned children are most prevalent. Owner-occupants must earn an income at or below 80% of the area median income and must have a child occupant or visiting child occupant under age six. Owners will be required to sign a five-year program agreement and note and mortgage with the City to ensure residency.



Rental property owners will be required to produce a 10% funding match. They will also be required to sign a five-year program agreement and note and mortgage with the City to ensure affordable rents (per HUD guideline) and that assisted units are offered to tenants with income at or below 80% of the area median income. All assisted landlords will be required to complete the Environmental Protection Agency (EPA) course "Renovator, Remodeler and Painter" (at the City's expense) to ensure that future lead hazard control work is undertaken properly.

Environmental Education Associates (EEA), a firm that is currently under contract for the City's current lead hazard control program (Ord. No. 2016-102) will provide the training services. EEA will offer courses to include "Lead Abatement Supervisor" and "Lead Abatement Worker" to allow contractors to obtain EPA certification to carry out lead abatement activities. EEA will also offer the "Renovator, Remodeler and Painter" course to allow property owners and contractors certification to carry out lead interim control activities. This training will enable an expanded base of lead abatement contractors to service the program and an expanded population of landlords that are educated about how to safely undertake lead hazard control work.

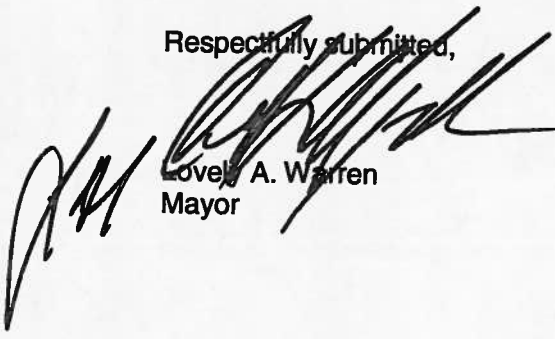
For lead hazard evaluation services, the same consultants that are currently under contract for the lead hazard control program will be utilized, including Environmental Testing and Consulting and UNYSE Environmental Consultants (Ord. No. 2016-102). Both consultants are performing to the City's satisfaction. These consultants will be responsible for producing a combined lead-based paint inspection/risk assessment for units enrolled in the program.

The City will provide matching funds in the amount of \$1,030,000 over three years. This match amount will include in-kind staff contributions and \$650,000 in Consolidated Development Block Grant funds to be used for lead hazard control. The HUD funding includes the following:

Personnel	\$ 94,536
Travel	\$ 4,464
Training	\$ 45,000
Consultants	\$ 87,000
Lead Hazard Control	<u>\$ 769,000</u>
Total	\$1,000,000

The program will allow for a minimum production of 100 units of lead safe housing by December 2020.

Respectfully submitted,



Lovell A. Warren
Mayor

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 process will not benefit the City, 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 \$10,000, and
 2. To the contract record when entered in Munis.
-

Department: NBD

Service(s): Contractor Training

Vendor/Consultants selected: Environmental Education Associates (EEA)

1. How was the vendor selected?

The vendor was selected through an RFP process that was completed in March 2016.

2. Why was no RFP issued for this service?
(Your rationale should include the following information when applicable)

An RFP was not completed for several reasons. First, because an RFP was completed in 2016 we do not feel it is necessary to repeat the process. Secondly, there is only one certified training firm located in Rochester. Finally, the firm is currently providing services for the City and is performing to our satisfaction. We feel these services should continue to be provided.

3. Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.

Yes. EEA has provided training services for the City's lead hazard control programs for the past 10 years and has performed to our satisfaction. They are the only local firm.

4. Are there **unique or emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.

There are no unique or emergency circumstances. The program would be delayed if we had to issue an RFP. EEA is able to start the program immediately.

5. Is the service **specialized and unique**?

Yes. You must be an EPA-certified firm to be qualified to deliver the services.

6. 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.

Yes. EEA is the only local firm. There are firms located outside of the Rochester area, but their services would be costly due transportation and lodging expenses associated with bringing a trainer in from out of town.

- 25
7. 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 services will be paid for with federal funding from the City's Lead Hazard Control grant. It is in the City's best interest to contract with EEA because they offer the needed course-work for our contractors and have performed to our satisfaction.

Compensation

Amount: \$45,000

How was this determined? Explain how it is a reasonable and best value for the City.

The cost was determined through an RFP process that was completed in March 2016.


Signature: Department Head


Date

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 process will not benefit the City, 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 \$10,000, and
2. To the contract record when entered in Munis.

Department: **NBD**

Service(s): **Lead hazard evaluation**

Vendor/Consultants selected: Environmental Testing & Consulting (ETC) and UNYSE Environmental Consultants

1. How was the vendor selected?

In March 2016, an RFP requested responses from qualified lead hazard evaluation firms to provide services for the City's Lead Hazard Control Program. Respondents were required to provide information about their history and capacity for providing services, a budget, and turn-around time for providing services. A total of three agencies responded to the RFP. Each were evaluated and scored by a committee comprised of three City staff. ETC and UNYSE were among the selected consultants.

2. Why was no RFP issued for this service?
(Your rationale should include the following information when applicable)

An RFP was not completed for several reasons. First, because an RFP was completed in 2016 we do not feel it is necessary to repeat the process. Secondly, both ETC and UNYSE are providing lead hazard evaluation services for the City's housing programs and they are performing to our satisfaction. Finally, both consultants produce excellent reports, have been reliable, and consistently provide services in timely fashion. We feel these services should continue to be provided.

3. Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.

Yes. ETC has provided lead hazard evaluation services for the City's housing programs for the past 14 years. UNYSE, for the past year. It is in the City's best interest to continue with these services because both consultants have proven to be an excellent service provider and have consistently performed well.

4. Are there **unique or emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.

There are no unique or emergency circumstances. The program would be delayed if we had to issue an RFP. ETC and UNYSE are able to start the program immediately.

5. Is the service **specialized and unique**?

Yes. You must be an EPA-certified lead based paint risk assessor to be qualified to produce lead inspection/risk assessment reports.

6. 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.

No. There are currently 16 firms operating in the Rochester area.

7. 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).

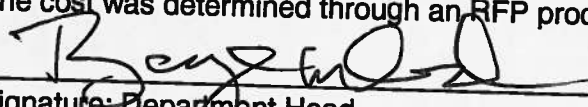
The services will be paid for with federal funding from the City's Lead Hazard Control grant. It is in the City's best interest to contract with ETC and UNYSE because they offer the best product and turn-around time among the consultants that the City currently works with and those that the City has worked with in the past.

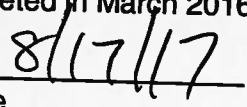
Compensation

Amount: \$87,000

How was this determined? Explain how it is a reasonable and best value for the City.

The cost was determined through an RFP process that was completed in March 2016.


Signature: Department Head


Date

334

Ordinance No.

Authorizing funding and agreements for the 2017 Lead Hazard Control Grant Program

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

Section 1. The Council hereby accepts \$1,000,000 from the U.S. Department of Housing and Urban Development (HUD) to fund the City's 2017 Lead Hazard Control Grant Program (Program) and authorizes the Mayor to enter into an agreement with HUD and to execute such other documents as may be necessary for the City to participate in and administer the use of HUD funding for the Project.

Section 2. The Council hereby appropriates \$769,000 from the funds authorized by Section 1 herein for the City's use to operate the Program.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Environmental Education Associates, Inc. to provide lead abatement worker training. The maximum compensation for the agreement shall be \$45,000, which shall be funded from the appropriation authorized by Section 2 herein. The term of the agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized maximum compensation remain.

Section 4. The Mayor is hereby authorized to enter into professional services agreements with the following consultants for lead hazard evaluation services for the Program. The agreement shall have an aggregate maximum compensation of \$87,000, which shall be funded from the appropriation authorized by Section 2 herein:

- a. Environmental, Testing & Consulting Inc., Batavia, NY; and
- b. UNYSE Environmental Consultants, Buffalo, NY.

The term of each agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized aggregate maximum compensation remain.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.



NEIGHBORHOOD &
COMMUNITY DEVELOPMENT
INTRODUCTORY NO.

331

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Asset Control Area / Home Rochester
Program

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing agreements with the Rochester Housing Development Fund Corporation (RHDFC), Greater Rochester Housing Partnership, Inc. (GRHP), and JPMorgan Chase & Co. for implementation of the Asset Control Area / Home Rochester Program. This legislation will establish construction financing for the program and includes the following actions:

1. Authorize City participation in the RHDFC Loan VIII financing pool. The City's contribution of \$1,863,000 will be funded by Loan VII revenues that will be used to establish a trust account accessible for Loan VIII Home Rochester properties. RHDFC will administer the trust account, and the agreement with the City will describe the process by which RHDFC may draw the Loan VII revenues for Loan VIII properties.
2. Establish a loss reserve for Loan VIII in the amount of \$238,000 to be financed from 2012-13 Cash Capital.
3. Establish an interest reserve account not to exceed \$25,000 which will be financed from 2012-13 Cash Capital. The funds will be used to provide 1% annual interest to enable the working capital loan for the program. For Loan VIII, the working capital loan will be \$750,000, provided by the GRHP through the Martin Luther King, Jr. Housing Fund, and administered by RHDFC.

The last Council authorization for this was Ordinance No. 2014-379. RHDFC has operated the Home Rochester program since its inception in 2001 in partnership with the City, GRHP, and neighborhood-based non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first-time homebuyers.

RHDFC has also facilitated City participation in the Asset Control Area program (ACAP) since the City's original agreement with HUD in 2004. ACAP obligates the City to purchase FHA-foreclosed, single-family properties in specified areas of the city and to sell those properties to eligible buyers. RHDFC also acquires properties through donations, the Rochester Land Bank Corporation, and purchases on the private market.

Since 2001, RHDFC has received over \$87 million of funding to buy and renovate houses in Rochester. Financing for these activities has been through a series of construction loans funded by a public-private partnership. Loan VII, totaling \$15,000,000, closed in March 2015; and Loan VIII, approximating \$15,000,000, is in preparation for closing. Loan VII funds may be used to acquire properties until September 30, 2017, and to-date, 52 properties have been acquired and 36 of those have been rehabilitated, with 28 having already closed with first-time homebuyers. All




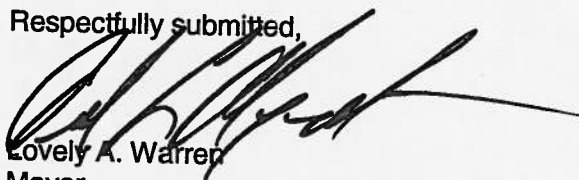
properties funded through Loan VII are anticipated to be sold within 8-12 months of the end of the loan term, depending on completion of rehabilitation, acceptance of purchase offers, and related closings with eligible purchasers.

The lead lender for Loan VIII is JPMorgan Chase. Participating lenders are anticipated to include the City of Rochester, GRHP, Enterprise Community Partners, Partners for the Common Good, M&T Bank, Bank of Castile, and the Low Income Investment Fund. The City will participate as a lender using \$1,863,000 in revenues from its Loan VII contribution of Neighborhood Stabilization Program funds previously awarded by the New York State Housing Finance Agency.

The loss reserve is required to induce the participation of public and private lenders to provide the capital to fund Loan VIII, since the lenders will agree to forego a lien during construction.

The working capital will be used to purchase vacant and foreclosed properties for Home Rochester and make funds available between monthly draws on Loan VIII. The renovation of the properties will be funded by Loan VIII.

Respectfully submitted,



Lovely A. Warren
Mayor

Ordinance No.

Authorizing agreements for the Asset Control Area/HOME Rochester Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement or agreements with the Rochester Housing Development Fund Corporation, JPMorgan Chase & Co. and the Greater Rochester Housing Partnership, Inc. to permit the continued participation of the City in the Asset Control Area/HOME Rochester Program through the continued acquisition and development of vacant single family properties under the Loan VIII financing pool. The City shall participate as a lender in RHDFC Loan VIII through the allocation of \$1,863,000 in revenues from the Loan VII pool authorized in Ordinance No. 2014-379 that will be held in a trust account for this purpose. The agreement(s) shall outline how the trust account funds will be accessed for vacant single-family properties that are identified for improvement with Loan VIII funds.

Section 2. The agreement(s) shall obligate the City of Rochester to pay an amount not to exceed \$238,000 to establish a loss reserve account for Loan VIII, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose from 2012-13 Cash Capital.

Section 3. The agreement(s) shall further obligate the City of Rochester to pay an amount not to exceed \$25,000 for an interest reserve account for the Program, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose from 2012-13 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.



City of Rochester

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

NEIGHBORHOOD &
COMMUNITY DEVELOPMENT
INTRODUCTORY NO.

28

Lovely A. Warren
Mayor

332

TO THE COUNCIL

August 24, 2017

Ladies and Gentlemen:

Re: Amending the 2015-16 Consolidated
Community Development Plan, Annual Action
Plan

Council Priority: Creating and Sustaining a Culture of
Vibrancy

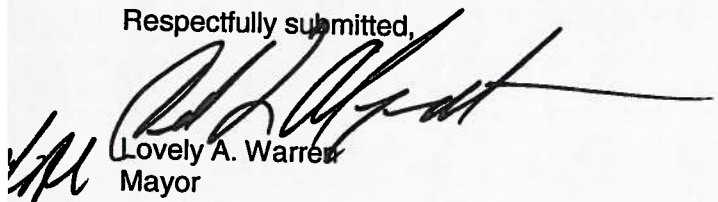
Transmitted herewith for your approval is legislation amending the 2015-16 Consolidated Community Development Plan, Annual Action Plan (Con Plan). This legislation will:

1. Amend the 2015-16 Con Plan to transfer and re-allocate \$875,000 of Community Development Block Grant (CDBG) funds from the Marketview Heights Urban Renewal District Program to the Infrastructure Improvements allocation of the General Community Needs fund.
2. Appropriate \$875,000 of CDBG funds from the Infrastructure Improvements allocation of the General Community Needs fund for infrastructure and playground improvements at various locations including, but not limited to, the renovation of the First Street Playground and the Alpha Street Group Project (Alpha, Braddock, Meridian and Wilder Streets). Construction of the improvements will begin in spring 2018 with planned completion in fall 2018.

The Department of Neighborhood and Business Development intends to replenish funds to the Marketview Heights Urban Renewal District Program with debt in subsequent legislation.

A public hearing on the amendment of the 2015-16 Con Plan is required.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Amending the 2015-16 Consolidated Community Development Plan and authorizing appropriations of Community Development Block Grant funds to infrastructure and playground improvements

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

Section 1. The Council hereby approves amending the 2015-16 Consolidated Community Development Plan - Annual Action Plan (Con Plan) to transfer and re-allocate \$875,000 of Community Development Block Grant (CDBG) funds to the Infrastructure Improvements allocation of the General Community Needs fund within said Con Plan.

Section 2. The Council hereby appropriates \$875,000 of CDBG funds from the Infrastructure Improvements allocation of the General Community Needs Fund of the 2015-16 Con Plan, as amended under Section 1 above, for infrastructure and playground improvements at various locations including but not limited to the First Street Playground and the Alpha Street Group Project.

Section 3. This ordinance shall take effect immediately.



City of Rochester

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

30
NEIGHBORHOOD & COMMUNITY DEVELOPMENT
INTRODUCTORY NO.
333

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Zoning Text Amendments -
Minor Code Changes and Clarifications

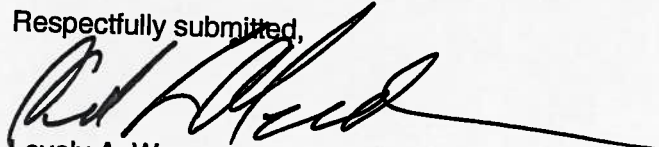
Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by making minor changes and clarifications to various sections of the Zoning Code to correct existing errors, clarify confusing language and update terms and definitions. Also included in these changes are updated Zoning District Summary Charts. These Charts appear at the end of each District Section in the Zoning Code, yet they have not been updated in several years. This round of Zoning Code Text changes is the first in a series of amendments planned over the next year to help streamline approval processes and reduce the caseloads of the City's boards and commissions.

The first two charts that are attached summarize the proposed changes as follows: The first chart includes the proposed corrections and/or clarifications, and the second chart includes the minor changes being proposed. Also attached are the updated Zoning District Summary Charts. The proposed Code regulation language is included at the end of the attachments, and corresponds to the headings on the summary charts.

The City Planning Commission held an informational meeting on the proposed Text Amendments on Monday, August 7, 2017. One person spoke in support; no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Text Amendment.

Respectfully submitted,


Lovely A. Warren
Mayor



Corrections/Clarifications July 2017

Item #	Code Section	Change	Reason for Change
CC1	120-42N	Add 'mixed use' as a permitted use in C-2	CORRECTION. Mixed use allowed in C-1 and C-3, was always the intent of the C-2 District to be mixed use. See 120-41, C-2 Purpose.
CC2	120-149A(10)	Add food trailers and food carts to food truck section in temporary use section	CLARIFICATION. The temporary use provision was intended to apply to all forms of temporary food vending on private property: trucks, trailers, and carts
CC3	120-149A(9) 120-163A(6)	Remove restrictions on placement of ramps and lifts. Eliminate distinction between temporary and permanent. Thus delete all references from 149A (temporary uses) and revised 163A (accessory uses)	CORRECTION. The code currently regulates ramps and lifts in a more stringent way than it does stairs or stoops, thus imposing a burden on handicapped access based largely on aesthetic considerations. Aside from ethical considerations, this code requirement may not withstand a legal challenge.
CC4	120-191D(3)(a)[5]	Clarify SPR trigger: ALL parking lots over 10 spaces not meeting design standards	CLARIFICATION. Ancillary parking lots that do not meet design standards are also subject to SPR. This is the way the code has always been applied.
CC5	120-76A 120-77A 120-77.2C	Add places of worship as a permitted use to PMV and HV, remove as a "prohibited use" in MD. Add language to clarify that residential structures cannot be converted to places of worship in R districts	CORRECTION & CLARIFICATION. Adds places of worship as a permitted use in PMV and HV, and removes them as a prohibited use in MD. It also clarifies the language in R-1, R-2, and R-3 that structures originally designed solely* for residential purposes cannot be converted to places of worship. *The word "solely" is intended to prohibit the conversion of multifamily dwellings to places of worship but allow all or part of mixed use buildings to be converted.
CC6		Update summary charts	CORRECTIONS. Over the years as certain lot coverage and setback requirements have changed in the body of the code, the summary charts were not updated.

Minor Changes July 2017

Item #	Code Section	Change	Reason for Change
MC1	120-208	Eliminate 'building coverage'. Revise definition of 'lot coverage'	EFFICIENCY: Makes code easier to understand for residents and developers. Makes code easier for staff to administer, thus makes Permit Counter operations more efficient. Coverage is intended to regulate impervious area for stormwater purposes. The size and bulk of development is already, and more appropriately, regulated by height and setback requirements.
MC2	120-42R 120-50P 120-173C	Eliminate 'theaters' as permitted uses in C-2 and C-3.	CONSOLIDATES AND ELIMINATES REDUNDANCY. 'Entertainment' is already a specially permitted use in C-2 and C-3. The definition of entertainment includes pretty much anything you would do in a theater, including show movies. Having theaters as a use separate from entertainment creates confusion in terms of allowable uses as well as parking requirements.
MC3	120-208	Update definition of 'hotel'	ALIGNS WITH BUILDING CODE. Current definition of hotel is only for places of 15 rooms or more. No provision for small (boutique) hotels.
MC4	120-167B(5) 120-191 A.(4)(c)[5]	Amend fence height to allow 48" tall open picket fences in front yards. Remove the reference to 4 ft. fencing in Administrative Adjustments.	REDUCES UNNECESSARY VARIANCES. Most manufactured fencing available at home improvement stores comes in standard sizes of 42 and 48 inches. Few options available at 36 inches.
MC5	120-208	Update and clarify definition of 'banquet facility'	EMPHASIZES MIXED-USE CONCEPT. Current definition only refers to "buildings" and seems to envision a stand-alone banquet hall or "party house." In recent years, banquet facility or event spaces have opened in portions of a mixed use building, such as the Arbor Loft on the second floor of Harts Grocers.
MC6	120-43R	Update description of vehicle service stations in specially permitted uses in C-2 (120-43R): "no more than eight pumps (defined as a fueling area for an individual vehicle)"	CLARIFICATION. Update to reflect that modern gas stations have fueling stations that are what most people think of as a "pump," are two sided and can serve two vehicles simultaneously.

Minor Changes DRAFT 4-3-2017

MC7	120-64	Add walk-up service windows for food service type establishments in CCD.	<p>ADDS VIBRANCY TO DOWNTOWN. Currently, the only permitted outdoor use in CCD is accessory seating and assembly. Walk-up service windows are an appropriately urban, pedestrian-oriented feature that can add vitality to mixed use areas. The proposed language borrows what is in the Colletown Village code section, written in 2008.</p> <p>REDUCES UNNECESSARY VARIANCES. As the Public Market area has evolved since the adoption of the code, there is more interest in living there. (E.g. Station 55)</p> <p>Also, PMV is currently subject to the same traditional design standards and bulk requirements that most other mixed use districts have. However, PMV has long been thought of as something of an innovative, even experimental, area where alternate building materials (such as metal) and other designs are appropriate.</p> <p>REDUCES UNNECESSARY VARIANCES. Some previous changes to this section were found to be too onerous in practice, particularly the prohibition of EIFS. This also simplifies and clarifies the façade material section, especially related to metal.</p> <p>With changes to design standards in PMV, it was necessary to coordinate with those changes and make minor revisions.</p> <p>Clarification was needed regarding transparency requirements in M1 and C3 districts and how enhanced landscaping can substitute for transparency.</p> <p>Add definition of 'primary street'</p>
MC8	120-76	Add multifamily as a permitted use in PMV and allow for more creative design in PMV	
MC9	120-159A(2) 120-159B 120-208	Revise and clarify Non-residential and mixed-use building standards related to transparency on primary street frontage and permitted façade materials, specifically EIFS and metal. Coordinate with changes to PMV (see item #14). Clarify transparency requirements in C3 and M1 district.	
MC10		Clarifying/streamlining CPC and ZBA waivers of specified uses	<p>STREAMLINES REVIEW PROCESS. Minor change to ensure the code reflects current practice. Raised by Law Department (Tom Warth). More details to be provided.</p>

Summary Chart of C-1 Regulations

Requirement	Residential	Nonresidential
	Attached single-family dwellings	
Minimum lot frontage	N/A	N/A
Minimum lot area	N/A	N/A
Front Yard		
Maximum front yard setback	Zero to five feet or average front yard depth of building(s) along the corridor and within the commercial district where the property is located	Zero to five feet. In cases where a specific design guideline or concept plan has been adopted, the recommended setbacks shall be followed
Side Yard		
Minimum side yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district	Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district
Minimum side yard, detached accessory use or structure	N/A	N/A

Rear Yard		
Minimum rear yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district
Minimum rear yard, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height	Two stories or 20 feet	Two stories or 20 feet
Maximum building height, detached accessory use or structure	15 feet	15 feet
Maximum square footage principal use or structure	N/A	3,000 square feet
Maximum square footage, detached accessory use or structure	N/A	1,000 square feet

Summary Chart of C-2 Regulations

Requirement	Residential				Nonresidential
	Single-family		Multi-family		
	Attached (2 units)	Attached (3 or more units)	1 or 2 bedroom units	3 or more bedroom units	
	Minimum lot frontage	30 feet per unit	N/A	N/A	
Minimum lot area	2,600 square feet	N/A	1,000 square feet per unit	1,800 square feet per unit	N/A
Front Yard					
Minimum front yard setback, principal use or structure	Average front yard depth of buildings on the block on which the property is located, but in no case more than five feet larger than the average of the front yard depth on buildings on the two adjoining lots				
Minimum front yard setback, attached garages	The front yard depth of the principal use or structure plus 10 feet				
Maximum front yard setback	N/A				Zero to five feet. In cases where a specific design guideline or concept plan has been adopted, the recommended setbacks shall be followed
Side Yard					
Minimum side yard setback, principal use or structure	N/A				Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district

Minimum side yard setback, detached accessory use or structure	N/A	N/A
Rear Yard		
Minimum rear yard setback, principal use or structure	N/A	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district
Minimum rear yard setback, detached accessory use or structure	N/A	
Bulk		
Minimum building height, principal use or structure	20 feet	
Maximum building height, detached accessory use or structure	20 feet	
Maximum square footage, principal use or structure	N/A	6,000 square feet
Maximum square footage, detached accessory use or structure	N/A	N/A

Summary Chart of C-3 Regulations

Requirement	Nonresidential
Minimum lot frontage	N/A
Minimum lot area	N/A
Front Yard	
Minimum front yard setback	N/A
Side Yard	
Minimum side yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be 30 feet
Minimum side yard, detached accessory use or structure	N/A
Rear Yard	
Minimum rear yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be 30 feet
Minimum rear yard, detached accessory use or structure	N/A
Bulk	
Minimum building height, principal use or structure	N/A
Minimum building height, detached accessory use or structure	N/A
Maximum square footage per use, principal use or structure	N/A
Maximum square footage per use, detached accessory use or structure	N/A

Item #CC1

C-2: Adding Mixed Use

July 2017

These are simple code corrections. The clear intent of the C-2 District has always been to allow and encourage mixed use development.

Although hours restrictions cannot apply to residential units, it was determined that this issue has not caused any problems and it would be better to look at hours and uses in C-1, C-2, and C-3 more comprehensively. This is a larger change.

120-42. C-2 Permitted uses and structures [existing with strikeouts, additions in bold]

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m. **Hours of operation do not apply to residential uses.**

- A. Single-family attached dwellings.
- B. Multifamily dwellings.
- C. Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
- D. Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.
- E. Family and group family day-care homes.
- F. Adult family day-care homes.
- G. Day-care centers, subject to the additional requirements for specified uses in § 120-135.
- H. Animal hospitals when conducted entirely within an enclosed building.
- I. Places of worship.
- J. Convents and rectories.
- K. Public and semipublic uses.
- L. Funeral homes and mortuaries.
- M. Retail sales and service, full-line food store, low-impact, and specialty, subject to the additional requirements for specified uses in § 120-146.1.
- N. ~~(Reserved)~~ **Mixed uses, as listed in this section, not including industrial uses.**
- O. (Reserved)
- P. Limited adult retail store when conducted entirely within an enclosed building.
- Q. Health clubs and similar facilities.
- ~~R. Theaters.~~
- S. Office.
- T. Bars, restaurants and banquet facilities, including accessory outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., excluding drive-through facilities.

Item #CC2**Food Truck, Trailer, and Cart vending as Temporary Uses
July 2017**

The intent of this section was to regulate all temporary food vending on private property, whether it is a truck, trailer, or cart.

120-149A Particular temporary uses permitted. Subject to the specific regulations and time limits that follow, and to the other applicable regulations of the district in which the use is permitted, the following temporary uses of land are permitted in the zoning districts herein specified:

(10). Food truck, **trailer, and cart** vending, subject to the following:

(a) The Director of Planning and Zoning may approve up to 60 food ~~truck~~ vending events per calendar year, except for:

- [1] Special events approved through the Communications Office;
- [2] Events approved by the Director of the Public Market on Public Market property;
- [3] Food ~~trucks~~ **vending** operating in public parks approved by the Department of Recreation and Youth Services and/or the Monroe County Parks Department;
- [4] Food ~~trucks~~ **vending** included in the approval of farmer's markets operating on private property.

(b) Properties with the following legally established uses may apply for the temporary operation of food ~~trucks~~ **vending**:

- [1] Single-family, two-family, and multifamily residential (up to two events per year);
- [2] Nonprofit, places of worship, and educational institutions (up to 60 events per year);
- [3] Government entities (up to 60 events per year);
- [4] Office, warehouse, industrial (up to 60 events per year);
- [5] Mixed-use, retail, bars/restaurants (up to 60 events per year).

(c) Hours shall be limited to the permitted hours for outdoor uses in the zoning district. In no case shall food ~~truck~~ **vending** operation in residential districts be permitted between 9:00 p.m. and 9:00 a.m.

(d) The Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within 100 feet from the property line of approved food ~~truck~~ vending events occurring three or more times per calendar year, and the official neighborhood contacts. At a minimum, the owners of 15 properties shall receive such notification.

(e) If the applicant for the temporary certificate of zoning compliance is not the property owner, the expressed, written permission of the property owner is required.

(f) In all cases, the temporary certificate of zoning compliance is valid for the calendar year and may be renewed on an annual basis.

**Item #CC3
Handicapped Ramps
July 2017**

It seems that the sections of the code dealing with handicapped ramps (149A(9) and 163A(6 & 7) and 163B(15 & 16)) are based largely on aesthetic values. For example, ramps can't be in the front yard, ramps have to be landscaped, etc. The code does not regulate stairs or stoops in the same manner. The ethics of requiring handicapped users to the side or rear of a building for no other reason than aesthetics needs to be addressed. Aside from ethical considerations this code requirement may not withstand a legal challenge.

120-149A Particular temporary uses permitted. Subject to the specific regulations and time limits that follow, and to the other applicable regulations of the district in which the use is permitted, the following temporary uses of land are permitted in the zoning districts herein specified:

- ~~(9) Temporary handicapped access ramps located in the front yard, subject to the following:~~
 - ~~(a) All ramp components shall be capable of being readily dismantled without the need for excavation;~~
 - ~~(b) Alternative locations to the front yard were explored;~~
 - ~~(c) Such facilities do not obstruct access to required parking;~~
 - ~~(d) Such facilities are landscaped to reduce visual impacts when necessary;~~
 - ~~(e) The dimensions of such facilities do not exceed Building Code requirements and do not require significant alterations to front porches, entrances and other architectural features and do not block windows;~~
 - ~~(f) The facilities shall be removed when no longer necessary, and the front yard shall be restored to its original condition.~~

120-163

A. For residential uses, the following accessory uses and structures are permitted:

- (1) All detached accessory structures and uses...
 - .
 - .
 - .
- ~~(6) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.~~
- ~~(7) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.~~

(6) Handicapped access ramps and wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.

B. For nonresidential uses, the following accessory uses and structures are permitted:

(1) Background entertainment/music.

.
.
.

~~**(15) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.**~~

~~**(16) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.**~~

(15) Handicapped access ramps and wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.

Item #CC4
SPR Parking Lot Trigger
July 2017

There is a need to clarify the SPR trigger 120-191D(3)(a)[5] for ALL parking lots over 10 spaces not meeting design standards, including ancillary parking lots.

120-191D(3)(a)[5]

Existing:

Parking lots over 10 spaces, whether the principal use or serving a principal use on the same lot, that do not meet the requirements for parking lots in § 120-173F.

Proposed:

Parking lots over 10 spaces that do not meet the requirements for parking lots on § 120-173.

**Item #CC5
Places of Worship
July 2017**

Places of worship need to be a permitted use in all districts. This cleans up an oversight that adds them as a permitted use in PMV and HV, and removes them as a prohibited use in MD. Also, clarify language in R-1, R-2, and R-3 regarding places of worship as a permitted use.

[existing with strikeouts, additions in **bold**]

120-76 PMV Public Market Village District.

A. Permitted uses and structures.

The following uses are permitted in the PMV District:

- .
- .
- .
- ~~(11)~~ **(12)** Bars, restaurants and the like including outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., but excluding drive-through facilities.
- ~~(12)~~ **(13)** Manufacturing uses when the products are sold as retail for an individual consumer.
- ~~(13)~~ **(14)** Parks and recreation uses.
- (15)** Places of worship.

120-77 H-V Harbortown Village District.

A. Permitted uses and structures. The following uses are permitted as of right in the H-V Harbortown Village District:

- (7)** The following uses are permitted as of right in the H-V Harbortown Village District if located 30 feet or more from the edge of the Genesee River, subject to site plan approval:
 - (a)** Single-family attached dwellings.
 - (b)** Live-work spaces.
 - (c)** Bars and restaurants not exceeding 2,500 square feet and excluding drive-through facilities.
 - (d)** Private clubs not exceeding 2,500 square feet.
 - (e)** Office space not exceeding 2,500 square feet.
 - (f)** Retail sales and services, specialty.
 - (g)** Retail sales and services, low-impact, not exceeding 2,500 square feet.
 - (h)** Tourist information centers.
 - (i)** Museums and aquariums.
 - (j)** Hotels and motels.
 - (k)** Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.

(l) Mixed uses when limited to residential and commercial uses as permitted under this section.

(m) Other establishments relating to and supporting water-dependent activities.

(n) Places of worship

120-77.2 M-D Marina District.

C. Building function (use) standards.

(4) Prohibited uses. The following uses are prohibited in the Marina District:

- (a) Homeless shelters;
- (b) Rooming houses;
- (c) Sexually oriented businesses;
- (d) Uses not in a fully enclosed building or not permitted by § 120-77.2C(2);
- (e) Any use that would meet the definition of a manufacturing use as per § 120-208 of the Zoning Code;
- (f) Drive-throughs;
- (g) Vehicle-related uses, including car washes, vehicle service stations, vehicle sales, vehicle repair, including commercial vehicle repair, and vehicle rental services, except vehicle rental or sharing services in which vehicles are stored in permanent parking facilities constructed in accordance with § 120-77.2E(1), vehicle service takes place outside the Marina District and offices are located in a fully enclosed building;
- (h) Funeral homes;
- ~~(i) Places of worship;~~
- ~~(j) (i) Warehouses;~~
- ~~(k) (j) Recycling centers.~~

120-8 Permitted uses. (R-1)

The following uses are permitted in the R-1 District:

A. Single-family detached dwellings.

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E. Places of worship, except in structures originally designed solely for residential purposes

120-17 Permitted uses. (R-2)

Ditto

120-26 Permitted uses. (R-3)

Ditto

Summary Chart of M-1 Regulations

Requirement	Residential	Nonresidential
Minimum lot frontage	N/A	
Minimum lot area	N/A	
Front Yard		
Minimum front yard setback	N/A unless adjacent to a residential district, in which case the front yard shall be the same as the required front yard setback in the residential district	N/A unless adjacent to a residential district, in which case the front yard shall be the same as the required front yard setback in the residential district
Side Yard		
Minimum side yard setback	N/A unless adjacent to a residential district, in which case the side yard shall be the same as the required side yard setback in the residential district	N/A unless adjacent to a residential district, in which case the side yard shall be the same as the required side yard setback in the residential district
Minimum side yard setback, detached accessory use or structure	N/A	N/A
Rear Yard		
Minimum rear yard setback, principal use or structure	N/A unless adjacent to a residential district, in which case the rear yard shall be the same as the required rear yard setback in the residential district	N/A unless adjacent to a residential district, in which case the rear yard shall be the same as the required rear yard setback in the residential district

Minimum rear yard setback, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height	N/A	N/A
Maximum square footage per use	N/A	N/A

Item #MC1
Coverage
July 2017

Definitions

LOT [no change; included for reference]

A tract of land under single ownership and occupied by, or designated to be developed for, a building and its accessory buildings, or a principal use, together with such open spaces and yards as are designed and arranged, or required under this chapter, to be used with such buildings or use. Every lot shall have access in accordance with the provisions this chapter.

LOT COVERAGE [existing]

The percentage of a lot area occupied by the ground area of principal and accessory buildings, driveways, swimming pools, decks, parking areas and parking lots and other impermeable surfaces on such lot, excluding patios, terraces and pedestrian walkways.

[Amended 12-20-2005 by Ord. No. 2005-394]

LOT COVERAGE [proposed]

The percentage of a lot area occupied by the ground area of buildings over 144 square feet and impervious surfaces.

IMPERVIOUS SURFACE [proposed]

A surface that prevents infiltration of water into the soil. This includes, but not limited to:

- Asphalt
- Concrete
- Packed gravel or crusher run
- Bricks, stones, or unit pavers set in or laid on top of mortar or concrete

BUILDING COVERAGE

~~The percentage of a lot area occupied by the ground area of principal and accessory buildings on such lot, excluding the area occupied by a solar collector.~~

Other places 'building coverage' is referenced in code:

- 26 instances in the district regulations (R-1, R-2, R-3, etc.)
- 1 instance in 120-120, urban renewal districts
- 1 instance in 120-189, procedures, CZC
- CCD, which uses the term 'building coverage' in a slightly different way
- Summary charts

Item #MC2**Theater****July 2017**

Having theater listed as a use separate from entertainment has created confusion. Theaters are allowed as-of-right in the C-2 and C-3 districts, but entertainment is specially permitted. The zoning definition of entertainment covers virtually anything you would do in a theater, including show movies, so it makes little sense to allow the structure to be built as of right but then send the activity inside for a special permit. Also, parking for theaters and entertainment is assessed differently. This situation can be clarified by eliminating 'theater' as a use and relying on entertainment.

120-42. C-2 Permitted uses and structures [existing with strikeouts]

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m.:

A. Single-family attached dwellings.

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~~R. Theaters.~~

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T. Bars, restaurants and banquet facilities, including accessory outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., excluding drive-through facilities.

120-50. C-3 Permitted uses and structures [existing with strikeouts]

The following uses are permitted in the C-3 District:

A. Dwelling units when part of a mixed-use development but only on the second story or above.

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~~P. Theaters.~~

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CC. Pawnbrokers, subject to the additional requirements for specified uses in § 120-146.1.

120-173C. Required parking spaces. [existing with strikeouts]

Auditorium ~~and theaters~~ 1 per 4 seats

120-208. Definitions.

ENTERTAINMENT [no change; included for reference]

Entertainment shall include, but not be limited to, any public or private theatrical or musical performance (live or recorded), concerts, athletic contests or games, exhibitions, shows or dance floors offered, operated, presented or exhibited. This definition does not include background entertainment/music.

Item #MC3
Hotel
July 2017

120-208. Definitions.

HOTEL [existing]

A dwelling containing 15 or more rooming units in which lodging is provided and offered to the public for compensation. This definition shall not be construed to affect local or state licensing provisions.

HOTEL [proposed]

A building containing rooming unit(s) with or without cooking facilities in which temporary lodging is offered to the public for compensation.

**Item #MC4
Fence Height
July 2017**

The three foot height limitation places an undue burden on residents when most commonly available fencing comes in heights of 42 and 48 inches. A cursory search on Home Depot's website shows that there are only three 36 inch tall options but six 42 inch and seven 48 inch. The change in allowable height will not change the requirement for fence surface or openness. Fences still cannot be chain link and must be of open picket style (wood, vinyl, or metal).

120-167B. Fence height. [existing]

(5) Within residential and village center districts, no fence or wall over three feet in height shall be constructed in the front yard of any lot, other than a necessary retaining wall.

120-67B. Fence height. [proposed]

(5) Within residential and village center districts, no fence shall exceed four feet in height within the front yard of any lot, other than a retaining wall made necessary by a natural topographic grade change.

120-191A. Administrative Adjustment

(4) Procedures

(c) Approval or Denial

~~{5}. The Director of Planning and Zoning shall have the authority to approve an administrative adjustment for four foot high front yard fencing, where the existing, legally installed fencing in the area has been established at that height and which is consistent with the overall character of the neighborhood.~~

Item #MC5
Banquet Facility
July 2017

120-208. Definitions.

Banquet Facility [existing]

A structure or building that is entirely devoted to banquets and all hours and activities are associated with specific events.

Banquet Facility [proposed]

A building or any portion of a building in which space can be used for banquets, parties, receptions and the like. Buildings or spaces used primarily for ticketed entertainment events shall not be considered a banquet facility.

Item #MC6**Vehicle service stations in C-2****July 2017**

Modern gas stations typically use double sided fuel "consoles" (what many people would consider to be a "pump") that can accommodate two vehicles at once. Rarely, if ever, are there individual pumps that can only service one vehicle at a time.

120-43. Special permit uses.

The following uses are allowed as special permit uses in the C-2 District:

R. Vehicle service stations, subject to the additional requirements for specified uses in § 120-154, ~~with no more than eight pumps (defined as a fueling area for an individual vehicle) that~~ **can dispense or serve no more than eight vehicles at one time.**

Item #MC7**Walk Up Service Windows in CCD****July 2017**

Add walk up service windows as a permitted use in CCD. Copy language from C-V.

120-64**Existing:****Prohibited uses.**

The following uses are prohibited in any building or site in the CCD:

- A. Homeless shelters.
- B. Sexually oriented businesses.
- C. Uses, excluding building parking or outdoor seating/assembly areas, not in a fully enclosed building.
- D. Waste centers.
- E. Pawnbrokers.

Proposed:**Prohibited uses.**

The following uses are prohibited in any building or site in the CCD:

- A. Homeless shelters.
- B. Sexually oriented businesses.
- C. Uses not in a fully enclosed building, excluding building parking, outdoor seating/assembly areas and walk-up windows.
- D. Waste centers.
- E. Pawnbrokers.

Item #MC8
PMV Uses and Design
July 2017

The use issue is related to multi-family dwellings. As the Public Market area grows and develops, there is more interest in living there. One very successful project, Station 55, began as a mixed use development (permitted as-of-right) but has morphed over the years into a residential loft apartment building. Should the code prevent this sort of thing from the outset?

Also, PMV is currently subject to the same very traditional city-wide design standards and bulk requirements. However, PMV has long been thought of as something of an innovative, even experimental, area where alternate building materials (such as metal) and other designs are appropriate.

120-76 PMV Public Market Village District. [existing with strikeouts, additions in **bold**]

A. Permitted uses and structures.

The following uses are permitted in the PMV District:

- (1) Outdoor market.
- (2) Single-family attached dwelling.
- (3) Multifamily dwellings.**
- ~~(3)~~ **(4)** Mixed uses.
- ~~(4)~~ **(5)** Live-work spaces.
- [continue renumbering]

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C. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the PMV District:

(1) Lot frontage requirements.

(a) Residential uses.

- [1] Minimum lot frontage, attached: N/A.
- [2] Minimum lot frontage, multifamily: N/A.

(b) Nonresidential uses.

- [1] Minimum lot frontage: N/A.

(2) Lot area requirements.

(a) Residential uses.

[1] Single-family attached.

- [a] Minimum lot area, attached: 2,600 square feet.
- [b] Maximum building coverage: 35%.

- [c] Maximum lot coverage: 50%
- [2] Multifamily.
 - [a] Minimum lot area: 1,000 square feet per unit for one or two bedrooms.
 - [b] Minimum lot area: 1,800 square feet per unit for three or more bedrooms.
 - [c] **Minimum lot area: 9,000 square feet for multifamily buildings over three units**
- ~~(b) Nonresidential uses.~~
 - ~~[1] Minimum lot area: N/A~~

D. Bulk requirements. The following requirements shall apply to buildings constructed in the PMV District:

- (1) Building heights.
 - ~~(a) Minimum building height, principal use or structure: 2 1/2 stories or 20 feet.~~
 - ~~(b) (a) Maximum building height, detached accessory use or structure: 20 feet.~~
- (2) Square footage.
 - ~~(a) Maximum square footage, principal use or structure: 10,000 square feet.~~
 - ~~(b) Maximum square footage, detached accessory use or structure: N/A.~~

E. Specific standards for the PMV District. In addition to the applicable City-Wide Design Guidelines and Standards in Article XIX, the following shall apply to the PMV District:

- (1) Buildings.**
 - (a) Building materials. Concrete block, glass block, and metal are permitted on any façade.**
 - (2) Windows and transparency. All new construction on building facades that are within 60 feet of a street right-of-way or a vehicle or pedestrian way internal to the Rochester Public Market shall provide areas of transparency equal to 40% of the wall area between the height of two feet and eight feet from the ground.**

- ~~(1) (2) Site.~~
 - (a) Parking.
 - [1] No parking shall be required in this district.
 - [2] Parking may be supplied anywhere in the district and is not required on site.
 - ~~(b) Signs and awnings.~~
 - ~~[1] Signs and awnings shall relate through their design, size and height to pedestrians.~~
 - ~~[2] Signs and awnings shall not materially obscure architectural features or details of buildings.~~
 - ~~[3] Wall signs, projecting signs or banners and signage on awning valences are allowed as long as they do not obscure, detract from or otherwise degrade the existing design and architectural style of the building.~~

~~[4] Projecting signs are encouraged.~~

~~[5] Detached signs over four feet in height, advertising signs and roof signs are prohibited.~~

~~[6] New construction or modifications/alterations to existing building facades shall include one prominently displayed building address sign that is pedestrian- and automobile-oriented. The building name may also be displayed on such sign.~~

Item #MC9**Nonresidential and mixed-use building standards.****July 2017**

We need to remember that this section is separate from Citywide Design and needs a couple of minor revisions to accommodate the goals of #14 (PMV Design), as well as changes to high impact retail regulations. Also, we can re-visit the use of EIFS which is another item on the list of issues to address.

120-159. Nonresidential and mixed-use building standards. [existing with strikeouts, additions in bold]

The following design standards apply to nonresidential and mixed-use development. They apply to new construction, including additions to existing structures, and to substantial repair or rehabilitation of the exterior facade of an existing structure. In the case of repair or rehabilitation, only those standards that relate to the specific repair or rehabilitation activities conducted shall apply.

A. Building materials.

- (1) Exterior walls. The following building materials are prohibited on any exterior wall:
 - (a) Concrete finishes or precast concrete panels (tilt wall) that are not exposed aggregate, hammered, embossed, imprinted, sandblasted or covered with a cement-based acrylic coating, except in an M-1 District when some other relief is offered (architectural or landscaping).
 - (b) Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge.
 - (c) Mirrored glass with a reflectance greater than 40% shall be prohibited from covering more than 40% of the exterior walls of any building in the C-3 and M-1 Districts
- (2) Facades. The following building materials are prohibited on any facade:
 - (a) Plain concrete block, except in the M-1 District.
 - (b) Glass block, except in the C-3 and M-1 Districts.
 - (c) Exposed aggregate (rough finish) concrete wall panels, except in the M-1 District.
 - (d) Exterior insulating finish systems (EIFS) ~~on the first floor~~ **installed lower than 4 feet above grade on any building façade**, except in the C-3 and M-1 Districts.
 - (e) **Exterior insulating finish systems (EIFS) installed lower than 8 feet above grade on any building façade within 10 feet of a public right-of-way, except in the C-3 and M-1 Districts.**
 - ~~(e)~~ (f) T-111 ~~composite~~ plywood or **oriented strand board (OSB)** siding.
 - ~~(f)~~ (g) Plastic.
 - ~~(g)~~ (h) Vinyl, except cellular vinyl trim may be used as decorative or detail elements for up to 25% of the facade.

(i) Metal, except in the PMV, C-3, and M-1 Districts. In all other districts, metal may be used as decorative or detail elements for up to 30% of the façade

B. Windows and transparency.

(1) Renovations of the first floor of existing buildings within 60 feet of a street right-of-way shall not decrease the area of transparency. Where feasible, renovations shall increase the area of transparency to that required for new construction unless the original historic character of the building requires less transparency area.

(2) All glazing windows shall be clear or lightly tinted.

(3) For sites in C-1, C-2, H-V, PMV, and C-V Districts, all new construction on building facades that are within 60 feet of a street shall provide areas of transparency equal to 70% of the wall area between the height of two feet and eight feet from the ground.

(a) For sites with frontage on one street, the transparency requirement is applied to that frontage.

(b) For sites with frontage on more than one street, the transparency requirement is applied to all frontage on streets classified as principal arterials, minor arterials and collector streets.

(c) For sites with frontage on local streets only, the transparency requirement is applied to one frontage.

(4) In the C-3 and M-1 Districts, when offices are part of new industrial construction, the entry to such offices shall have direct access from street frontages and parking areas. Offices that are part of new industrial construction and new construction of commercial buildings within 60 feet of street rights-of-way shall provide areas of transparency equal to 40% of the wall area between the height of two feet and eight feet from the ground. The percentage of glazing transparency required on buildings may be reduced by 10% to 20% of the wall area required amount and the cost difference dedicated to streetscape improvements. if landscaping improvements consisting of one tree of at least two-inch caliper for every 20 feet of lot frontage are installed between the building and the public street.

(5) The use of opaque materials such as plywood, brick, metal or sheet rock to cover or fill a window opening is prohibited.

(6) The installation of any device which obstructs transparency or impacts the architectural design of a window is not permitted. This prohibition does not apply to nonpermanent devices such as curtains, blinds, shades and nonopaque roll-down grills.

(7) In addition to the standards of this section, new construction and reoccupancy of an existing building with high-impact retail sales and service and pawnbrokers are subject to the design standards of § 120-146.1B.

Article XVIII. Additional Requirements for Specified Uses
§ 120-129. Purpose.

A. The purpose of this article is to place restrictions on specific uses, both permitted and specially permitted, because of the potential impacts to surrounding properties. These restrictions are applied to a project to mitigate impacts including noise, off-site parking, traffic, unsightliness, odors, dust and fumes. The regulations promote the public health, general safety and neighborhood character of the immediate neighborhood and the larger community.

B. ~~The Planning Commission may, in approving a special permit outlined in this article, waive any of the requirements imposed by this article when it finds such action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For permitted uses, an area variance shall be required to waive any of the requirements imposed by this article.~~ For uses listed in this article that require a special permit, the Planning Commission may waive any of the requirements imposed by this article when it finds such action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For those instances when a use listed in this article is a permitted use, an area variance shall be required to waive any of the requirements imposed by this article. Prior to making a determination, the Planning Commission or the Zoning Board of Appeals shall ~~have a recommendation from staff~~ addressing evaluate the following factors:

- (1) The size and intensity of such use.
- (2) The capacity of adjacent and feeder streets to handle peak traffic loads and hazards created by the use.
- (3) The obstruction of light or air or the emission of noise, light, smoke, odor, gas, dust or vibration in noxious or offensive quantities, and the distance between offensive processes and adjacent properties.
- (4) The overall effect on values and utilization of neighboring properties.
- (5) Unusual topography of the location, and the nature, location and height of buildings, walls, stacks, fences, grades and landscaping on the site.
- (6) The extent, nature and arrangement of parking facilities, entrances and exits.
- (7) Problems of fire and police protection.
- (8) Preservation and/or upgrading of the neighborhood character.
- (9) The availability of adequate sewer and water supply.
- (10) All other standards prescribed by these regulations.

Article XX. Requirements Applying To All Districts
§ 120-162. Purpose.

A. The requirements applying to all districts regulate activities, uses, structures, conditions and treatments that may be present on a property whether or not a principal structure or use is present. These requirements contribute to and promote the health, safety, comforts, conveniences and/or necessities of the property's occupants, the immediate neighborhood and/or the entire Rochester community. These requirements apply to all districts except the CCD.

B. For uses that require a special permit, the Planning Commission may waive any of the requirements imposed by this article when it finds such action is warranted by reason of the

unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For uses that do not require a special permit, a requirement imposed by this article may be waived by the Zoning Board of Appeals by means of a use or area variance in accordance with §120-195B. Prior to making a determination, the Planning Commission or the Zoning Board of Appeals shall evaluate the following factors:

- (1) The size and intensity of such use.
- (2) The capacity of adjacent and feeder streets to handle peak traffic loads and hazards created by the use.
- (3) The obstruction of light or air or the emission of noise, light, smoke, odor, gas, dust or vibration in noxious or offensive quantities, and the distance between offensive processes and adjacent properties.
- (4) The overall effect on values and utilization of neighboring properties.
- (5) Unusual topography of the location, and the nature, location and height of buildings, walls, stacks, fences, grades and landscaping on the site.
- (6) The extent, nature and arrangement of parking facilities, entrances and exits.
- (7) Problems of fire and police protection.
- (8) Preservation and/or upgrading of the neighborhood character.
- (9) The availability of adequate sewer and water supply.
- (10) All other standards prescribed by these regulations.

Summary Chart of R-1 Regulations

Requirement	Residential			Non-residential	
	Single family detached	Single family attached (2 units)	Single family attached (3 or more units)		
Minimum lot frontage	Average frontage of lots on block	30 feet per unit	N/A	N/A	
Minimum lot area	5,000 square feet	3,000 sf per unit	N/A	N/A	
Maximum lot coverage	50%			50%	
Front Yard					
Minimum front yard setback, principal use or structure	The average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of the buildings on the block frontage on which the property is located; or 20 feet			Average front yard depth of building(s) on the block on which the property is located or 20 feet, whichever is more, but in no case more than five feet larger than the average of the front yard depth of buildings on the two adjoining lots	
Maximum front yard setback, principal use or	The average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage			N/A	

structure		
Minimum front yard setback, attached garages and carports	Front yard of the principal use or structure plus 10 feet	N/A
Side Yard		
Minimum side yard setback, detached principal use or structure	Five feet minimum with a combined width of both side yards of 15 feet	10 feet minimum with a combined width of both side yards of 25 feet
Minimum side yard setback, attached principal use or structure	Zero, except when adjacent to a detached structure, in which case the setback shall be five feet minimum with a combined width of both side yards of 15 feet	10 feet minimum with a combined width of both side yards of 25 feet
Attached accessory structures	Five feet minimum with a combined width of both side yards of 15 feet	N/A
Minimum side yard setback, detached accessory use or structure	N/A	10 feet

Rear Yard		
Minimum rear yard setback, principal use or structure	20 feet or the average rear yard setback on the block on which the property is located, but in no case less than 10 feet	20 feet
Minimum rear yard setback, detached accessory use or structure	N/A	10 feet
Bulk		
Maximum building height, principal use or structure	2 ½ stories not to exceed 35 feet	2 ½ stories not to exceed 35 feet
Maximum building height, detached accessory use or structure	15 feet	15 feet

Summary Chart of R-2 Regulations

Requirement	Residential				Nonresidential	
	Single family			Two-Family	Multi-family	
	Detached	Attached 2 units	Attached 3+ units			
Minimum lot frontage	Average frontage of lots on block	30 feet per unit	N/A	Average frontage of lots on block	N/A	N/A
Minimum lot area	5,000 sf	3,000 sf per unit	N/A	6,000 sf	3,000 sf per unit	N/A
Maximum lot coverage	50%			50%	50%	50%
Front Yard						
Minimum front yard setback, principal use or structure	The average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of buildings on the block frontage on which the property is located; or 20 feet					Average front yard depth of building(s) on the block on which the property is located or 20 feet, whichever is more, but in no case more than 5 feet larger than the average of the front yard

		depth on buildings on the two adjoining lots
Maximum front yard setback, principal use or structure	The average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage	
Minimum front yard setback, attached garages and carports	The front yard of the principal use or structure plus 10 feet	
Side Yard		
Minimum side yard setback, detached principal use or structure	5 feet minimum with a combined width of both side yards of 15 feet	10 feet minimum with a combined width of both side yards of 25 feet
Minimum side yard setback, attached principal use or structure	0, except when adjacent to a detached structure, in which the case the setback shall be 5 feet minimum with a combined width of both side yards of 15 feet	
Attached accessory structures	5 feet minimum with a combined width of both side yards of 15 feet	
Minimum side yard setback, detached	N/A	10 feet

accessory use or structure		
Rear Yard		
Minimum rear yard setback, principal use or structure	20 feet or the existing setback, but in no case less than 10 feet	10 feet
Minimum rear yard setback, detached accessory use or structure	N/A	10 feet
Bulk		
Maximum building height, principal use or structure	2 ½ stories not to exceed 35 feet	2 ½ stories not to exceed 35 feet
Maximum building height, detached accessory use or structure	15 feet	15 feet

Summary Chart of R-3 Regulations

Requirement	Residential						Non-residential
	Single family					Two-Family	
	Detached	Attached, 2 units	Attached, 3 or more units	Multifamily			
				1 or 2 Bed-rooms	3 or More Bed-rooms	Over 3 Units	
Minimum lot frontage	40 feet	30 feet per unit	N/A	N/A		30 feet	N/A
Minimum lot area	5,000 sf	3,000 sf per unit	N/A	1,000 sf per unit	1,800 sf per unit	9,000 sf	N/A
Maximum lot coverage	50%			N/A		50%	N/A
Front Yard							
Minimum front yard setback, principal use or structure	Where applicable, the average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of buildings on the block frontage on which the property is located; or 20 feet.						Average front yard depth of building(s) on the block or 20 feet, whichever is more.
Maximum front yard setback, principal use or structure	Where applicable, the average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage						
Minimum front yard setback, attached garages and carports	The front yard of the principal use or structure, plus 10 feet.						

Side Yard				
Minimum side yard setback, detached principal use or structure.	5 feet minimum with a combined width of both side yards of 15 feet.	1/3 the building height or 10 feet, whichever is greater.	5 feet minimum with a combined width of both side yards of 15 feet.	1/3 of the building height or 10 feet, whichever is greater
Minimum side yard setback, attached principal use or structure	Zero, except when adjacent to a detached structure, in which case the setback shall be five feet minimum with a combined width of both side yards of 15 feet.			
Attached accessory structures	5 feet minimum with a combined width of both side yards of 15 feet.			
Minimum side yard, detached accessory use or structure	N/A	10 feet		
Rear Yard				
Minimum rear yard setback, principal use or structure	1/3 the building height or 20 feet, whichever is greater.	1/3 the building height or 20 feet, whichever is greater.		1/3 the building height or 20 feet, whichever is greater.
Minimum rear yard, detached accessory use or structure	N/A			10 feet
Bulk				

Maximum building height, principal use or structure	Two times the width of the lot frontage	Two times the width of the lot frontage.
Maximum building height, detached accessory use or structure	15 feet	15 feet.

MINUTES

ZONING MAP AMENDMENT TEXT AMENDMENT T-04-17-18 PLANNED DEVELOPMENT DISTRICT

CITY PLANNING COMMISSION INFORMATIONAL MEETING (8/7/17)

APPLICANT: City Planning Commission

PURPOSE: To make minor modifications to various sections of the Zoning Code in order to clarify and update terms and definitions.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

Marguerite Parrino, Bureau of Buildings and Zoning

Good evening, everyone. I'm Marguerite Parrino, Principal Staff Assistant with the Bureau of Buildings and Zoning. The proposed Zoning Code Text Amendments that are before you include minor changes that are necessary to correct existing errors, clarify confusing language and update terms and definitions that are currently in the City's Zoning Code. We have also updated our Zoning District Summary Charts. These are Charts that appear at the end of each Zoning District in the Zoning Code and provide a summary of the regulations for that district in chart form, but they have not been updated in several years.

As part of these amendments, we are proposing several corrections and clarifications. One example of the proposed changes includes listing "mixed-uses" as a permitted use in the C-2 Community Center District. C-2 is our quintessential mixed-used district, yet we omitted mixed-uses as a permitted use in the district, although we have it listed in the C-1 and C-3 Districts. This was clearly an oversight. Another correction that we're including in these amendments is to add "Place of Worship" as a permitted use in the districts where it isn't listed. Again, this too, was an oversight.

One of the small changes that we're proposing in these amendments includes allowing 4 foot fences in residential front yards instead of only 3 foot fences. Applicants have told us that a three foot fence does not provide enough privacy or security in their front yards. We have also been told that 3 feet is not a standard fence height, but 4 feet is. Therefore, people proposing fencing in their front yards would either have to custom order a 3 foot fence, or apply for an Administrative Adjustment just to allow a 4 foot fence. We believe this overly burdensome to most property owners, and therefore, are proposing to allow the height of front yard fences to be 4 feet.

One of the other small changes we are proposing includes updating the definition of hotel. Currently, our definition of hotel states that it is a building that contains 15 rooms or more. However, we have no definition for a hotel that contains fewer than 15 rooms. So if someone wanted to establish a smaller, "boutique" type hotel with, say, 10 rooms, we don't have a definition for that, so those are not really accounted for in our Zoning Code. Since we have been seeing trends for these smaller, boutique-type hotels, we want to be sure that our Zoning Code addresses them.

These are just a few of the changes that are included in the proposed amendments. However, I would be happy to answer any questions you may have on any of the proposed amendments.

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Questions from the Members: NONE

Speakers in Support: NONE

Speakers in Opposition: NONE

HEARING ENDS

CITY PLANNING COMMISSION**RECOMMENDATION****TEXT AMENDMENT T-04-17-18
ZONING CODE - MINOR MODIFICATIONS**

Re: To make minor modifications to various sections of the Zoning Code in order to clarify and update terms and definitions.

Case No: T-04-17-18

Resolution:

RESOLVED, that the City Planning Commission recommends that the Zoning Code be amended by making minor modifications to various sections of the Zoning Code in order to clarify and update terms and definitions.

Vote: Motion Passes

Action: Recommend Approval

Record of Vote: 7-0-0

Record of Vote:

D. Watson	Recommend Approval
E. Marlin	Recommend Approval
H. Hogan	Recommend Approval
T. Bruce	Recommend Approval
S. Mayer	Recommend Approval
M. Gaudioso	Recommend Approval
M. Pichardo	Recommend Approval

Findings of Fact:

This decision was based on the following findings of fact:

A. The proposal will be in harmony with goals, standards and objectives of the Comprehensive Plan.

The purpose of the amendments is to continue promoting the health, safety and general welfare of the citizens and protect the quality of the City's neighborhoods. The proposed amendments are necessary to ensure that the Zoning Code continues to enable development and redevelopment that protects the existing character of the City where warranted and facilitates change where desired. Although minor in nature, the proposed text amendments will make the Zoning Code easier for residents and developers to understand, as well as easier for staff to administer.

B. The proposed amendment is compatible with the present zoning and conforming uses of nearby property (ies) and with the character of the neighborhood:

The text amendments that are proposed include minor changes that are necessary to correct existing errors, clarify confusing language and update terms and definitions that are currently in the City's Zoning Code. The proposed text amendments create more efficiency, align portions of the Zoning Code with the Building Code, eliminate redundancy, reduce unnecessary variances and streamline the review process.

The Zoning District Summary Charts have also been updated. Over time, as changes were made to the Zoning Code specific to lot coverage and setback requirements, the Zoning District Summary Charts were not updated.

C. The property affected by the amendment is suitable for uses under the proposed zoning:

As noted above, the proposed text amendments are minor changes that will correct existing errors, clarify confusing language and update terms and definitions that are currently in the Zoning Code. In addition, Zoning District Summary Charts have also been updated. These amendments are necessary to ensure that the Zoning Code is easily understood by residents and developers. These amendments also make the Zoning Code easier for staff to administer, ultimately making Permit Counter operations more efficient.

D. There are available public facilities, services and infrastructure suitable and adequate for the uses allowed under the proposed amendment.

The proposed text amendments will not impact public facilities, services and infrastructure.

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Ordinance No.

Amending Chapter 120 of the Municipal Code, Zoning, for minor changes, clarifications and corrections

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in §120-208, Definition, with regard to the addition, modification or deletion of the following terms:

BANQUET FACILITY

~~A structure or building that is entirely devoted to banquets and all hours and activities are associated with specific events or any portion of a building in which space can be used for banquets, parties, receptions and the like. Buildings or spaces used primarily for ticketed entertainment events shall not be considered a banquet facility.~~

BUILDING COVERAGE

~~The percentage of a lot area occupied by the ground area of principal and accessory buildings on such lot, excluding the area occupied by a solar collector.~~

IMPERVIOUS SURFACE

A surface that prevents infiltration of water into the soil, including but not limited to: asphalt; concrete; packed gravel or crusher run; and bricks, stones, or unit pavers set in or laid on top of mortar or concrete.

HOTEL [existing]

~~A dwelling building containing 15 or more rooming unit(s) with or without cooking facilities in which temporary lodging is provided and offered to the public for compensation. This definition shall not be construed to affect local or state licensing provisions.~~

LOT COVERAGE

~~The percentage of a lot area occupied by the ground area of principal and accessory buildings over 144 square feet, driveways, swimming pools, decks, parking areas and parking lots and other impermeable impervious surfaces on such lot, excluding patios, terraces and pedestrian walkways.~~

Section 2. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended as follows:

- a. Subsection E of Section 120-8 is amended as follows:

120-8 Permitted uses.

The following uses are permitted in the R-1 District:

...
E. Places of worship, except in structures originally designed solely for residential purposes.

b. Subsection B of Section 120-11 is amended as follows:

§ 120-11. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the R-1 District:

...
 B. Lot area requirements.

(1) Residential uses.

- (a) Minimum lot area, detached: 5,000 square feet.
- (b) Minimum lot area, attached, two units: 3,000 square feet per unit.
- (c) Minimum lot area, attached, three units or more: N/A.
- ~~(d) Maximum building coverage: 35%.~~
- ~~(d)(e)~~ Maximum lot coverage: 50%.

(2) Nonresidential uses.

- (a) Minimum lot area: N/A.
- ~~(b) Maximum building coverage: 35%.~~
- ~~(b)(e)~~ Maximum lot coverage: 50%.

c. Subsection F of Section 120-17 is amended as follows:

120-17 Permitted uses.

The following uses are permitted in the R-2 District:

...
F. Places of worship, except in structures originally designed solely for residential purposes.

d. Subsection B of Section 120-20 is amended as follows:

§ 120-20. Lot, area and yard requirements.

The following lot, area and yard requirements shall apply to the R-2 District:

B. Lot area requirements.

(1) Residential uses.

(a) Single-family detached and attached.

[1] Minimum lot area, detached: 5,000 square feet.

[2] Minimum lot area, attached, two units: 3,000 square feet per unit.

[3] Minimum lot area, attached, three units or more: N/A.

~~[4] Maximum building coverage: 35%.~~

~~[4][5]~~ Maximum lot coverage: 50%.

(b) Two-family.

[1] Minimum lot area: 6,000 square feet.

~~[2] Maximum building coverage: 35%.~~

~~[2][3]~~ Maximum lot coverage: 50%.

(c) Multifamily.

[1] Minimum lot area: 3,000 square feet per unit.

[2] Maximum building coverage: 35%.

[2][3] Maximum lot coverage: 50%.

(2) Nonresidential uses.

(a) Minimum lot area: N/A.

(b) Maximum building coverage: 35%.

(b)(c) Maximum lot coverage: 50%.

e. Subsection J of Section 120-26 is amended as follows:

120-26 Permitted uses.

The following uses are permitted in the R-2 District:

...

J. Places of worship, except in structures originally designed solely for residential purposes.

f. Subsection B of Section 120-28 is amended as follows:

§ 120-28. Lot, area and yard requirements.

The following lot, area and yard requirements shall apply to the R-3 District:

...

B. Lot area requirements.

(1) Residential uses.

(a) Single-family detached and attached.

[1] Minimum lot area, detached: 5,000 square feet.

[2] Minimum lot area, attached, two units: 3,000 square feet per unit.

[3] Minimum lot area, attached, three units or more: N/A.

[4] Maximum building coverage: 35%.

[4][5] Maximum lot coverage: 50%.

(b) Two-family.

[1] Minimum lot area: 6,000 square feet.

[2] Maximum building coverage: 35%.

[2][3] Maximum lot coverage: 50%.

(c) Multifamily.

[1] Minimum lot area: 1,000 square feet per unit for each one- or two-bedroom unit.

[2] Minimum lot area: 1,800 square feet per unit for each three- or more bedroom unit.

[3] Minimum lot area: 9,000 square feet for multifamily buildings over three units.

(2) Nonresidential uses.

(a) Minimum lot area: N/A

- g. Section 120-42 is amended to read in its entirety as follows:

120-42. Permitted uses and structures

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m. Hours of operation limitations do not apply to residential uses.

- A. Single-family attached dwellings.
- B. Multifamily dwellings.
- C. Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
- D. Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.
- E. Family and group family day-care homes.
- F. Adult family day-care homes.
- G. Day-care centers, subject to the additional requirements for specified uses in § 120-135.
- H. Animal hospitals when conducted entirely within an enclosed building.
- I. Places of worship.
- J. Convents and rectories.
- K. Public and semipublic uses.
- L. Funeral homes and mortuaries.
- M. Retail sales and service, full-line food store, low-impact, and specialty, subject to the additional requirements for specified uses in § 120-146.1.
- N. ~~(Reserved)~~ Mixed uses, as listed in this section, not including industrial uses.
- O. ~~(Reserved)~~
- P. Limited adult retail store when conducted entirely within an enclosed building.
- Q. Health clubs and similar facilities.
- ~~R. Theaters. (Reserved)~~
- S. Office.
- T. Bars, restaurants and banquet facilities, including accessory outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., excluding drive-through facilities.

- h. Subsection R of Section 120-43 is revised as follows:

120-43. Special permit uses.

The following uses are allowed as special permit uses in the C-2 District:

...

- R. Vehicle service stations, subject to the additional requirements for specified uses in § 120-154, ~~with no more than eight pumps (defined as a fueling area for an individual vehicle) that can dispense fuel to no more than eight vehicles at one time.~~

- i. Subsection M of Section 120-50 is revised as follows:

120-50. Permitted uses and structures.

The following uses are permitted in the C-3 District:

...

- ~~M. Theaters. (Reserved)~~

j. Subsection C is added to Section 120-62, Permitted uses, as follows.

...
C. Walk-up service windows in the CCD.

k. Subsection C of Section 120-64 is revised as follows:

120-64 Prohibited uses.

The following uses are prohibited in any building or site in the CCD:

...
C. ~~Uses, excluding building parking or outdoor seating/assembly areas, not in a fully enclosed building, excluding building parking, outdoor seating/assembly areas and walk-up service windows.~~

l. Subsections A, C, D and E of Section 120-76, PMV Public Market Village District, are revised follows:

A. Permitted uses and structures.

The following uses are permitted in the PMV District:

- (1) Outdoor market.
- (2) Single-family attached dwelling.
- (3) Multifamily dwellings.
- ~~(3)~~ (4) Mixed uses.
- ~~(4)~~ (5) Live-work spaces.
- ~~(5)~~ (6) Offices.
- ~~(6)~~ (7) Public and semipublic uses.
- ~~(7)~~ (8) Agriculture.
- ~~(8)~~ (9) Warehouse uses.
- ~~(9)~~ (10) Wholesale uses.
- ~~(10)~~ (11) Retail sales and service.
- ~~(11)~~ (12) Bars, restaurants and the like including outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., but excluding drive-through facilities.
- ~~(12)~~ (13) Manufacturing uses when the products are sold as retail for an individual consumer.
- ~~(13)~~ (14) Parks and recreation uses.
- (15) Places of worship.

...

C. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the PMV District:

- (1) Lot frontage requirements.
 - (a) Residential uses.
 - [1] Minimum lot frontage, attached: N/A.
 - [2] Minimum lot frontage, multifamily: N/A.
 - (b) Nonresidential uses.
 - [1] Minimum lot frontage: N/A.

(2) Lot area requirements.

(a) Residential uses.

[1] Single-family attached.

[a] Minimum lot area, attached: 2,600 square feet.

~~[b] Maximum building coverage: 35%.~~~~[c] [b] Maximum lot coverage: 50%~~

[2] Multifamily.

[a] Minimum lot area: 1,000 square feet per unit for one or two bedrooms.

[b] Minimum lot area: 1,800 square feet per unit for three or more bedrooms.

[c] Minimum lot area: 9,000 square feet for multifamily buildings over three units~~(b) Nonresidential uses.~~~~[1] Minimum lot area: N/A~~

D. Bulk requirements. The following requirements shall apply to buildings constructed in the PMV District:

(1) Building heights.

~~(a) Minimum building height, principal use or structure: 2 1/2 stories or 20 feet.~~~~(b) (a) Maximum building height, detached accessory use or structure: 20 feet.~~

(2) Square footage.

~~(a) Maximum square footage, principal use or structure: 10,000 square feet.~~~~(b) Maximum square footage, detached accessory use or structure: N/A.~~

E. Specific standards for the PMV District. In addition to the applicable City-Wide Design Guidelines and Standards in Article XIX, the following shall apply to the PMV District:

(1) Buildings.(a) Building materials. Concrete block, glass block, and metal are permitted on any façade.(2) Windows and transparency. All new construction on building facades that are within 60 feet of a street right-of-way or a vehicle or pedestrian way internal to the Rochester Public Market shall provide areas of transparency equal to 40% of the wall area between the height of two feet and eight feet from the ground.~~(1)~~ (2) Site.

(a) Parking.

[1] No parking shall be required in this district.

[2] Parking may be supplied anywhere in the district and is not required on site.

~~(b) Signs and awnings.~~~~[1] Signs and awnings shall relate through their design, size and height to pedestrians.~~~~[2] Signs and awnings shall not materially obscure architectural features or details of buildings.~~~~[3] Wall signs, projecting signs or banners and signage on awning valences are allowed as long as they do not obscure, detract from or otherwise degrade the existing design and architectural style of the building.~~~~[4] Projecting signs are encouraged.~~

~~[5] Detached signs over four feet in height, advertising signs and roof signs are prohibited.~~

~~[6] New construction or modifications/alterations to existing building facades shall include one prominently displayed building address sign that is pedestrian and automobile oriented. The building name may also be displayed on such sign.~~

m. Subsection A(7)(m) is added to and subsection C of Section 120-77, H-V Harbortown Village District, is revised as follows:

A. Permitted uses and structures. The following uses are permitted as of right in the H-V Harbortown Village District:

...
(7) The following uses are permitted as of right in the H-V Harbortown Village District if located 30 feet or more from the edge of the Genesee River, subject to site plan approval:
...

(m) Places of worship

C. Lot, area and yard requirements. The following lot, area and yard requirements shall apply to the H-V District:

(1) Lot frontage requirements.

(a) Residential uses.

[1] Minimum lot frontage, detached dwelling: average frontage of lots on which the property is located.

[2] Minimum lot frontage, attached dwelling: N/A.

[3] Minimum lot frontage, multifamily dwelling: N/A.

(b) Nonresidential uses.

[1] Minimum lot frontage: N/A.

(2) Lot area requirements.

(a) Residential uses.

[1] Single-family detached.

[a] Minimum lot area: 5,000 square feet.

~~[b] Maximum building coverage: 35%.~~

~~[b][e] Maximum lot coverage: 50%.~~

[2] Single-family attached.

[a] Minimum lot area, attached: N/A.

~~[b] Maximum building coverage: 35%.~~

~~[b][e] Maximum lot coverage: 50%.~~

[3] Multifamily.

[a] Minimum lot area: N/A

(b) Nonresidential uses.

[1] Minimum lot area: N/A.

~~[2] Maximum building coverage: N/A.~~

~~[2][3] Maximum lot coverage: N/A.~~

k. Subsections C(4)(i), (j) and (k) of Section 120-77.2, M-D Marina District, are amended as follows:

C. Building function (use) standards...

...

(4) Prohibited uses. The following uses are prohibited in the Marina District:

...

~~(i) Places of worship;~~

~~(j) (i) Warehouses;~~

~~(k) (i) Recycling centers.~~

l. Subsection A of Section 120-92 is amended as follows:

§ 120-92. Lot, area and yard requirements.

The following lot, area and yard requirements shall apply to O-S District:

A. Lot frontage requirements.

(1) Minimum lot frontage: N/A.

B. Lot area requirements.

(1) Minimum lot area: N/A.

~~(2) Maximum building coverage: N/A.~~

~~(2)(3) Maximum lot coverage: N/A.~~

m. Subsection M of Section 120-120 is amended as follows:

§ 120-120. Zoning designations and modifications.

M. Erie Canal Urban Renewal District.

(1) Permitted uses:

(a) Multi-purpose stadium with associated concessions, parking and pedestrian ways.

(b) Offices.

(c) Athletic fields.

(d) Retail sales and service.

(e) Restaurants, including accessory outdoor seating/assembly areas.

(2) Lot and yard requirements.

(a) Lot area requirements.

~~[1] Maximum building coverage: N/A.~~

~~[1][2] Minimum lot coverage: 80%~~

n. Subsections B of Section 120-129, Purpose, is amended as follows:

~~B. The Planning Commission may, in approving a special permit outlined in this article, waive any of the requirements imposed by this article when it finds such~~

~~action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For permitted uses, an area variance shall be required to waive any of the requirements imposed by this article. For uses listed in this article that require a special permit, the Planning Commission may waive any of the requirements imposed by this article when it finds such action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For those instances when a use listed in this article is a permitted use, an area variance from the Zoning Board of Appeals shall be required to waive any of the requirements imposed by this article. Prior to making a waiver determination, the Planning Commission or the Zoning Board of Appeals shall have a recommendation from staff addressing evaluate the following factors:~~

...

- o. Subsections A(9) and A(10) of Section 120-149 are as follows:

~~(9) (Reserved) Temporary handicapped access ramps located in the front yard, subject to the following:~~

- ~~(a) All ramp components shall be capable of being readily dismantled without the need for excavation;~~
- ~~(b) Alternative locations to the front yard were explored;~~
- ~~(c) Such facilities do not obstruct access to required parking;~~
- ~~(d) Such facilities are landscaped to reduce visual impacts when necessary;~~
- ~~(e) The dimensions of such facilities do not exceed Building Code requirements and do not require significant alterations to front porches, entrances and other architectural features and do not block windows;~~
- ~~(f) The facilities shall be removed when no longer necessary, and the front yard shall be restored to its original condition.~~

~~(10) Food truck, and trailer and cart vending, subject to the following:~~

~~(a) The Director of Planning and Zoning may approve up to 60 food truck or trailer vending events per calendar year, except for:~~

- ~~[1] Special events approved through the Communications Office;~~
- ~~[2] Events approved by the Director of the Public Market on Public Market property;~~
- ~~[3] Food vending trucks or trailers operating in public parks approved by the Department of Recreation and Youth Services and/or the Monroe County Parks Department;~~
- ~~[4] Food trucks or trailers vending included in the approval of farmer's markets operating on private property.~~

~~(b) Properties with the following legally established uses may apply for the temporary operation of food trucks or trailers vending:~~

- ~~[1] Single-family, two-family, and multifamily residential (up to two events per year);~~
- ~~[2] Nonprofit, places of worship, and educational institutions (up to 60 events per year);~~

- [3] Government entities (up to 60 events per year);
- [4] Office, warehouse, industrial (up to 60 events per year);
- [5] Mixed-use, retail, bars/restaurants (up to 60 events per year).

(c) Hours shall be limited to the permitted hours for outdoor uses in the zoning district. In no case shall food ~~truck or trailer~~ vending operation in residential districts be permitted between 9:00 p.m. and 9:00 a.m.

(d) The Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within 100 feet from the property line of approved food ~~truck or trailer~~ vending events occurring three or more times per calendar year, and the official neighborhood contacts. At a minimum, the owners of 15 properties shall receive such notification.

(e) If the applicant for the temporary certificate of zoning compliance is not the property owner, the expressed, written permission of the property owner is required.

(f) In all cases, the temporary certificate of zoning compliance is valid for the calendar year and may be renewed on an annual basis.

(g) Food ~~truck or trailer~~ vending operation approved by a temporary certificate of zoning compliance shall also comply with all requirements and directives of the Rochester Fire Department and the Rochester Police Department.

(h) The temporary certificate of zoning compliance shall only approve operation for food ~~trucks and trailers~~ vending operators that possess a valid solicitor's license issued by the City Clerk's office.

p. Subsections A(2) and B of Section 120-159 are amended as follows:

120-159. Nonresidential and mixed-use building standards.
The following design standards apply to nonresidential and mixed-use development. They apply to new construction, including additions to existing structures, and to substantial repair or rehabilitation of the exterior facade of an existing structure. In the case of repair or rehabilitation, only those standards that relate to the specific repair or rehabilitation activities conducted shall apply.

A. Building materials.

...

(2) Facades. The following building materials are prohibited on any facade:

- (a) Plain concrete block, except in the M-1 District.
- (b) Glass block, except in the C-3 and M-1 Districts.
- (c) Exposed aggregate (rough finish) concrete wall panels, except in the M-1 District.

- (d) Exterior insulating finish systems (EIFS) on the first floor installed lower than 4 feet above grade on any building façade, except in the C-3 and M-1 Districts.
- (e) Exterior insulating finish systems (EIFS) installed lower than 8 feet above grade on any building façade within 10 feet of a public right-of-way, except in the C-3 and M-1 Districts.
- (e) ~~(f)~~ T-111 composite plywood or oriented strand board (OSB) siding.
- (f) ~~(g)~~ Plastic.
- (g) ~~(h)~~ Vinyl, except cellular vinyl trim may be used as decorative or detail elements for up to 25% of the façade.
- (i) Metal, except in the PMV, C-3, and M-1 Districts. In all other districts, metal may be used as decorative or detail elements for up to 30% of the façade.

B. Windows and transparency.

- (1) Renovations of the first floor of existing buildings within 60 feet of a street right-of-way shall not decrease the area of transparency. Where feasible, renovations shall increase the area of transparency to that required for new construction unless the original historic character of the building requires less transparency area.
- (2) All glazing windows shall be clear or lightly tinted.
- (3) For sites in C-1, C-2, H-V, PMV, and C-V Districts, all new construction on building facades that are within 60 feet of a street shall provide areas of transparency equal to 70% of the wall area between the height of two feet and eight feet from the ground.
 - (a) For sites with frontage on one street, the transparency requirement is applied to that frontage.
 - (b) For sites with frontage on more than one street, the transparency requirement is applied to all frontage on streets classified as principal arterials, minor arterials and collector streets.
 - (c) For sites with frontage on local streets only, the transparency requirement is applied to one frontage.
- (4) In the C-3 and M-1 Districts, when offices are part of new industrial construction, the entry to such offices shall have direct access from street frontages and parking areas. Offices that are part of new industrial construction and new construction of commercial buildings within 60 feet of street rights-of-way shall provide areas of transparency equal to 40% of the wall area between the height of two feet and eight feet from the ground. The percentage of glazing transparency required on buildings may be reduced by 10% to 20% of the wall area required amount and the cost difference dedicated to streetscape improvements if landscaping improvements consisting of one tree of at least two-inch caliper for every 20 feet of lot frontage are installed between the building and the public street.
- (5) The use of opaque materials such as plywood, brick, metal or sheet rock to cover or fill a window opening is prohibited.
- (6) The installation of any device which obstructs transparency or impacts the architectural design of a window is not permitted. This prohibition does not apply to nonpermanent devices such as curtains, blinds, shades and nonopaque roll-down grills.

(7) In addition to the standards of this section, new construction and reoccupancy of an existing building with ~~high-impact retail sales and service and pawnbrokers~~ are subject to the design standards of § 120-146.1B.

q. Section 120-162 is amended as follows:

§ 120-162. Purpose.

A. The requirements applying to all districts regulate activities, uses, structures, conditions and treatments that may be present on a property whether or not a principal structure or use is present. These requirements contribute to and promote the health, safety, comforts, conveniences and/or necessities of the property's occupants, the immediate neighborhood and/or the entire Rochester community. These requirements apply to all districts except the CCD.

B. For uses that require a special permit, the Planning Commission may waive any of the requirements imposed by this article when it finds such action is warranted by reason of the unique physical conditions of the particular property or by reason of the particular character of surrounding properties. For uses that do not require a special permit, a requirement imposed by this article may be waived by the Zoning Board of Appeals by means of a use or area variance in accordance with §120-195B. Prior to making a determination, the Planning Commission or the Zoning Board of Appeals shall evaluate the following factors:

- (1) The size and intensity of such use.
- (2) The capacity of adjacent and feeder streets to handle peak traffic loads and hazards created by the use.
- (3) The obstruction of light or air or the emission of noise, light, smoke, odor, gas, dust or vibration in noxious or offensive quantities, and the distance between offensive processes and adjacent properties.
- (4) The overall effect on values and utilization of neighboring properties.
- (5) Unusual topography of the location, and the nature, location and height of buildings, walls, stacks, fences, grades and landscaping on the site.
- (6) The extent, nature and arrangement of parking facilities, entrances and exits.
- (7) Problems of fire and police protection.
- (8) Preservation and/or upgrading of the neighborhood character.
- (9) The availability of adequate sewer and water supply.
- (10) All other standards prescribed by these regulations.

r. Subsections A(6),(7) and B(15),(16) of Section 120-163, Accessory uses and structures, are amended as follows:

A. For residential uses, the following accessory uses and structures are permitted:

....

(6) Handicapped access ramps and wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.

~~(6) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.~~

~~(7) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.~~

B. For nonresidential uses, the following accessory uses and structures are permitted:

...

(15) Handicapped access ramps and wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.

~~(15) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.~~

~~(16) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.~~

s. Subsection B(5) of Section 120-167, Fences and walls, is amended as follows:

B. Fence height.

...

(5) Within residential and village center districts, no fence shall exceed or wall over threefour feet in height ~~shall be constructed in within~~ the front yard of any lot, other than a retaining wall made necessary retaining wall by a natural topographic grade change.

t. One of the listed uses in Subsection C(1) of Section 120-173, Off-street parking, is revised as follows:

C. Required parking spaces.

(1) Vehicular parking. For the following uses, the number of off-street parking spaces shall include:

Use	Minimum
...	
Auditorium and theaters	1 per 4 seats

u. Subsections A(4)(c)[5] and 120-191D(3)(a)[5] of Section 120-191, Procedures approved by the Manager of Zoning, are amended as follows:

A. Administrative Adjustment

...

(4) Procedures

...

(c) Approval or Denial

...

[5]. ~~(Reserved) The Director of Planning and Zoning shall have the authority to approve an administrative adjustment for four foot high front yard fencing, where the existing, legally installed fencing in the area has been established at that height and which is consistent with the overall character of the neighborhood.~~

D. Site plan review.

...

(3) Site plan review thresholds for minor and major site plan reviews. Site plan review in accordance with this section shall be required in the following cases, with the exception of accessory structures not changing land use or density and projects involving no site or external structural alterations:

(a) Minor site plan review shall be required for any development or redevelopment that includes construction, enlargement or addition to any building or any site preparation for a site or use that may not include or require a building and meets one of the following:

...

[5] ~~Parking lots over 10 spaces, whether the principal use or serving a principal use on the same lot,~~ that do not meet the requirements for parking lots in § 120-173F.

Section 3. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended to adopt new zoning district summary charts as follows:

- a. the Summary Chart of Regulations incorporated into the Zoning Code in §120-13 is replaced with the following chart:

Summary Chart of R-1 Regulations

Summary Chart of R-1 Regulations				
Requirement	Residential			Non-residential
	Single family detached	Single family attached (2 units)	Single family attached (3 or more units)	
Minimum lot frontage	Average frontage of lots on block	30 feet per unit	N/A	N/A
Minimum lot area	5,000 square feet	3,000 sf per unit	N/A	N/A
Maximum lot coverage	50%			50%
Front Yard				
Minimum front yard setback, principal use or structure	The average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of the buildings on the block frontage on which the property is located; or 20 feet			Average front yard depth of building(s) on the block on which the property is located or 20 feet, whichever is more, but in no case more than five feet larger than the average of the front yard depth of buildings on the two adjoining lots
Maximum front yard setback, principal use or structure	The average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage			N/A
Minimum front yard setback, attached garages and carports	Front yard of the principal use or structure plus 10 feet			N/A
Side Yard				
Minimum side yard setback, detached principal use or structure	Five feet minimum with a combined width of both side yards of 15 feet			10 feet minimum with a combined width of both side yards of 25 feet
Minimum side yard setback, attached principal use or structure	Zero, except when adjacent to a detached structure, in which case the setback shall be five feet minimum with a combined width of both side yards of 15 feet			10 feet minimum with a combined width of both side yards of 25 feet
Attached accessory structures	Five feet minimum with a combined width of both side yards of 15 feet			N/A

Minimum side yard setback, detached accessory use or structure	N/A	10 feet
Rear Yard		
Minimum rear yard setback, principal use or structure	20 feet or the average rear yard setback on the block on which the property is located, but in no case less than 10 feet	20 feet
Minimum rear yard setback, detached accessory use or structure	N/A	10 feet
Bulk		
Maximum building height, principal use or structure	2 ½ stories not to exceed 35 feet	2 ½ stories not to exceed 35 feet
Maximum building height, detached accessory use or structure	15 feet	15 feet

- b. the Summary Chart of Regulations incorporated into the Zoning Code in §120-22 is replaced with the following chart:

Summary Chart of R-2 Regulations

Summary Chart of R-2 Regulations						
Requirement	Residential					Nonresidential
	Single family			Two-Family	Multi-family	
	Detached	Attached 2 units	Attached 3+ units			
Minimum lot frontage	Average frontage of lots on block	30 feet per unit	N/A	Average frontage of lots on block	N/A	N/A
Minimum lot area	5,000 sf	3,000 sf per unit	N/A	6,000 sf	3,000 sf per unit	N/A
Maximum lot coverage	50%			50%	50%	50%
Front Yard						
Minimum front yard setback, principal use or structure	The average front yard depth of buildings on the two lots adjoining a property; or the average front yard depth of buildings on the block frontage on which the property is located; or 20 feet					Average front yard depth of building(s) on the block on which the property is located or 20 feet, whichever is more, but in no case more than 5 feet larger than the average of the front yard depth on buildings on the two adjoining lots
Maximum front yard setback, principal use or structure	The average front yard depth of buildings of the two lots adjoining a property; or the average front yard depth of buildings on the block frontage					
Minimum front yard setback, attached garages and carports	The front yard of the principal use or structure plus 10 feet					
Side Yard						
Minimum side yard setback, detached principal use or structure	5 feet minimum with a combined width of both side yards of 15 feet					10 feet minimum with a combined width of both side yards of 25 feet
Minimum side yard setback, attached principal use or structure	0, except when adjacent to a detached structure, in which the case the setback shall be 5 feet minimum with a combined width of both side yards of 15 feet					
Attached accessory structures	5 feet minimum with a combined width of both side yards of 15 feet					
Minimum side yard	N/A					10 feet

setback, detached accessory use or structure		
Rear Yard		
Minimum rear yard setback, principal use or structure	20 feet or the existing setback, but in no case less than 10 feet	10 feet
Minimum rear yard setback, detached accessory use or structure	N/A	10 feet
Bulk		
Maximum building height, principal use or structure	2 ½ stories not to exceed 35 feet	2 ½ stories not to exceed 35 feet
Maximum building height, detached accessory use or structure	15 feet	15 feet

Minimum side yard, detached accessory use or structure	N/A	10 feet
Rear Yard		
Minimum rear yard setback, principal use or structure	1/3 the building height or 20 feet, whichever is greater.	1/3 the building height or 20 feet, whichever is greater.
Minimum rear yard, detached accessory use or structure	N/A	10 feet
Bulk		
Maximum building height, principal use or structure	Two times the width of the lot frontage	Two times the width of the lot frontage
Maximum building height, detached accessory use or structure	15 feet	15 feet.

- d. the Summary Chart of Regulations incorporated into the Zoning Code in §120-38 is replaced with the following chart:

Summary Chart of C-1 Regulations

Requirement	Residential	Nonresidential
	Attached single-family dwellings	
Minimum lot frontage	N/A	N/A
Minimum lot area	N/A	N/A
Front Yard		
Maximum front yard setback	Zero to five feet or average front yard depth of building(s) along the corridor and within the commercial district where the property is located	Zero to five feet. In cases where a specific design guideline or concept plan has been adopted, the recommended setbacks shall be followed
Side Yard		
Minimum side yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district	Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district
Minimum side yard, detached accessory use or structure	N/A	N/A
Rear Yard		
Minimum rear yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district
Minimum rear yard, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height	Two stories or 20 feet	Two stories or 20 feet
Maximum building height, detached accessory use or structure	15 feet	15 feet
Maximum square footage principal use or structure	N/A	3,000 square feet
Maximum square footage, detached accessory use or structure	N/A	1,000 square feet

- e. the Summary Chart of Regulations incorporated into the Zoning Code in §120-46 is replaced with the following chart:

Summary Chart of C-2 Regulations

Requirement	Residential				Nonresidential
	Single-family		Multi-family		
	Attached (2 units)	Attached (3 or more units)	1 or 2 bedroom units	3 or more bedroom units	
Minimum lot frontage	30 feet per unit	N/A	N/A		N/A
Minimum lot area	2,600 square feet	N/A	1,000 square feet per unit	1,800 square feet per unit	N/A
Front Yard					
Minimum front yard setback, principal use or structure	Average front yard depth of buildings on the block on which the property is located, but in no case more than five feet larger than the average of the front yard depth on buildings on the two adjoining lots				
Minimum front yard setback, attached garages	The front yard depth of the principal use or structure plus 10 feet				
Maximum front yard setback	N/A				Zero to five feet. In cases where a specific design guideline or concept plan has been adopted, the recommended setbacks shall be followed
Side Yard					
Minimum side yard setback, principal use or structure	N/A				Zero feet unless adjacent to a residential district, in which case the side yard shall be the same as the adjacent residential district
Minimum side yard setback, detached accessory use or structure	N/A				N/A

Rear Yard		
Minimum rear yard setback, principal use or structure	N/A	Zero feet unless adjacent to a residential district, in which case the rear yard shall be the same as the adjacent residential district
Minimum rear yard setback, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height, principal use or structure	20 feet	
Maximum building height, detached accessory use or structure	20 feet	
Maximum square footage, principal use or structure	N/A	6,000 square feet
Maximum square footage, detached accessory use or structure	N/A	N/A

- f. the Summary Chart of C-3 Regulations incorporated into the Zoning Code by §120-54 is replaced with the following chart:

Summary Chart of C-3 Regulations	
Requirement	Nonresidential
Minimum lot frontage	N/A
Minimum lot area	N/A
Front Yard	
Minimum front yard setback	N/A
Side Yard	
Minimum side yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be 30 feet
Minimum side yard, detached accessory use or structure	N/A
Rear Yard	
Minimum rear yard, principal use or structure	Zero feet unless adjacent to a residential district, in which case the side yard shall be 30 feet
Minimum rear yard, detached accessory use or structure	N/A
Bulk	
Minimum building height, principal use or structure	N/A
Minimum building height, detached accessory use or structure	N/A
Maximum square footage per use, principal use or structure	N/A
Maximum square footage per use, detached accessory use or structure	N/A

- g. the Summary Chart of M-1 Regulations incorporated into the Zoning Code by §120-86 is replaced with the following chart:

Summary Chart of M-1 Regulations

Requirement	Residential	Nonresidential
Minimum lot frontage	N/A	
Minimum lot area	N/A	
Front Yard		
Minimum front yard setback	N/A unless adjacent to a residential district, in which case the front yard shall be the same as the required front yard setback in the residential district	N/A unless adjacent to a residential district, in which case the front yard shall be the same as the required front yard setback in the residential district
Side Yard		
Minimum side yard setback	N/A unless adjacent to a residential district, in which case the side yard shall be the same as the required side yard setback in the residential district	N/A unless adjacent to a residential district, in which case the side yard shall be the same as the required side yard setback in the residential district
Minimum side yard setback, detached accessory use or structure	N/A	N/A
Rear Yard		
Minimum rear yard setback, principal use or structure	N/A unless adjacent to a residential district, in which case the rear yard shall be the same as the required rear yard setback in the residential district	N/A unless adjacent to a residential district, in which case the rear yard shall be the same as the required rear yard setback in the residential district
Minimum rear yard setback, detached accessory use or structure	N/A	N/A
Bulk		
Minimum building height	N/A	N/A
Maximum square footage per use	N/A	N/A

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined



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August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Alpha Street Group Project

Transmitted herewith for your approval is legislation related to street improvements for the Alpha Street Group Project. This legislation will:

1. Authorize an increase in the pavement width of Alpha Street from Meriden Street to Beach Avenue, from an existing width of 24 feet to 26 feet, beginning at Meriden Street to 233 feet east to Beach Avenue;
2. Authorize an increase in the pavement width of Wilder Terrace from Alpha Street east along Wilder Terrace, from an existing width of approximately 20 feet to 38 feet, beginning approximately 52 feet east of Alpha Street to 341 feet east of the point of beginning (intersection of Wilder and Alpha);
3. Authorize the acquisition, by negotiation or condemnation, of two de minimus parcels at 283 and 295 Beach Avenue; and
4. Amend the Official Map by dedicating public right-of-way from the two properties noted above for street purposes.

Streets included in the project group are: Alpha Street (Wilder Terrace to Beach Avenue); Wilder Terrace (Alpha Street to Beach Avenue); Meriden Street (Alpha Street to Wilder Terrace); and Braddock Street (Alpha Street to Henley Street). The improvement project will consist of pavement reconstruction or rehabilitation; new stone curbs with underdrain pipe; new driveway aprons; limited sidewalk replacements; street lighting upgrades; new water main on Braddock Street and on a short section of Wilder Terrace; replacement of all lead and galvanized water services with polyethylene pipe; installation of corrosion resistant anodes on the Meriden Street water main; replacement of catch basins within the reconstruction sections; replacement of capstone catch basins within the rehabilitation sections; manhole cover and catch basin grate adjustments; and the restoration of all affected lawn areas. A stormwater pollution prevention plan is required for this project. Stormwater management practices will be required for quality and likely quantity measures, for example, porous pavement, pervious concrete, bioswales, dry swales, rain gardens, etc.

The proposed acquisitions will allow for the upgrade of the adjacent curb ramps to meet the required guidelines of the Americans with Disabilities Act. The value of this property was established by an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill & Associates. The total acquisition costs, including closing costs, will not exceed \$3,000 and will be financed from 2014-15 Cash Capital.



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<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>	<u>Value</u>
283 Beach Avenue	Victoria Scott	14 +/-	\$50
295 Beach Avenue	Theodore R. Sylvio	8 +/-	\$50

The associated Official Map Amendment was recommended by the City Planning Commission on August 7, 2017 by a vote of 7-0; minutes of the meeting are attached.

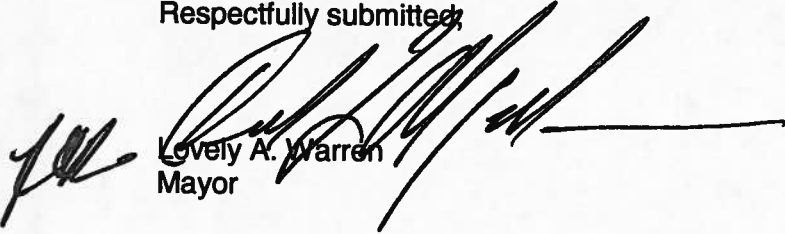
The project is being designed by the Department of Environmental Services, Bureau of Architecture and Engineering, Street Design Division. Design of the project will be completed in winter 2017 and construction will begin in summer 2018 with substantial completion in fall 2018.

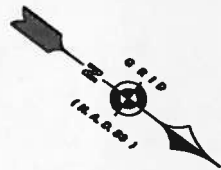
Public meetings were held on December 11, 2014 and February 8, 2017; meeting minutes are attached. A public informational meeting will be held prior to advertising the project for bids.

The pavement width changes were endorsed at the July 18, 2017 Traffic Control Board meeting.

A public hearing on the pavement width changes is required.

Respectfully submitted,


Lovely A. Warren
Mayor



MERIDEN STREET

26' PROPOSED WIDTH

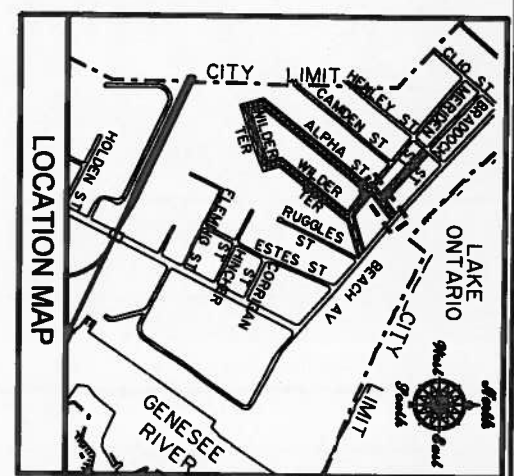
ALPHA STREET

24' EXISTING WIDTH

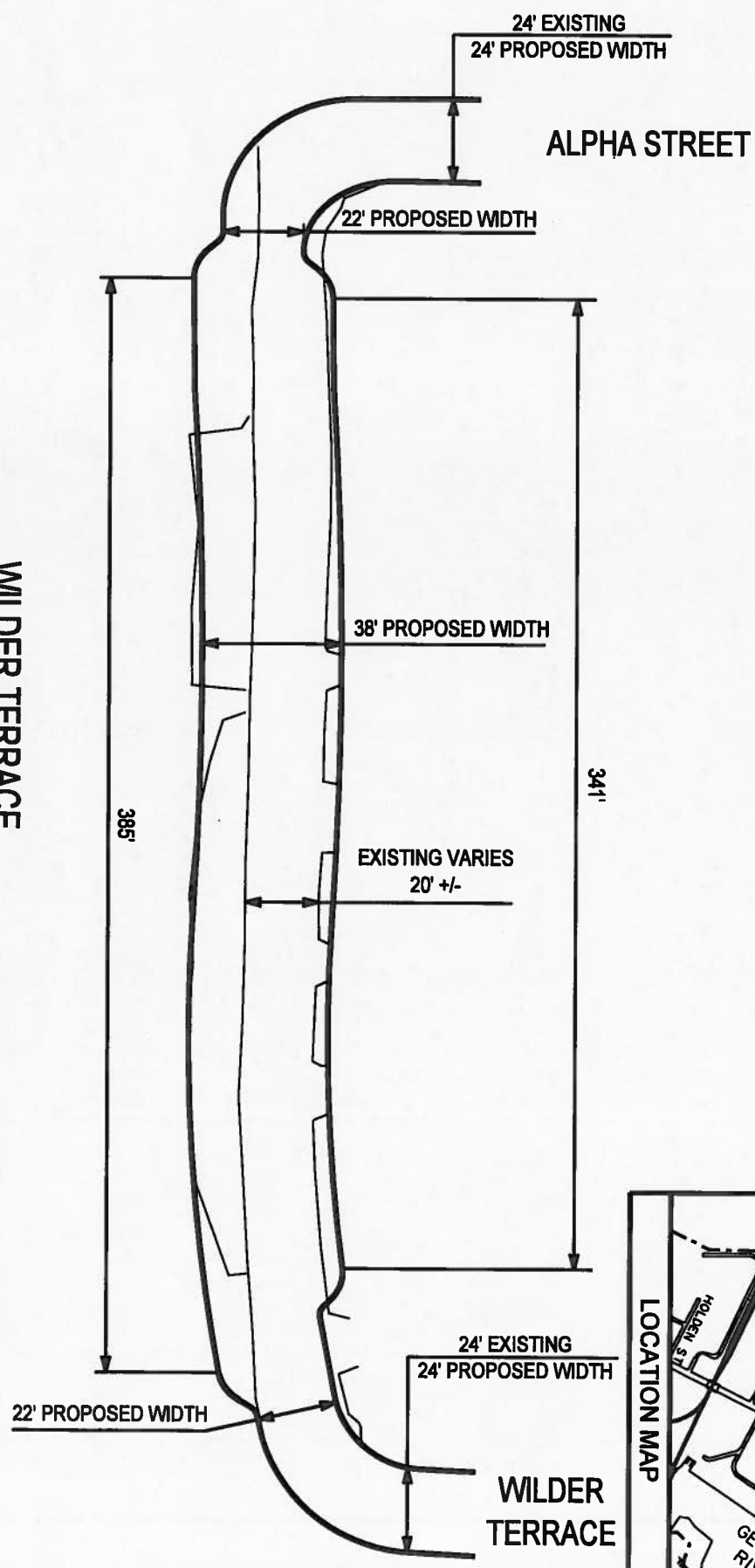
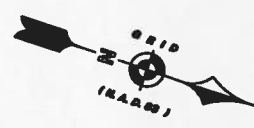
BRADDOCK STREET

233'

BEACH AVENUE



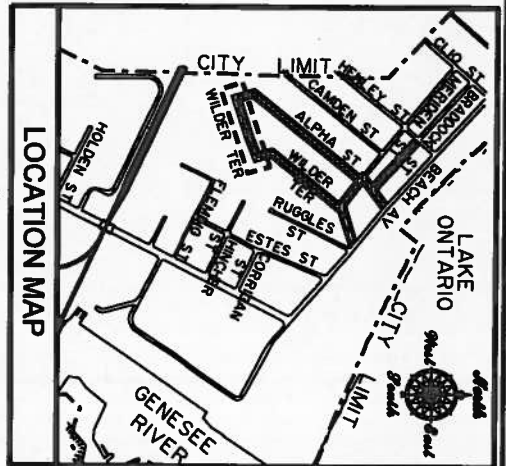
ALPHA STREET
(MERIDEN ST. - BEACH AV.)
PAVEMENT WIDTH CHANGES
ALPHA STREET GROUP 2017
NORTHWEST QUADRANT



WILDER TERRACE

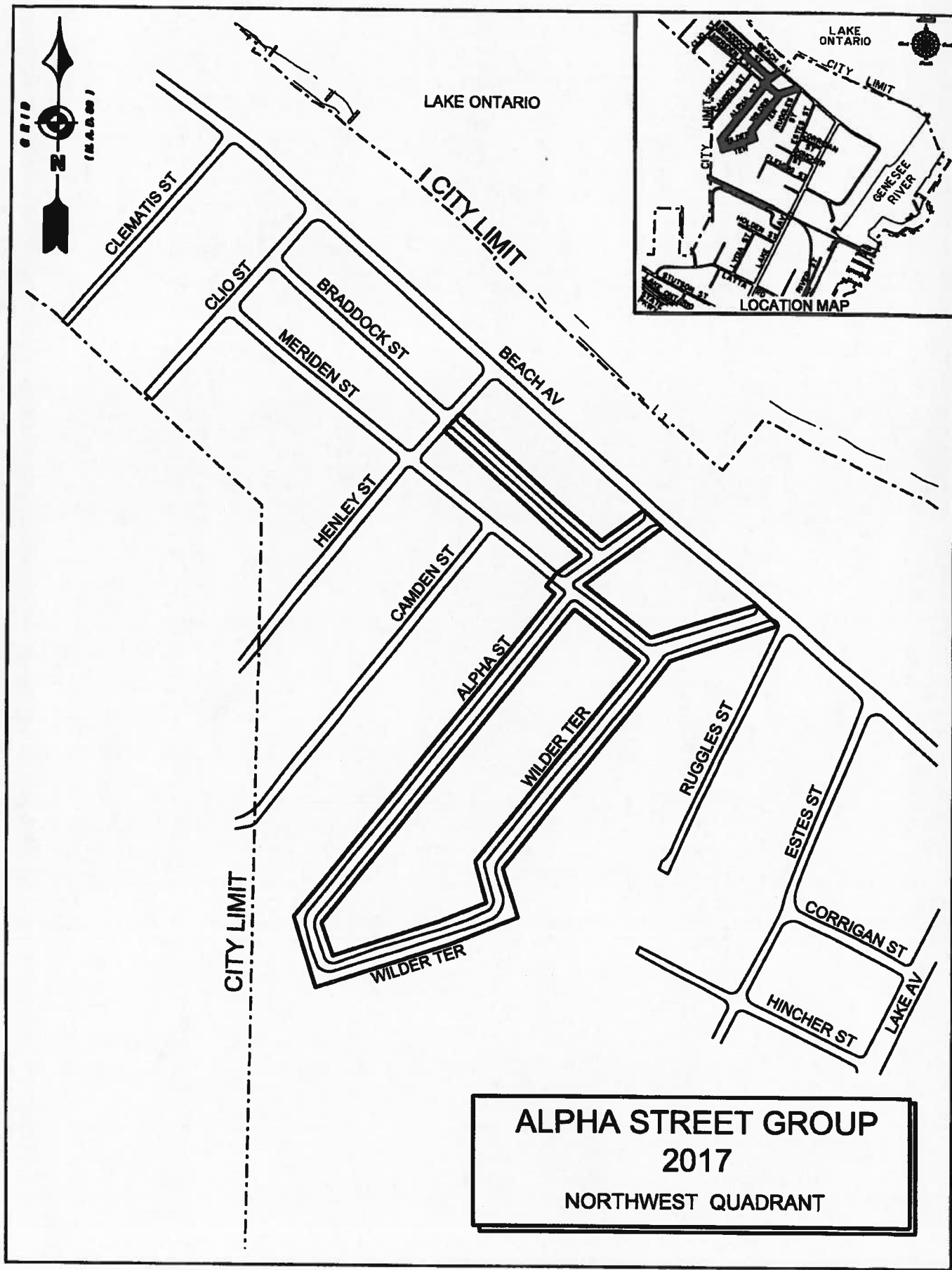
ALPHA STREET

WILDER TERRACE



LOCATION MAP

WILDER TERRACE
(ALPHA ST. - BEACH AVE.)
PAVEMENT WIDTH CHANGES
ALPHA STREET GROUP 2017
NORTHWEST QUADRANT



**MINUTES
TEXT AMENDMENT
OMA-01-17-18
CITY PLANNING COMMISSION INFORMATIONAL MEETING (8/7/2017)
Page 1 of 1**

APPLICANT: City of Rochester, City Engineer

PURPOSE: To amend the Official Map of the City of Rochester by dedicating a portion of 283 and 295 Beach Avenue as right-of-way for a pedestrian walkway; an action requiring City Planning Commission recommendation to City Council.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

Lisa Reyes, DES: Hi, my name is Lisa Reyes. I work for the City of Rochester and am here on behalf of the City Engineer. I work for the street design division. I am hearing requesting your recommendation to amend the map of the City of Rochester by dedicating as additional right of way two corner takings at the intersection of Alpha Street and Beach Avenue. The two properties are 283 and 295 Beach Avenue. The area that we are taking from 283 Beach Avenue is 14 square feet and the area that we are taking from 295 Beach Avenue is 8 square feet. You can see it on the maps provided. As part of the Alpha Street improvement project, we will be making improvements to all of the curb ramps to ensure that they are meeting the most current accessibility guidelines. At the Alpha/Beach intersection, each corner will require additional sidewalk area outside of the public right of way to achieve these guidelines. The two additional areas will be acquired by permanent easement.

Questions from the Members: NONE

Speakers in Favor: NONE

Speakers in Opposition: NONE

HEARING ENDS

CITY PLANNING COMMISSION**RECOMMENDATION****OFFICIAL MAP AMENDMENT**

Re: To amend the Official Map of the City of Rochester by dedicating a portion of 283 and 295 Beach Avenue as right-of-way for a pedestrian walkway; an action requiring City Planning Commission recommendation to City Council.

Case No: OMA-01-17-18

Resolution:

RESOLVED, the City Planning Commission recommends that the Official Map of the City of Rochester be amended by dedicating a portion of 283 and 295 Beach Avenue as right-of-way for a pedestrian walkway as detailed in the memorandum to Zina Lagonegro, Manager of Zoning, from James R. McIntosh, P.E., City Engineer, dated July 5, 2017.

Vote:	Motion Passes
Action:	Recommend Approval
Filing date:	August 7, 2017
Record of Vote:	7-0-0
D. Watson	Recommend Approval
S. Mayer	Recommend Approval
M. Gaudioso	Recommend Approval
H. Hogan	Recommend Approval
T. Bruce	Recommend Approval
E. Marlin	Recommend Approval
M. Pichardo	Recommend Approval

**PUBLIC INFORMATIONAL MEETING MINUTES
ALPHA STREET GROUP
STREET IMPROVEMENT PROJECT, PC 12110**

Project Limits:

*Alpha Street (Wilder Ter. to Beach Ave.)
Braddock Street (Henley St. to Alpha St.)
Meriden Street (Alpha St. to Wilder Ter.)
Wilder Terrace (Alpha St. to Beach Ave.)*

DATE: December 11, 2014
TIME: 6:30 PM
LOCATION: Port Terminal Building, Charter Room, 2nd floor, 1000 N River St.
ATTENDEES: See sign-in sheet

Al Giglio started the meeting by introducing the City of Rochester Street Design staff in attendance: Al Giglio (AG), Managing Engineer; Lisa Reyes (LR), Project Engineer; and Vilavath (Vat) Phommavanh, Engineering Designer. AG stated this meeting is being held to gather input from the public on some conceptual designs that were prepared for the project and introduced LR to present to the public.

LR began by reviewing the project limits (listed above in the title) and explaining that this meeting was put together to gather public input on some conceptual design ideas. We normally hold off meeting with the property owners until we have had some feedback from the utilities as to what impacts their improvements may cause. We have not yet met with the utilities and do not have any updates on their proposed work at this time. At our next public meeting we should have more information we would provide. The project has an anticipated construction start of fall 2015 as noted in the schedule on the backside of the meeting agenda. We anticipate advertising the project in the spring/summer of 2015.

As mentioned, the displays are conceptual in nature and do not show proposed utilities, driveway aprons or trees. We did find in our early review of the project that there are a few zoning related concerns regarding front yard parking. We will be reviewing those with our Permit office and Zoning. If you have front yard parking, you will be receiving a letter from the City Permits office with ways to take action on getting your driveways into compliance.

The project includes two methods of street repair: 1) rehabilitation and 2) reconstruction. Streets currently proposed for rehabilitation are: Alpha Street, Meriden Street and most of Wilder Terrace (except along the ball fields). Braddock St and the section of Wilder Terrace along the ball fields are currently proposed for reconstruction.

Proposed work in both rehabilitation and reconstruction areas include: new granite stone curbs with underdrain; new driveway aprons; hazardous concrete sidewalk repair; possible street lighting improvements; replacement of lead and galvanized water services with polyethylene (PE) pipe; adjustment of sewer and water castings; and topsoil and seed.

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In addition, rehabilitation areas will include: milling the top 1 ½ to 3 inches of asphalt and re-surfacing it with new asphalt; replacement/repair of drainage inlets where needed.

Reconstruction areas will additionally include: a full box out (removal of the existing asphalt and stone layers down to the native soil) and new pavement section (new stone and asphalt layers); installation of new catch basins.

LR continued by elaborating on additional water upgrades. A new water main is proposed on Braddock Street. Some sections of the water main on Alpha Street and Wilder Terrace near the ball fields are being evaluated for replacement as they may be located under the proposed curbs.

The Water Bureau is preparing a separate contract for cleaning and lining the water mains on Alpha Street and Wilder Terrace. Meriden Street is a newer water main and will likely require anodes to be installed on the main to slow down corrosion of the main. AG explained what occurs during a cleaning and lining project. Over time, the inside diameter of the water main shrinks in area from decades of use and corrosion that builds up. Cleaning the inside of the water main is done to remove the corrosion and any debris. Once the main is flushed and inspected, the inside diameter of the pipe will then be lined with a cement mortar lining. In essence, once complete, it will be similar to having a new water main installed.

LR continued on to present the major conceptual design changes. Braddock Street (Henley to Alpha) is currently one-way and has a 50-ft right of way and an existing 20-ft pavement width. Braddock to the west of Henley is two way. The right of way between Henley and Alpha is wide enough to allow for increasing the pavement width for two-way travel as well which is what is presented in the conceptual design presentation display along with new sidewalks and curb. The conceptual design shows the width of Braddock changing from 20 ft to 26 ft.

The gravel parking area along the County park ball fields on Wilder Terrace would be removed and on-street parallel parking would be installed in its place. The existing pavement width in that section along the ball fields is approximately 20 ft; the proposed width is 24 ft to match the width of Alpha Street. The proposed parallel parking width would be 8 ft for a total pavement width of 32 ft.

On the north side of Meriden Street, all of the homes have illegal front yard parking. Those driveways are shown in the display as being closed off with no access. On that north side, to meet the Complete Streets Policy, a new section of sidewalk is proposed for installation to tie into the sidewalks on Alpha St and Wilder Ter. Homeowners will be required to request a variance through the Zoning process for the chance to maintain their existing illegal front yard parking.

Carriage walks will be removed to properties with driveways; they will be maintained or installed to properties without driveways. A carriage walk is a section of sidewalk that is perpendicular to the road and sidewalk. It essentially connects the road to the sidewalk. Typically carriage walks are not well maintained by the property owners and the City does not maintain them either therefore, on street projects it became policy to remove them. If you wish to have your carriage walk maintained, a request can be made to the Project Engineer. Her contact info is on the backside of the agenda.

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Driveway aprons (the area of your driveway between the curb and sidewalk) will be replaced in kind, meaning, if your existing driveway apron is asphalt, you will get a new asphalt driveway apron; if your existing driveway apron is concrete, you will get a new concrete driveway apron installed. Property owners have the option to upgrade from an asphalt driveway apron to a concrete driveway apron. The cost to the homeowner is the difference in installation price per square foot of asphalt versus concrete. If you wish to learn more about upgrading your driveway apron, you are welcome to contact the Project Engineer.

There are currently no proposed changes in the parking regulations. If you wish to have the parking regulations changed on your street, you may contact the Project Engineer who will provide you additional information on how to proceed in requesting those changes.

Any privately owned property located within the right of way is considered an encroachment. Privately owned property includes fences, planters, flower beds and other decorative features (shrubs, bushes, markers, pavers, etc.). During the design process, encroachment letters will be sent to the property owners informing them of their encroachments into the right of way and asking they be removed prior to construction. If not, those items are on public land and could be destroyed or removed and disposed of during construction.

During construction, two-way traffic will be maintained (where applicable) and flaggers will be present in the event of a lane closure. Emergency vehicles will have access at all times.

Access disruption to your driveways will occur for maybe 2 – 3 days when the curbs, sidewalks in your driveway area and driveways are installed. After they are installed, temporary stone access will be provided until the streets are paved.

Then the meeting was open for questions/comments.

Q: How many trees will be removed as part of the project?

A: Based on the conceptual design, there are three (3) trees proposed for removal: two (2) trees at the Alpha/Wilder bend and one (1) on Meriden (28 Meriden St), all due to the installation of new sidewalks. There are a few privately owned bushes within the right of way on Meriden that will be impacted by the new sidewalks as well. The City Forester for this project will be performing an analysis of the trees to determine their health and condition and will make recommendations on any additional removals.

Comments:

- *Converting Braddock St from one-way to two-way traffic is dangerous because motorists leaving the nursing home west of Henley St will speed down Braddock through the stop signs to get to Alpha St.*
- *On the north side of Meriden St between Alpha St and Wilder Ter, City Council passed an ordinance for us to park in our rear yards (Ordinance 92-29). The ordinance says we can use 5 feet of the City right of way for parking. We have no front yard access anymore since they abandoned and removed Goodger's Park which was a road that allowed us vehicle access to the front of our homes. We don't want the new sidewalk installed on Meriden between Alpha and Wilder either. If you install sidewalk, we won't have any place to park.*

Q: *We have drainage issues and a sink hole in front of 73 Wilder Ter. Will the resurfacing be enough to take care of those issues?*

A: There are two (2) sewer manholes in that area which are both elevated above the surface of the road which may be causing the low areas in the pavement. As part of preliminary design of the project, borings and corings of the pavement section on all the streets will be done to get a better understanding of the pavement structure and our limits of reconstruction. Currently we have that section of Wilder planned for milling and resurfacing. There will be some areas of what we call "deep repair" in the milling/resurfacing sections. Deep repair (removal of the entire pavement structure and replacement) is done in small areas of pavement failure. As for the elevated manholes, we will be working closely with Monroe County Pure Waters, who maintain the sewer and drainage structures, to adjust the frames, grates and covers of their facilities where needed.

Comment:

The owner of #6 Meriden Street said that there was a standing water next to the curb, and then Pure Water came out and fixed it.

Q: *Can the City do something with overhead power lines since we are in the City limits?*

A: (AG) RG&E owns and maintains the overhead power lines throughout the city. The cost of moving the power lines underground is too much to justify for residential streets. It costs them about \$1 million per 1 mile to put the system underground. Unfortunately, the wood utility poles and above ground power lines will remain.

Q: *There is a gas valve in the middle of my driveway (77 Wilder Ter) and it's left a hole there. Every time I push my son in his wheelchair, one of the tires always gets stuck making it difficult to push it out of the hole. I take my son for walks down the sidewalk but there is a section of sidewalk that is so steep I have to use the road instead.*

A: (LR) Many of the sidewalks near large trees tend to become uprooted due to the large roots causing uneven and slanted walks. We will further evaluate your concern and replace sections of sidewalk where required to make them easier and safer to navigate. The gas (and water) valves in your driveway should have covers so that they are flush with the pavement. As part of this project, we will work with RG&E to get the required cover for the gas valve and adjust the elevation as needed.

Q: *We want to take trees down on the north side of Meriden St, but we were told that we cannot but the City hasn't done anything about them either.*

A: (LR) City Forestry maintains trees in the right of way and determines their condition and health and whether they should remain or be taken down. You are welcome to contact me so that I can provide you with the City Forester's contact information.

Q: *(5 Braddock St) I want to put in a new driveway to the house but would need to take trees down. Are you saying we cannot touch the trees?*

A: (LR) Trees within the public right of way are the City's property. Any trees on private property are the homeowner's responsibility. If you want to install a new driveway, you will be required to apply for a permit through the City's Permit office for work within the public right of way in order to establish a curb cut for your driveway. You are welcome to email me so I can provide you the Permit Officer's contact information for more details.

Q: *We've lived on the north side of Meriden Street for about 35 years and bought these houses with the driveways. We need our driveways to remain. We have no place else to park. During the spring and summer, parking on the street is terrible with the folks who come into town to visit the beach.*

A: (LR) The City Permits office will be performing a check on all driveways for conformity and any illegal front yard parking issues. We will also look further into the Ordinance that was referenced earlier. Once the Permit Officer's review is complete and reviewed with Zoning and Street Design, letters will be mailed out to the property owners whose driveways are not in compliance. Included in the mailing should be instructions for requesting a variance to maintain your driveway.

(AG) After you receive the letter, you should contact Lisa Reyes and she can put you in touch with the right people.

Q: *Are our streets chosen to be turn-around routes for Beach Ave? There is no parking allowed on Beach Ave and in the summer cars park along our streets and in our front yards leaving us nowhere to park.*

A: (AG) I'm unaware of a turn-around route; these streets were selected and included in the program to be improved.

Q: *Does the City have some criteria to select the streets to be improved?*

A: (AG) We select the worst of the worst in the different quadrants of the city and have the Street Improvement Program set up to plan out the years we anticipate design of those streets. We try to group streets together similar to what we are doing for this street group. Conditions we look for are streets that have potholes, drainage issues, curbs that are broken or streets with no curbs at all.

Q: *Do you single out or select which sidewalks, in front of a property, to be replaced?*

A: (AG) No. Sidewalk replacement is based on the condition of the sidewalks. We are only replacing sidewalks with hazardous conditions, drainage issues or walks in reconstruction areas that need to be replaced due to elevation change of the pavement.

Q: *I have a 2 1/2-car wide driveway opening. Will I get it back?*

A: (AG) The driveway apron that we will install will allow enough room to maneuver your vehicle in and out of your driveway. If we show your driveway smaller than existing width, we likely do not have a permit on file for your existing curb cut width and propose to install the curb cut at the allowable width for your property type. If you believe your existing driveway width was approved at one time and have the permit information, please forward it to us; otherwise, you'll get back what is allowed in the letter you will receive from the Permits office. A variance may be applied for requesting your existing width be maintained.

Q: *(Meriden St Resident) You said that the Street Improvement Project will improve our living conditions and make our life better, but you're taking away and closing our driveways and then putting sidewalks in that we don't need in front of our homes.*

A: (AG) The presentation displays are, by no means, final design plans. Changes are possible. (LR) This meeting is intended to gather feedback from the residents so that we can go back to the drawing board and address your comments and any concerns.

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Q: *There are a lot of bad sidewalks around here. Why are only some selected for replacement?*

A: (AG) As part of this project, we will be replacing the broken and hazardous sidewalks. If there wasn't a street improvement project planned for this area, we would get these streets added to the Hazardous Sidewalk Program which has a budget allowance for the replacement/repair of sidewalk tripping hazards and broken sidewalks. That contract costs \$9~\$10 per square foot for replacing the walks. As part of the street project, the average cost to replace sidewalks is around \$6~\$7 per square foot. We simply do not have the budget to replace all sidewalks on our street improvement projects.

Q: *So you're saying as a part of the project, Wilder Terrace will be widened, some trees will be cut down and Braddock Street will be converted from one-way into two-way traffic?*

A: (AG) The presentation displays shown here are conceptual in nature. They are not final construction plans. This meeting was set up for public input and information gathering only. Another meeting will follow that will attempt to address your concerns and display a revised preliminary design plan.

Q: *Some of us will lose our driveways?*

A: (LR) If you are currently parking your vehicle in front of your house and not a garage, the Zoning Code calls that illegal front yard parking. The Permit Officer for this area will be reviewing driveways and sending letters out to owners informing them of their illegal front yard parking. That letter will be accompanied by a sketch of your property identifying the area considered illegal front yard parking and show you the proposed curb cut width. The letter will also provide you additional information to apply for a variance request through the Zoning office if you wish to request maintaining the existing width of your driveway.

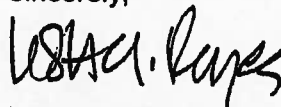
Q: *What is the project schedule/time frame?*

A: (LR) We anticipate construction plans to be finalized in late winter/early spring.

(AG) took a vote from the attendees on changes to Braddock St and sidewalk installation on the north side of Meriden Street. All attendees unanimously voted for Braddock Street to stay one-way only and no sidewalks on north side of Meriden Street.

There were no further recordable questions or comments. The meeting was adjourned.

Sincerely,



Lisa Y. Reyes
Engineer II/Street Design

LYR:vp
xc: file

**PUBLIC INFORMATIONAL MEETING MINUTES
ALPHA STREET GROUP PROJECT**

DATE: February 8, 2017
TIME: 6:30 p.m.
LOCATION: Port Terminal Building, Waterside Room, 1000 N. River Street
ATTENDEES: See Attached List

The purpose of the meeting was to present preliminary (35%) plans to the public of the proposed street improvements for the Alpha Street Group Project. The project includes the following street segments:

Alpha Street (Beach Avenue to Wilder Terrace)
Braddock Street (Alpha Street to Henley Street)
Meriden Street (Alpha Street to Wilder Terrace)
Wilder Terrace (Beach Avenue to Alpha Street)

The attached meeting agenda was provided for all attendees.

Al Giglio (AG) began the meeting by introducing Zina Lagonegro (ZL), Director of Zoning, to discuss illegal front yard parking.

(ZL) Historically, the Zoning office has worked with the Department of Environmental Services (DES) when a street improvement project is planned to review each property based on their needs for driveway access. The field visits are conducted based on the DES Driveway policy. The driveway policy requires a minimum distance of eight feet between the dwelling and the side property line to allow for driveways to lead to the rear yard. The Zoning Code requires that all driveways must lead to parking areas in the rear yard or in an attached or detached garage. Paved areas adjacent to the driveway or a garage where the parking area is between the street and the building is considered to be front yard parking, which is prohibited under the Zoning Code. Depending on your individual circumstance, any front yard parking issues that have been identified can either be remedied through the Administrative Adjustment process or by variance approval by the Zoning Board of Appeals. All letters outlining any driveway issues have been mailed to the property owner of record. If you did not receive a letter, then we did not find any areas of concern with your property. Jill Symonds on my team is available to assist anyone who has any questions regarding the process. She may be contacted at 428-7364; or by email at Jill.Symonds@CityofRochester.gov.

Al Giglio (AG) continued by identifying the different streets within the project shown on the meeting presentation displays. The improvements to these streets will include: new granite curbs installed at a height of 7 ¼ inches; new driveway curb cuts with new driveway aprons (area of the driveway between the curb and sidewalk); sidewalk replacement in some areas as shown in the presentation display; rehabilitation of Meriden Street and on portions of Alpha Street and Wilder Terrace which typically includes the milling of 1-1/2 to 3 inches off the top layer of asphalt and the application of a new layer of hot mix asphalt; full depth reconstruction of Braddock Street and on portions of Wilder Terrace and Alpha Street.

Recessed on-street parallel parking is proposed on both sides of Wilder Terrace, along the ball fields. Some trees within the project limits will need to be removed due to the street improvements. Those trees are identified on the presentation display with a red slashed circle. Toward the end of construction, topsoil and seed will be placed in all disturbed areas. Street lighting fixtures will be upgraded. Then AG introduced Lisa Reyes (LR) to the meeting to talk about utilities.

LR stated that street lighting fixtures will be upgraded to a more efficient LED system. Spacing of the lighting fixtures will be evaluated for the allowance of better and more consistent light distribution. The City's Street Lighting Division will be preparing the design which will be based off of RG&E electric's proposed wood utility pole locations. Street lighting conduits are all located above ground and on RG&E's wood utility poles.

RG&E Electric is in the process of reviewing the preliminary plans to determine what upgrades are necessary. All electric lines are above ground on wood utility poles. Any poles in conflict (i.e. in a driveway) will be relocated. Once RG&E Electric completes their design upgrade, Street Lighting, cable and fiber companies will follow suite with their relocations as their facilities are all above ground and share the RG&E wood utility poles.

Karl Waelder (KW) then updated the public on the water improvements. KW provided a brief history of the water mains in the area and continued by discussing the proposed improvements. All lead and galvanized water services will be replaced with polyethylene (PE) water service pipe from the water main in the road to the curb stops near the right of way line. Any repair or replacement of the water service on the private side of the right of way is the homeowner's responsibility. All copper services will remain.

On Wilder Terrace, in the vicinity of the ball fields, a section of the existing water main runs under the proposed curb on the north side of the street and will be abandoned; a new section of water main will be installed as its replacement away from the proposed curb. The water main on Braddock Street (Henley to Alpha) will be replaced with a new plastic water main.

LR continued, RG&E Gas will install a section of new gas main to replace the existing gas main that runs under the proposed curb lines in the vicinity of 195 Wilder Terrace. They also plan to lower some of their services and mains that cross the proposed curb, where required throughout the project limits.

All private (i.e. gas, electric, cable, fiber, telephone) utility upgrades are coordinated ahead of time and will be performed ahead of the street construction project so that there are no street cuts performed after the new pavement is installed. Water, sewer, stormwater and street lighting improvements will be included as part of the street construction project.

If there are any concerns or questions related to changing the existing parking regulations, you may contact Erik Frisch, Transportation Specialist with the City who can answer your questions and determine if further action is required through the Traffic Control Board (TCB). Erik's contact information is located on the backside of the agenda.

LR recapped by stating changes to the plans were made based on feedback from the first public meeting. Those changes include widening two (2) additional feet on the west side of Alpha Street between Beach Ave and Meriden Street from 24 ft. to 26 ft.; removing the proposed sidewalk on the north side of Meriden (Alpha to Wilder); maintaining the driveway openings on the north side of Meriden (Alpha to Wilder); and adding recessed parallel parking on both sides of Wilder Terrace near the ball fields. The recessed parallel parking areas will be provided in place of the County Parks' existing gravel parking area adjacent to the CYAA ball fields. Approximately 18 parallel parking spaces are proposed on the south side and 11 parallel parking spaces on the north side. The existing width of Wilder is approximately 20 ft. adjacent to the ball fields and is proposed to be widened to 22 ft. with 8 ft. wide parking areas on the north and south sides. A new sidewalk is proposed along the south side of Wilder Terrace and will tie into the existing walks on Alpha to the west and Wilder to the east.

During construction, two-way traffic will be maintained throughout the project and flaggers will be provided as needed. AG stated when the new curbs are installed, residents will be required to park on the street for about a day or two while the concrete that holds the curb in place is cured. Once curb is set, the Contractor will provide temporary access to driveways by placing crushed stone in the trench until the road is paved.

AG added, before construction, there will be a construction public meeting with the contractor, project manager and resident engineer. During construction, the resident engineer will provide full time inspection during construction hours. Any questions, concerns or problems would be directed at the resident engineer. Construction phone numbers will be provided to the public for their use in the event of an emergency.

The meeting was opened to questions:

Sarah Peters - 110 Alpha St.

Q. *What are the daily hours of construction? Also, will the curb at the corner ramps be replaced as well?*

A. Yes, they will be replaced within the project limits as shown in the presentation display. We will also be providing additional ramps at corners where needed for better accessibility in crossing the street.

The project will include upgrades to the accessible curb ramps to meet Americans with Disabilities Act (ADA) standards. There are two corner takings required to bring the ramps at those corners into compliance with ADA. The curbs at the ramps will be installed flush with the pavement. "Dimples" (raised bumps) will be installed at all ramps in the project. AG added that the contractors generally will start at 7 am and finish around 3 pm. They usually will not work on weekends unless of an emergency or special event. If they do, they have to get a special dispensation to work weekends or holidays. They try to avoid weekend work.

Cheryl Enders - 329 Beach Av.

Q. *Is Braddock St. going to be widened for two-way traffic as stated in the first meeting?*

A. The first public meeting was held to present the conceptual design to the public intending to get feedback on the changes we were proposing (i.e. converting Braddock to two-way traffic; adding sidewalk on the north side of Meriden). Based on the feedback we received, Braddock Street will remain one-way at the same width of 20 ft., but new curbs and sidewalks will still be installed; no sidewalk will be installed on the north side of Meriden.

Elizabeth Schnell - 31 Braddock St.

Q. *What is the project schedule? How do I know if my water is safe? I am concerned as I have small children.*

A. Construction is proposed to begin in spring of 2018 and should be substantially complete by fall of 2018. If we began construction this year, it would be in late summer which will not allow enough time for the project to be finished before winter. A winter shutdown would be necessary and work would then resume in the spring in 2018. To avoid the extra cost and mess of construction during the winter months, we are waiting until spring of 2018.

(KW) The water mains are not lead and there is no lead present in the water. Water samples taken from the hydrants comply with the EPA and monthly reporting is done for the State. Residents can call 311 or 585-428-7500 Rochester Water Bureau to find out more information on water safety.

Dan Church - 85 Wilder Ter.

Q. *Why is the project delayed?*

A. After the first public meeting, we began preliminary design and found many zoning and driveway related issues that needed to be reviewed and addressed. The north side of Meriden (Alpha to Wilder) also caused delay in review of how to address the concerns with those driveways. Meanwhile, other projects took precedence while those issues were being reviewed.

Q. *Will valves for each house also be replaced along with the portions of water main to be replaced?*

A. (KW) The valves in the lawn areas (or on the house side of the sidewalks) are called curb stops and they will be replaced along with the lead and galvanized water services.

Q. *When the new curbs are to be installed, will I receive warning ahead of time or will I just be stuck and unable to leave my house until the work is done?*

A. Typically, the contractors will hand out notices to the residents 24 to 48 hours before they perform the work.

Q. *I'm concerned about the age of the street as it heaves in front of my house. I saw some holes were bored. Are you going to dig up the whole section of the road or just resurface?*

A. The reconstruction limit of Wilder Terrace was modified since the first public meeting. Originally we anticipated reconstructing the section near the ball fields only. After review of the borings we received, we extended the limit to Meriden Street. Wilder from Alpha to Meriden will be boxed out (all of the existing asphalt and stone will be removed and disposed of) and built back up with new crushed stone and asphalt (base, binder and top) layers.

Q. *What about the storm drains?*

A. We currently plan to replace the capstone catch basins in the rehabilitation sections of the project and all of the basins in the reconstruction sections of the project. The capstone basins are the ones that have a large flat stone that sits in the lawn area next to the catch basin. The reason for replacing those basins is because the opening itself is typically partially in the road and partially in the grass which is why the stone is there to cover the opening. Non-capstone basins are typically completely in the road. When we install the new curbs, the curb will run the entire length of the road along the edge of the road behind the catch basins. Capstones don't allow for placing the curb behind the basin. (AG) Also, the new catch basins will have a larger opening. Typically, the old box type catch basins are 12-inch long by 8-inch wide. The newer basins that will be installed are 3 ft. long by 2 ft. wide and will drain much better than the older ones.

George Lynch - 49 Meriden St.

Q. *Are you going to put down new asphalt over the old asphalt or install a new street in front of my house? How about curbs?*

A. Your property is outside the limits of the project. The project limit begins in front of your neighbor's property at 39 Meriden. The new curbs will transition to the existing curbs and the reconstruction will blend in seamlessly with the existing pavement.

John Metzger - 61 Braddock St.

Q. *Where will the contractors plan to stage their equipment and materials during the project?*

A. Once the project is awarded to a contractor (after it is advertised and bid), the contractor will negotiate with land owners in determining locations to stage their materials. That is not determined until after a contractor is on board.

Phil Enders - 329 Beach Av.

Q. *I have issues with parking on Braddock St., who do I call? Is it possible not to install full height curbs in front of my property?*

A. Typical street construction in the city will include the installation of granite stone curb. The standard curb height is 7 ¼ inches. At driveway openings, header curb will be installed which will have a curb reveal of 1 ½ inches. Any variation to your driveway width shown on the display would require Zoning approval. The letter you received should have the information you need to follow up with Zoning.

Donald Furiuso - 337 Beach Av.

Q. *The proposed driveway curb cut will not allow me enough space to maneuver my vehicle in and out from my driveway.*

A. Parking in the front yard is not allowed by our zoning regulations unless in front of a garage. The curb cut proposed is for side yard access. We suggest discussing your concerns with the Zoning office to determine what course of action is necessary to request a variance for front yard parking and a wider curb cut.

Dan St. James - 120 Alpha St.

Q. *I received two letters from the City with the same information about my driveway – one was certified and the other was not. The letter said I will get an 18 ft. wide driveway curb cut, which I'm happy with, but it also says that I have to apply for variance to keep the driveway at the existing width. I'm a little confused, do I need to apply for a variance?*

A. Duplicate letters were intentionally mailed out by our Permits office (one being certified) to make certain owners got the information on changes proposed to their driveway opening. The "Illegal Front Yard Parking" letters included a sketch of the proposed driveway width approved for installation. In addition, the sketch includes an area marked in red showing the illegal front yard parking area. If you disagree with the proposed driveway opening shown in the sketch, in your case Dan, the 18 ft. opening, and prefer to have your new driveway apron installed at the existing driveway width, say the existing width is 24 ft. wide, then you will need to apply for a variance.

Linda Patane - 10 Wilder Ter.

Q. *Can I have a wider driveway?*

A. Driveway width changes will need to be reviewed with Zoning to determine the course of action required.

Bill Stuhler - 17 Alpha St.

Q. *I have the same problem. I want my driveway made wider.*

A. The City's Zoning office will need to review your case.

Lisa Dahl/John Libertore - 32 Meriden St.

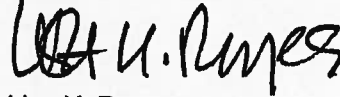
Q. *What will happen to my driveway?*

A. Property owners on the north side of Meriden between Alpha and Wilder will be receiving a Memorandum of Understanding (MOU) that was placed in the mail last night which basically states the City agrees to allow, in your special case, parking in the rear yard. The City understands the hardship presented to the owners who no longer have parking access to the front of their house since the removal of Goodger's Park, a private road that allowed access to the front of the home.

The meeting broke up and a line of individuals formed to speak with the Director of Zoning to discuss their questions and concerns regarding the driveway letters they received.

There were no further recordable questions or comments. The meeting was adjourned. The above represents my understanding of the topics discussed at this meeting.

Respectfully submitted,



Lisa Y. Reyes
Engineer II/Street Design

LYR:vp

xc: file
Z. Lagonegro
J. Symonds
K. Waelder
A. Giglio
V. Phommavanh

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Ordinance No.

Authorizing pavement width changes, acquisition of parcels and official map amendments related to the Alpha Street Group Project

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

Section 1. In furtherance of the Alpha Street Group Project street, lighting, water and drainage improvements, Council hereby approves the following pavement width changes:

1. Changes to pavement width of Alpha Street:

An increase of 2 feet, from 24 feet to 26 feet, beginning at Meriden Street and extending approximately 233 feet in a northeasterly direction to Beach Avenue.

2. Changes to pavement width of Wilder Terrace:

An increase, from approximately 20 feet to 38 feet, beginning approximately 52 feet in a northeasterly direction from Alpha Street and extending in a northeasterly direction for approximately 341 feet.

Section 2. The Mayor is hereby authorized to acquire for the Project by negotiation or condemnation the *de minimus* parcels of land compromising approximately 14 square feet of the property owned by Victoria Scott at 283 Beach Avenue and approximately 8 square feet of property owned by Theodore Sylvio at 295 Beach Avenue.

Section 3. The Mayor is hereby authorized to amend the Official Map by dedicating as public right-of-way the following portions of the properties that are authorized to be acquired by Section 2 herein:

**LEGAL DESCRIPTION OF LANDS
TO BE ACQUIRED FOR STREET PURPOSES
PART OF #283 BEACH AVENUE
PART OF T.A. #47.38-1-34**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 34, Township 2, Short Range, and being more particularly bounded and described as follows: Beginning at the intersection of the southeasterly ROW line of Alpha Street (50' ROW) and the southwesterly ROW line of Beach Avenue (60' ROW), said intersection being the Point or Place of Beginning; thence

- 1) S 48° 14' 40" E, along said ROW line of Beach Avenue, a distance of 1.52 feet to an angle point; thence
- 2) S 51° 05' 25" E, along said ROW line of Beach Avenue a distance of 3.48 feet to a point; thence

- 3) S 87° 25' 40" W, a distance of 8.66 feet to a point on the said ROW line of Alpha Street; thence
- 4) N 53° 16' 40" E, along said ROW line, a distance of 6.00 feet to the said southwesterly ROW line of Beach Avenue, being the Point or Place of Beginning.

Hereby intending to describe this parcel of land, containing 14 square feet, more or less, all as shown on a map entitled "Map Of Lands To Be Acquired For Street Purposes – SE Corner of Beach Avenue and Alpha Street", dated July 11, 2017, prepared by Jeffrey A. Tiede, L.S.

Being part of the same premises conveyed to Victoria Scott by a deed dated August 10, 2009 and filed in Liber 10777 of Deeds, Page 502.

**LEGAL DESCRIPTION OF LANDS
TO BE ACQUIRED FOR STREET PURPOSES
PART OF #295 BEACH AVENUE
PART OF T.A. #47.38-1-70.1**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 34, Township 2, Short Range, and being more particularly bounded and described as follows: Beginning at the intersection of the northwesterly ROW line of Alpha Street (50' ROW) and the southwesterly ROW line of Beach Avenue (60' ROW), said intersection being the Point or Place of Beginning; thence

- 1) S 53° 16' 40" W, along said ROW line of Alpha Street, a distance of 4.50 feet to point; thence
- 2) N 11° 30' 05" E, a distance of 5.12 feet to a point on the said ROW line of Beach Avenue; thence
- 3) S 48° 14' 40" E, along said ROW line, a distance of 3.50 feet to the said northwesterly ROW line of Alpha Street, being the Point or Place of Beginning.

Hereby intending to describe this parcel of lands, containing 8 square feet, more or less, all as shown on a map entitled "Map Of Lands To Be Acquired For Street Purposes – SW Corner of Beach Avenue and Alpha Street", dated July 11, 2017, prepared by Jeffrey A. Tiede, L.S.

Being part of the same premises conveyed to Theodore R. Sylvio by a deed dated December 3, 2014, filed in Liber 11476 of Deeds, Page 157.

Section 4. This ordinance shall take effect immediately.



August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: East Henrietta Road Improvement Project

Transmitted herewith for your approval is legislation related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive). This legislation will:

1. Authorize a change in pavement width on East Henrietta Road as follows :
 - a. from the southern City Line to 200 feet north, an increase of 39 feet from 44 feet to 83 feet transitioning down to 65 feet;
 - b. from the previous point to the southern CityGate entrance, an increase of 21 feet from 44 feet to 65 feet;
 - c. from the southern CityGate entrance to Stan Yale Drive, an increase of 20 feet from 44 feet to 64 feet;
 - d. from Stan Yale Drive to 200 feet north, an increase of 6 feet from 54 feet to 60 feet;
 - e. from the previous point to 100 feet north, an increase of 10 feet transitioning from 60 feet to 70 feet; and
 - f. from the previous point to Westfall Road, an increase of 6 feet from 64 feet to 70 feet.
2. Authorize acquisition, by negotiation or condemnation, of six de minimus parcels along East Henrietta Road; and
3. Amend the Official Map by dedicating public right-of-way from said parcels.

The street improvement project includes rehabilitation of the pavement, reconfiguration of the roadway, and improvements to the intersection, drainage system, curb, traffic signal, signage, sidewalk, and landscaping.

Four of the acquisitions are required for the installation of the proposed improvements and two are for easements to maintain traffic signal equipment. The value of the property was established by an independent appraisal performed by R.K. Hite Co., Inc. The total acquisition costs, including closing costs, will not exceed \$15,000 and will be financed from 2014-15 Cash Capital.

Address	Property Owner	Sq. Ft.	Value
450 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	656	Donation
450 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	156	Donation



422 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	1,435	Donation
422 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	2,002	Donation
400 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	1,154	Donation
390 East Henrietta Road	Anthony J. Costello & Son Spencer Development, LLC	1,228	Donation

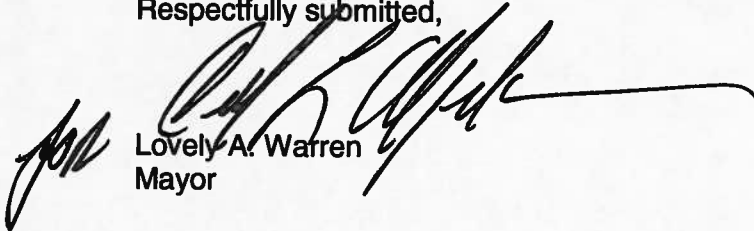
The pavement width changes will be presented for endorsement at the September 5, 2017 Traffic Control Board meeting and the Board's determination will be forwarded. The associated Official Map Amendment will be presented to the City Planning Commission on September 11, 2017. Minutes and recommendations from that meeting also will be forwarded.

The project is being designed by Stantec Consulting Services Inc. Design of the project will be completed in the fall of 2017 and construction will begin in the spring of 2018 with substantial completion in the fall of 2018.

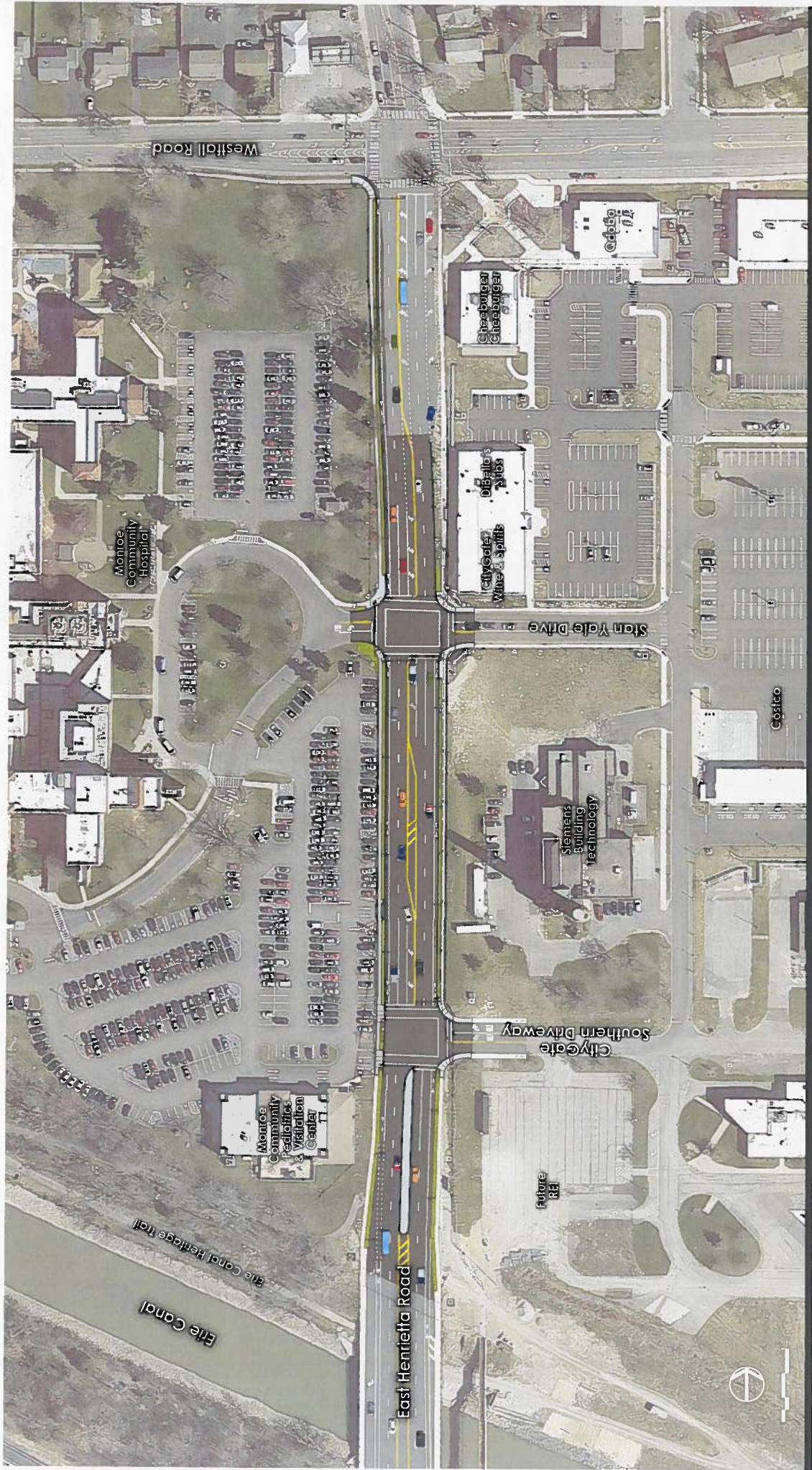
A public meeting about the project was held on February 28, 2017. A copy of the meeting minutes are attached.

A public hearing on the pavement width changes is required.

Respectfully submitted,



Lovely A. Warren
Mayor





Meeting Notes

Public Information Meeting #1

East Henrietta Road Improvement Project

Date/Time: February 28, 2017 / 6:30 PM
 Place: Five Star Bank Community Room
 395 Westfall Road
 Attendees: See Attached Sign-In Sheet

Item:

Introductions

Project Team was Introduced.

Project Overview

A project overview was given including scope of work, schedule, and budget.

Questions

The project received the following questions:

1. *Where are the five property acquisitions?*

Response: The 5 property acquisitions are along the east side of the roadway along the CityGate development.

2. *Will the new street lights be LED and what color temperature are you considering?*

Yes, the new lights will be LED and we are considering LED's in the 3.5 – 4k range.

3. *Will bicycles be accommodated within the project?*

Yes, bicycles will be accommodated by bike lanes or a shared use lane within the project limits. Per the City's complete street policy both bicycle and pedestrian accommodations must be considered.

The meeting adjourned at 7:30 PM

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Stantec Consulting Services Inc.

Kayle Stettner, PE
 Senior Civil Engineer, Transportation
 Phone: (585) 413-5263
 Fax: (585) 272-1814
 kayle.stettner@stantec.com

Attachment: Sign In Sheet
 Project Information Handout

Design with community in mind



Sign-In Sheet

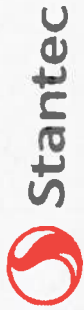
Subject East Henrietta Road Improvement Project

Location Five Star Bank - Community Room - 395 Westfall Road

Date 2/28/2017

Time 6:30 PM

Attendee (Please Print Clearly)	Address	Telephone	Email
TIM HUBBARD	CITY OF ROCHESTER A+E	428-7154	THUBBARD@CITYOFROCHESTER.GOV
Craig Ekstrom	NYSDOT	222-3355	craig.ekstrom@doh.ny.gov
Jim Hofmann	STANTEC	—	Jim.Hofmann@STANTEC.COM
Penny Pilkington	145 Cinnamon Dr.	241-6935	PILKINGTON12@gmail.com
Dan Hurley	95 Sandhurst Terrace	389-7394	phurley@boston.com
Charles E. Roe Jr.	145 Cinnamon Dr.	271-6935	SenecaUnited@aer145@yahoo.com
Chris Hegner	1 Airport Way	475-1000167 ^x	Chapne@qvcandson.com
Al Grigio	30 Church St Rm 300 B	428-7169	agiglio@cityofrochester.gov
Richard Rowe	1737 Mt Hope Ave	721-8230	rowefoto@rochester.rr.com



Sign-In Sheet

Subject East Henrietta Road Improvement Project

Date 2/28/2017

Location Five Star Bank - Community Room - 395 Westfall Road

Time 6:30 PM

Attendee (Please Print Clearly)	Address	Telephone	Email
Tom Frys	MCDOT	753-7741	tfrys@monroecounty.gov



Sign-In Sheet

Subject East Henrietta Road Improvement Project

Location Five Star Bank - Community Room - 395 Westfall Road

Date 2/28/2017

Time 6:30 PM

Attendee (Please Print Clearly)	Address	Telephone	Email
Jim McIntosh	COR	428-6828	Jim.McIntosh@cityofhastings.com

335

Ordinance No.

Authorizing pavement width changes, acquisition of parcels and official map amendments related to the East Henrietta Road Improvement Project

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

Section 1. In furtherance of the East Henrietta Road Improvement Project, Council hereby approves the following pavement width changes:

1. Changes in pavement width on East Henrietta Road as follows:

From the southern City Line and extending 200 feet north: an increase of 39 feet, from 44 feet to 83 feet and tapering down to 65 feet.

From the previous point to the southern entrance driveway for CityGate: an increase of 21 feet, from 44 feet to 65 feet.

From the southern entrance driveway for CityGate to Stan Yale Drive: an increase of 20 feet, from 44 feet to 64 feet.

From Stan Yale Drive and extending 200 feet northward: an increase of 6 feet, from 54 feet to 60 feet.

From the previous point and extending 100 feet northward: an increase of 10 feet, so that the width as modified widens from 60 feet to 70 feet.

From the previous point to Westfall Road: an increase of 6 feet, from 64 feet to 70 feet.

Section 2. The Mayor is hereby authorized to acquire by negotiation or condemnation permanent easements for six *de minimus* parcels of land owned by Anthony J. Costello & Son Spencer Development, LLC comprising approximately 656 square feet of the property at 450 East Henrietta Road, 1,435 square feet of property at 422 East Henrietta Road, 156 square feet of property at 450 East Henrietta Road, 2,002 square feet of property at 422 East Henrietta Road, 1,154 of property at 400 East Henrietta Road, and 1,228 square feet of property at 390 East Henrietta Road.

Section 3. The Mayor is hereby authorized to amend the Official Map by dedicating as public right-of-way the following portions of the properties that are authorized to be acquired by Section 2 herein:

**PERMANENT EASEMENT FOR TRAFFIC CONTROL DEVICE
Portion of 450 East Henrietta Road (TA # 150.22-1-2.12)**

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a traffic control device, together with appurtenances and other facilities in connection therewith, for all that piece or parcel of property located in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

Commencing at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as TA# 150.22-1-2.002 to the north, thence along said division line N 87°56'58" E a distance of 6.84 feet to the true point of beginning, said point having the NYS Plane Coordinates of N:1,135,257.29 and E:1,406,633.19 and being 90.26 feet right of and at right angles to station 10+53.78 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E continuing along said division line a distance of 41.00 feet to a point, said point being 131.24 feet right of and at right angles to Station 10+52.45 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.012 the following three (3) courses and distances; (1) S 02°07'00" E a distance of 2.00 feet to a point, said point being 131.18 feet right of and at right angles to Station 10+50.45 of said Baseline; (2) S 53°34'48" W a distance of 49.63 feet to a point, said point being 89.32 feet right of and at right angles to Station 10+23.78 of said Baseline; (3) N 02°07'00" W a distance of 30.02 feet to the POINT OF BEGINNING.

The above described parcel contains 656± sq. ft. or 0.015± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

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

PERMANENT EASEMENT FOR TRAFFIC CONTROL DEVICE
Portion of 422 East Henrietta Road (TA # 150.22-1-2.2)

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a traffic control device, together with appurtenances and other facilities in connection therewith, for all that piece or parcel of property located in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

Commencing at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as LLC TA# 150.22-1-2.002 to the north, thence along said division line N 87°56'58" E a distance of 6.84 feet to the true point of beginning, said point having the NYS Plane Coordinates of N:1,135,257.29 and E:1,406,633.19 and being 90.26 feet right of and at right angles to station 10+53.78 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E along said division line a distance of 41.00 feet to a point, said point being 131.24 feet right of and at right angles to Station 10+52.45 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.002 the following three (3) courses and distances; (1) N 02°07'00" W a distance of 35.00 feet to a point, said point being 132.34 feet right of and at right angles to Station 10+87.43 of said Baseline; thence (2) S 87°56'58" W a distance of 41.00 feet to a point, said point being 91.36 feet right of and at right angles to Station 10+88.77 of said Baseline; thence (4) S 02°07'00" E a distance of 35.00 feet to the POINT OF BEGINNING.

The above described parcel contains 1,435± sq. ft. or 0.033± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

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

PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Portion of 450 East Henrietta Road (TA # 150.22-1-2.12)

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as TA# 150.22-1-2.002 to the north, said point having the NYS Plane Coordinates of N:1,135,257.05 and E:1,406,626.36 and being 83.43 feet right of and at right angles to station 10+54.00 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E along said division line a distance of 6.84 feet to a point, said point being 90.26 feet right of and at right angles to Station 10+53.78 of said Baseline; thence S 02°07'00" E through said lands denominated as TA# 150.22-1-2.012 a distance of 45.60 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 88.83 feet right of and at right angles to Station 10+08.20 of said Baseline; thence N 10°38'46" W, along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), a distance of 46.12 feet to the POINT OF BEGINNING.

The above described parcel contains 156± sq. ft. or 0.004± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

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

PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Portion of 422 East Henrietta Road (SBL # 150.22-1-2.2)

A permanent easement for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or

parcel of property located in the City of Rochester, County of Monroe and State of New York described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.012 to the south and lands denominated as TA# 150.22-1-2.002 to the north, said point having the NYS Plane Coordinates of N:1,135,257.05 and E:1,406,626.36 and being 83.43 feet right of and at right angles to station 10+54.00 of the hereinafter described 2016 Survey Baseline; thence N 87°56'58" E along said division line a distance of 6.84 feet to a point, said point being 90.26 feet right of and at right angles to Station 10+53.78 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.002 the following three (3) courses and distances; (1) N 02°07'00" W a distance of 35.00 feet to a point, said point being 91.36 feet right of and at right angles to Station 10+88.77 of said Baseline; thence (2) N 19°14'42" W a distance of 33.95 feet to a point, said point being 82.38 feet right of and at right angles to Station 11+21.50 of said Baseline; thence (3) N 02°07'00" W, a distance of 275.00 feet to a point on the division line between lands denominated as TA# 150.22-1-2.009 to the north and lands denominated as TA# 150.22-1-2.002 to the south, said point being 91.00 feet right of and at right angles to Station 13+96.37 of said Baseline; thence S 88°05'00" W along said division line a distance of 5.00 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 86.01 feet right of and at right angles to Station 13+96.54 of said Baseline; thence along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) the following two (2) courses and distances; (1) S 02°07'00" E a distance of 288.06 feet to a point, said point being 76.98 feet right of and at right angles to Station 11+08.63 of said Baseline; thence (2) S 10°38'46" E a distance of 55.00 feet to the POINT OF BEGINNING.

The above described parcel contains 2,002± sq. ft. or 0.046± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

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

PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Portion of 400 East Henrietta Road (TA #150.22-1-2.9)

A permanent easement for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.002 to the south and lands denominated as TA# 150.22-1-2.009 to the north, said point having the NYS Plane Coordinates of N:1,135,598.97 and E:1,406,605.56 and being 86.01 feet right of and

at right angles to station 13+96.54 of the hereinafter described 2016 Survey Baseline; thence N 88°05'00" E along said division line a distance of 5.00 feet to a point, said point being 91.00 feet right of and at right angles to Station 13+96.37 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.009 the following four (4) courses and distances; (1) N 02°07'00" W a distance of 91.27 feet to a point, said point being 93.87 feet right of and at right angles to Station 14+87.60 of said Baseline; thence (2) N 02°22'40" W a distance of 35.00 feet to a point, said point being 94.80 feet right of and at right angles to Station 15+22.58 of said Baseline; (3) N 37°18'19" E a distance of 14.09 feet to a point, said point being 103.57 feet right of and at right angles to Station 15+39.66 of said Baseline; thence (4) N 02°22'40" W a distance of 30.00 feet to a point on the division line between lands denominated as TA# 150.22-1-2.008 to the north and lands denominated as TA# 150.22-1-2.009 to the south, said point being 102.50 feet right of and at right angles to Station 15+69.64 of said Baseline; thence S 87°40'59" W along said division line a distance of 14.00 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 88.51 feet right of and at right angles to Station 15+69.16 of said Baseline; thence along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) the following two (2) courses and distances; (1) S 02°22'40" E a distance of 75.85 feet to a point, said point being 88.87 feet right of and at right angles to Station 14+87.74 of said Baseline; thence (2) S 02°07'00" E a distance of 91.24 feet to the POINT OF BEGINNING.

The above described parcel contains 1,154± sq. ft. or 0.027± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 10+00.00; thence N 03°54'47" W to Station 15+28.03, thence N 00°20'33" W to Station 17+97.75.

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

PERMANENT EASEMENT FOR HIGHWAY PURPOSES
Portion of 390 East Henrietta Road (TA # 150.22-1-2.8)

A permanent easement to be exercised for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property located in the City of Rochester, County of Monroe and State of New York and described as follows:

Beginning at the point of intersection of the easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) and the division line between lands denominated as TA# 150.22-1-2.009 to the south and lands denominated as TA# 150.22-1-2.008 to the north, said point having the NYS Plane Coordinates of N:1,135,765.93 and E:1,406,599.04 and being 88.51 feet right of and at right angles to station 15+69.16 of the hereinafter described 2016 Survey Baseline; thence N 87°40'59" E along said division line a distance of 14.00 feet to a point, said point being 102.50 feet right of and at right angles to Station 15+69.64 of said Baseline; thence through said lands denominated as TA# 150.22-1-2.008 the following three (3) courses and distances; (1) N 02°22'40" W a distance of 26.00 feet to a point, said point being 101.58 feet right of and at right

angles to Station 15+95.62 of said Baseline; thence (2) N 62°55'48" W a distance of 11.48 feet to a point, said point being 91.38 feet right of and at right angles to Station 16+00.91 of said Baseline; thence (3) N 02°22'40" W a distance of 208.00 feet to a point on said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A), said point being 80.82 feet right of and at right angles to Station 18+23.17 of said Baseline; thence along said easterly Highway Boundary of East Henrietta Road (N.Y.S. Route 15A) the following two (2) courses and distances; (1) S 21°14'00" W a distance of 9.99 feet to a point, said point being 78.81 feet right of and at right angles to Station 18+13.38 of said Baseline; thence (2) S 02°22'40" E a distance of 230.48 feet to the POINT OF BEGINNING.

The above described parcel contains 1,228± sq. ft. or 0.028± acre.

The above mentioned survey baseline is a portion of the 2016 Survey Baseline for the reconstruction of a portion of East Henrietta Road (N.Y.S. Route 15A) as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station 15+28.03, thence N 00°20'33" W to Station 17+97.75, thence N 09°38'08" E to Station 22+04.67.

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



August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – C&S Engineers, Inc., Eastman Trail
Phase I

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Transmitted herewith for your approval is legislation related to the Eastman Trail Phase I project. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project; and
2. Appropriate \$1,400,000 in anticipated reimbursements from the Federal Highway Administration to finance design, construction and inspection services; and
3. Authorize an agreement establishing \$400,000 as maximum compensation for an agreement with C&S Engineers, Inc., Rochester, New York, for design and inspection services related to the project.

This federal aid project will result in a new trail connection between the State's planned Route 390 Trail in the west and Mt. Read Boulevard in the east along the Ridgeway Avenue corridor. It is a federal aid project that is administered by the City under agreement with NYSDOT. Federal aid will reimburse the City for 80% of eligible design costs; local funds will support the balance.

The project proposes the design and construction of a two-way, shared-use path on the former Erie Canal bed paralleling Ridgeway Avenue, as well as an on-street local bike route for the Route 390 to Mt. Read Boulevard section of Ridgeway Avenue. The project will implement the first phase of the Eastman Trail proposed in the "2013 Urban Trail Linkages – Planning & Preliminary Design Study". When fully realized, the trail will establish an east/west connection between the City's Genesee Riverway Trail at King's Landing and the State's proposed Route 390 Trail in the Town of Greece.

C&S Engineers, Inc. was selected for consultant services through NYS' Local Design Services Agreement, or LDSA, process. A request for proposals was sent to the 15 pre-selected firms with six firms submitting proposals. The evaluation process is described in the attached summary. The term of the consultant agreement will be six months after completion and acceptance of the construction of the project. In the event that project construction is not undertaken, the agreement will terminate one year after the completion of the contract documents by the consultant and the acceptance by the City of such contract documents.

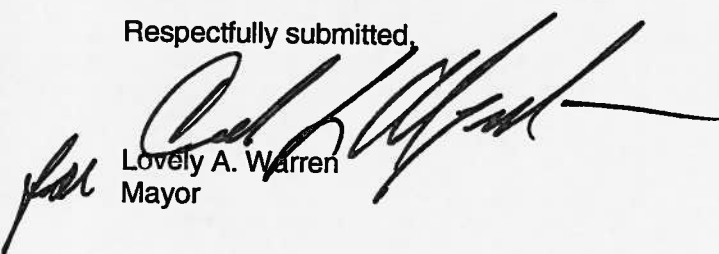
The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
2017-18 Cash Capital	\$ 80,000
Federal aid appropriated herein	\$ 320,000
TOTAL	\$ 400,000



Design services will begin in fall 2017; it is anticipated that construction will begin in spring 2019 with scheduled completion in fall 2019. The agreement will result in the creation and/or retention of the equivalent of 4.3 full-time jobs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lovely A. Warren', is written over the printed name. To the left of the signature, the word 'for' is handwritten in a cursive script.
Lovely A. Warren
Mayor

Vendor / Consultant Selection Process Summary

Department - DES

Project / Service sought – Design and Construction Inspection

Consultant Selected: C&S Engineers, 150 State Street, Suite 120, Rochester, New York, 14614

Method of selection: ☐ Request for Proposal [*Complete 1-6*]
☐ Request for Qualifications [*Complete 1-6*]
☒ From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-5*]

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

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

3. Proposals were received from

FIRM

City/ST [*if Rochester, include ZIP instead of ST*]

4. Evaluation criteria

<u>Criteria</u>	<u>weighting</u>	<u>Points possible</u>	<u>Points received by FIRM</u>
Project Management & Team	21%	30	24
Specialized Experience	32%	45	38
Quality of Proposal	39%	55	49
DBE Goals	<u>7%</u>	<u>10</u>	<u>8</u>
Total	100%	140	119
Bonus			
City business	10% of total	.10 x TT	
M/WBE	10% of total	.10 x TT	

M/WBE Bonus (*if applicable*)

***This project includes federal or state funding, therefore credit for city (location) based firms or city M/WBE goals cannot be applied to the rating criteria.**

5. Review team included staff from: DES/A&E (3) NBD/Planning (1)

6. Additional considerations/explanations [*if applicable; e.g. interviews; demonstrations*]



EASTMAN TRAIL PHASE I

Location Map



NORTH
Not to Scale

City Project No. 17316

NYSDOT P.I.N. 4CR007

336

Ordinance No.

Authorizing agreements and appropriating funds for Eastman Trail Phase I

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

Section 1. The sum of \$1,400,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund design, construction and inspection services for Eastman Trail Phase I which shall extend westward from Mt. Read Boulevard to a planned trail along New York State Route 390 (the Project).

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the use of FHWA funding for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with C&S Engineers, Inc. to provide design and inspection services for the Project. The maximum compensation for the agreement shall be \$400,000 which shall be funded in the amounts of \$320,000 from a portion of the FHWA appropriations authorized in Section 1 herein and \$80,000 in 2017-18 Cash Capital. The term of the agreement shall continue until 6 months after the completion and the City's acceptance of the Project, provided however that the agreement shall terminate one year after the consultant's completion and the City's acceptance of contract deliverables in the event that Project construction is not undertaken.

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

Section 5. This ordinance shall take effect immediately.



City of Rochester

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

PARKS & PUBLIC WORKS INTRODUCTORY NO.

337

8
Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreements – Architectural Services for
Various Projects

Transmitted herewith for your approval is legislation authorizing term agreements with the following companies for the provision of various architectural services:

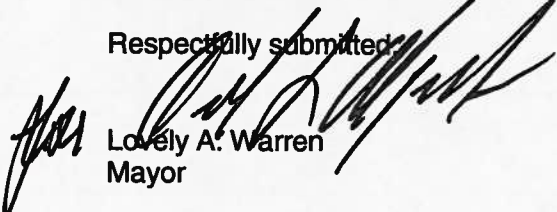
<u>Company</u>	<u>Address</u>
RAM Architects	91 Pinnacle Road, Rochester 14620
Architectura, P.C.	17 Pitkin Street, Suite 100, Rochester 14607
Konopka Architecture, P.C.	1501 East Avenue, Suite 1, Rochester 14610
Edge Architecture, PLLC	277 Alexander Street, Suite 407, Rochester 14607
Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C.	205 Saint Paul Street, Suite 500, Rochester 14604
Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.	280 East Broad Street, Suite 200, Rochester 14604

The six firms listed above were selected through a request for proposals process, which is described in the attached summary. The agreements for architectural services will be provided at specified hourly rates, and have a term of three years. They will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services, or from capital funds appropriated for specific projects.

Services to be provided include: architectural investigations of existing facilities as requested by the City, preparing design documents for various maintenance work and small contracted projects, providing resident project representation and inspection of that work during construction. The selection of a company will be based on project-specific proposals, type of services required, and the ability to perform the services within the timeframe specified by the City.

Similar agreements for architectural services have been in place since 2005.

Respectfully submitted,


Lovely A. Warren
Mayor



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Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: Architectural Services Various Facilities (Term Services)
Consultant Selected: Architectura, PC
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017

2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 15 firms:

Architectura PC, 17 Pitkin Street, Suite 100, Rochester, NY 14607
Bergmann & Associates, LLC, 280 East Broad Street, Suite 200, Rochester, NY 14604
Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., 205 St. Paul Street, Suite 500, Rochester, NY 14604
Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY 14607
EI Team, 2060 Sheridan Drive, Buffalo, NY 14604
Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., 4 Commercial Street, Suite 300, Rochester, NY 14614
Konopka Architecture PC, 1501 East Avenue, Suite 1, Rochester, NY 14610
LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
MRB Group, Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620
Passero Associates, Engineering, Architecture & Surveying, D.P.C., 242 West Main Street, Suite 100, Rochester, NY 14614
Peter L. Morse & Associates, 875 East Main Street, Suite 300, Rochester, NY 14605
RAM Architects, 91 Pinnacle Road, Rochester, NY 14620
Stantec Consulting Services, Inc, 61 Commercial Street, Rochester, NY 14614
SWBR Architecture, Engineering & Landscape Architecture, D.P.C., 387 East Main Street, Rochester, NY 14604
Wendel Consulting Services, LLC, 85 Allen Street, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by Architectura PC (Average)</u>
<i>Firm Experience</i>	10	8.4
<i>Project Approach</i>	40	35
<i>Staff Qualifications</i>	<u>50</u>	<u>41</u>
TOTAL	100	84.4

Bonus

City business	10% of total	10	8.4
M/WBE	10% of total	10	8.4

TOTAL RATING WITH BONUS = $84.4 + 8.4 + 8.4 = 101.2$

5. Review team included staff from:

(5) DES/Arch Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: Architectural Services Various Facilities (Term Services)
Consultant Selected: RAM Architects
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017

2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 15 firms:

Architectura PC, 17 Pitkin Street, Suite 100, Rochester, NY 14607
 Bergmann & Associates, LLC, 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., 205 St. Paul Street, Suite 500, Rochester, NY 14604
 Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY 14607
 EI Team, 2060 Sheridan Drive, Buffalo, NY 14604
 Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., 4 Commercial Street, Suite 300, Rochester, NY 14614
 Konopka Architecture PC, 1501 East Avenue, Suite 1, Rochester, NY 14610
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 MRB Group, Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620
 Passero Associates, Engineering, Architecture & Surveying, D.P.C., 242 West Main Street, Suite 100, Rochester, NY 14614
 Peter L. Morse & Associates, 875 East Main Street, Suite 300, Rochester, NY 14605
 RAM Architects, 91 Pinnacle Road, Rochester, NY 14620
 Stantec Consulting Services, Inc, 61 Commercial Street, Rochester, NY 14614
 SWBR Architecture, Engineering & Landscape Architecture, D.P.C., 387 East Main Street, Rochester, NY 14604
 Wendel Consulting Services, LLC, 85 Allen Street, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by RAM Architects (Average)</u>
<i>Firm Experience</i>	10	10
<i>Project Approach</i>	40	38
<i>Staff Qualifications</i>	<u>50</u>	<u>48</u>
TOTAL	100	95.2

Bonus

City business	10% of total	10	9.5
M/WBE	10% of total	10	0

TOTAL RATING WITH BONUS = $95.2 + 9.5 + 0 = 104.7$

5. Review team included staff from:

(5) DES/Arch Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: Architectural Services Various Facilities (Term Services)
Consultant Selected: Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, DPC
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017

2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 15 firms:

Architectura PC, 17 Pitkin Street, Suite 100, Rochester, NY 14607
 Bergmann & Associates, LLC, 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., 205 St. Paul Street, Suite 500, Rochester, NY 14604
 Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY 14607
 EI Team, 2060 Sheridan Drive, Buffalo, NY 14604
 Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., 4 Commercial Street, Suite 300, Rochester, NY 14614
 Konopka Architecture PC, 1501 East Avenue, Suite 1, Rochester, NY 14610
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 MRB Group, Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620
 Passero Associates, Engineering, Architecture & Surveying, D.P.C., 242 West Main Street, Suite 100, Rochester, NY 14614
 Peter L. Morse & Associates, 875 East Main Street, Suite 300, Rochester, NY 14605
 RAM Architects, 91 Pinnacle Road, Rochester, NY 14620
 Stantec Consulting Services, Inc, 61 Commercial Street, Rochester, NY 14614
 SWBR Architecture, Engineering & Landscape Architecture, D.P.C., 387 East Main Street, Rochester, NY 14604
 Wendel Consulting Services, LLC, 85 Allen Street, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by Clark Patterson (Average)</u>
<i>Firm Experience</i>	10	7
<i>Project Approach</i>	40	29
<i>Staff Qualifications</i>	<u>50</u>	<u>39</u>
TOTAL	100	75

Bonus			
City business	10% of total	10	7.5
M/WBE	10% of total	10	0

TOTAL RATING WITH BONUS = 75+ 7.5 + 0 = 82.5

5. Review team included staff from:

(5) DES/Arch Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: Architectural Services Various Facilities (Term Services)
Consultant Selected: Edge Architecture, PLLC
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017

2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 15 firms:

Architectura PC, 17 Pitkin Street, Suite 100, Rochester, NY 14607
 Bergmann & Associates, LLC, 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., 205 St. Paul Street, Suite 500, Rochester, NY 14604
 Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY 14607
 EI Team, 2060 Sheridan Drive, Buffalo, NY 14604
 Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., 4 Commercial Street, Suite 300, Rochester, NY 14614
 Konopka Architecture PC, 1501 East Avenue, Suite 1, Rochester, NY 14610
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 MRB Group, Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620
 Passero Associates, Engineering, Architecture & Surveying, D.P.C., 242 West Main Street, Suite 100, Rochester, NY 14614
 Peter L. Morse & Associates, 875 East Main Street, Suite 300, Rochester, NY 14605
 RAM Architects, 91 Pinnacle Road, Rochester, NY 14620
 Stantec Consulting Services, Inc, 61 Commercial Street, Rochester, NY 14614
 SWBR Architecture, Engineering & Landscape Architecture, D.P.C., 387 East Main Street, Rochester, NY 14604
 Wendel Consulting Services, LLC, 85 Allen Street, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by Edge (Average)</u>
<i>Firm Experience</i>	10	8
<i>Project Approach</i>	40	32
<i>Staff Qualifications</i>	<u>50</u>	<u>39</u>
TOTAL	100	79

Bonus

City business	10% of total	10	7.9
M/WBE	10% of total	10	0

TOTAL RATING WITH BONUS = 79+ 7.9 + 0 = 86.9

5. Review team included staff from:

(5) DES/Arch Services

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Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: Architectural Services Various Facilities (Term Services)
Consultant Selected: Konopka Architecture, PC
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017

2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 15 firms:

Architectura PC, 17 Pitkin Street, Suite 100, Rochester, NY 14607

Bergmann & Associates, LLC, 280 East Broad Street, Suite 200, Rochester, NY 14604

Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., 205 St. Paul Street, Suite 500, Rochester, NY 14604

Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY 14607

EI Team, 2060 Sheridan Drive, Buffalo, NY 14604

Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., 4 Commercial Street, Suite 300, Rochester, NY 14614

Konopka Architecture PC, 1501 East Avenue, Suite 1, Rochester, NY 14610

LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614

MRB Group, Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620

Passero Associates, Engineering, Architecture & Surveying, D.P.C., 242 West Main Street, Suite 100, Rochester, NY 14614

Peter L. Morse & Associates, 875 East Main Street, Suite 300, Rochester, NY 14605

RAM Architects, 91 Pinnacle Road, Rochester, NY 14620

Stantec Consulting Services, Inc, 61 Commercial Street, Rochester, NY 14614

SWBR Architecture, Engineering & Landscape Architecture, D.P.C., 387 East Main Street, Rochester, NY 14604

Wendel Consulting Services, LLC, 85 Allen Street, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by Konopka (Average)</u>
<i>Firm Experience</i>	10	9
<i>Project Approach</i>	40	36.2
<i>Staff Qualifications</i>	<u>50</u>	<u>46.4</u>
TOTAL	100	91.6

Bonus

City business	10% of total	10	91.6
M/WBE	10% of total	10	0

TOTAL RATING WITH BONUS = 91.6 + 9.1 + 0 = 100.7

5. Review team included staff from:

(5) DES/Arch Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: Architectural Services Various Facilities (Term Services)
Consultant Selected: Bergmann & Associates, LLC
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017

2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 15 firms:

Architectura PC, 17 Pitkin Street, Suite 100, Rochester, NY 14607
 Bergmann & Associates, LLC, 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., 205 St. Paul Street, Suite 500, Rochester, NY 14604
 Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY 14607
 EI Team, 2060 Sheridan Drive, Buffalo, NY 14604
 Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., 4 Commercial Street, Suite 300, Rochester, NY 14614
 Konopka Architecture PC, 1501 East Avenue, Suite 1, Rochester, NY 14610
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 MRB Group, Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, NY 14620
 Passero Associates, Engineering, Architecture & Surveying, D.P.C., 242 West Main Street, Suite 100, Rochester, NY 14614
 Peter L. Morse & Associates, 875 East Main Street, Suite 300, Rochester, NY 14605
 RAM Architects, 91 Pinnacle Road, Rochester, NY 14620
 Stantec Consulting Services, Inc, 61 Commercial Street, Rochester, NY 14614
 SWBR Architecture, Engineering & Landscape Architecture, D.P.C., 387 East Main Street, Rochester, NY 14604
 Wendel Consulting Services, LLC, 85 Allen Street, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by Bergmann (Average)</u>
<i>Firm Experience</i>	10	6.8
<i>Project Approach</i>	40	27
<i>Staff Qualifications</i>	<u>50</u>	<u>37</u>
TOTAL	100	70.8

Bonus

City business	10% of total	10	7.1
M/WBE	10% of total	10	0

TOTAL RATING WITH BONUS = $70.8 + 7.1 + 0 = 77.9$

5. Review team included staff from:

(5) DES/Arch Services

Ordinance No.

Authorizing agreements for architectural service for City facilities

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for architectural services required for facilities renovation projects as required by the City:

RAM Architects

Architectura, P.C.

Konopka Architecture, P.C.

Edge Architecture, PLLC

Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

Section 2. The agreements shall have a term of three years, and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations. Unit prices may be adjusted at the discretion of the City Engineer upon satisfactory justification by the consultant.

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

Section 4. This ordinance shall take effect immediately.



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August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreements – Mechanical, Electrical and
Plumbing Engineering Services for Various Projects

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to mechanical, electrical and plumbing (MEP) engineering:

Company

Address

Erdman Anthony and Associates, Inc.

145 Culver Road, Suite 200, Rochester 14620

LaBella Associates, D.P.C.

300 State Street, Suite 201, Rochester 14614

M/E Engineering, P.C.

150 N. Chestnut Street, Rochester 14604

Stantec Planning and Landscape

Architecture, P.C.

61 Commercial Street, Rochester 14614

Bergmann Associates, Architects, Engineers,

Landscape Architects & Surveyors, D.P.C.

280 East Broad Street, Suite 200, Rochester 14604

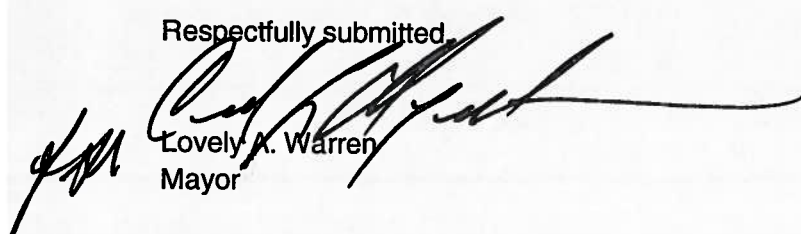
The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. Similar agreements for MEP engineering services have been in place since 2005. These services include: engineering investigations of existing systems and/or facilities as requested by the City, preparing design documents for various maintenance work and small contracted projects, providing resident project representation and inspection of that work during construction.

Erdman Anthony & Associates, Inc., LaBella Associates, D.P.C., M/E Engineering, P.C., Stantec Planning and Landscape Architecture, P.C., Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., were selected for MEP engineering services through a request for proposals process, which is described in the attached summary.

These agreements will provide for MEP engineering services to be provided at specified hourly rates. The selection of the company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

The agreements will be for a term of three years.

Respectfully submitted,


Lovely A. Warren
Mayor



Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: MEP Engineering Services Various Facilities (Term Services)
Consultant Selected: Erdman Anthony and Associates, Inc.
Method of selection: X Request for Proposal

1. Date RFP / RFQ issued (and posted on City web site): July 5, 2017
2. The RFP / RFQ was also sent directly to: Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 10 firms:

Bergmann and Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.,
 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyors, Architects and Landscape Architect, D.P.C.,
 205 St. Paul Street, Suite 500, Rochester, NY 14604
 El Team Inc., 2060 Sheridan Drive, Buffalo, NY 14223
 Erdman Anthony and Associates, Inc., 145 Culver Road, Suite 200 Rochester, NY 14620
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 M/E Engineering, P.C., 150 N. Chestnut Street, Rochester, NY 14604
 Stantec Planning and Landscape Architecture, P.C., 61 Commercial Street, Rochester, NY
 14614
 T.Y. Lin International Engineering & Architecture, P.C., 255 East Avenue, Rochester, NY
 14604
 The LiRo Group, 250 Mill Street, Rochester, NY 14614
 Wendel, 85 Allen Street, Rochester, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>		<u>Points possible</u>	<u>Points received by E/A (Average)</u>
<i>Firm Experience</i>		10	6.75
<i>Project Approach</i>		40	26.75
<i>Staff Qualifications</i>		<u>50</u>	<u>32.25</u>
TOTAL		100	65.75
Bonus			
City business	10% of total	10	6.58
M/WBE	10% of total	10	0
TOTAL RATING WITH BONUS =			72.33

5. Review team included staff from:

(3) DES/Arch Services (1) Building Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: MEP Engineering Services Various Facilities (Term Services)
Consultant Selected: LaBella Associates, D.P.C.
Method of selection: X Request for Proposal

1. **Date RFP / RFQ issued** (and posted on City web site): July 5, 2017
2. **The RFP / RFQ was also sent directly to:** Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 10 firms:

Bergmann and Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.,
 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyors, Architects and Landscape Architect, D.P.C.,
 205 St. Paul Street, Suite 500, Rochester, NY 14604
 EI Team Inc., 2060 Sheridan Drive, Buffalo, NY 14223
 Erdman Anthony and Associates, Inc., 145 Culver Road, Suite 200 Rochester, NY 14620
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 M/E Engineering, P.C., 150 N. Chestnut Street, Rochester, NY 14604
 Stantec Planning and Landscape Architecture, P.C., 61 Commercial Street, Rochester, NY
 14614
 T.Y. Lin International Engineering & Architecture, P.C., 255 East Avenue, Rochester, NY
 14604
 The LiRo Group, 250 Mill Street, Rochester, NY 14614
 Wendel, 85 Allen Street, Rochester, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>		<u>Points possible</u>	<u>Points received by LaBella (Average)</u>
<i>Firm Experience</i>		10	7
<i>Project Approach</i>		40	29.25
<i>Staff Qualifications</i>		<u>50</u>	<u>37.25</u>
	TOTAL	100	73.50
Bonus			
City business	10% of total	10	7.35
M/WBE	10% of total	10	0
TOTAL RATING WITH BONUS =			80.85

5. Review team included staff from:

(3) DES/Arch Services (1) Building Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: MEP Engineering Services Various Facilities (Term Services)
Consultant Selected: M/E Engineering, P.C.
Method of selection: X Request for Proposal

1. **Date RFP / RFQ issued** (and posted on City web site): July 5, 2017
2. **The RFP / RFQ was also sent directly to:** Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 10 firms:

Bergmann and Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.,
 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyors, Architects and Landscape Architect, D.P.C.,
 205 St. Paul Street, Suite 500, Rochester, NY 14604
 EI Team Inc., 2060 Sheridan Drive, Buffalo, NY 14223
 Erdman Anthony and Associates, Inc., 145 Culver Road, Suite 200 Rochester, NY 14620
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 M/E Engineering, P.C., 150 N. Chestnut Street, Rochester, NY 14604
 Stantec Planning and Landscape Architecture, P.C., 61 Commercial Street, Rochester, NY
 14614
 T.Y. Lin International Engineering & Architecture, P.C., 255 East Avenue, Rochester, NY
 14604
 The LiRo Group, 250 Mill Street, Rochester, NY 14614
 Wendel, 85 Allen Street, Rochester, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>		<u>Points possible</u>	<u>Points received by M/E (Average)</u>
<i>Firm Experience</i>		10	6.5
<i>Project Approach</i>		40	23.50
<i>Staff Qualifications</i>		<u>50</u>	<u>33.75</u>
	TOTAL	100	63.75
Bonus			
City business	10% of total	10	6.38
M/WBE	10% of total	10	0
TOTAL RATING WITH BONUS =			70.13

5. Review team included staff from:

(3) DES/Arch Services (1) Building Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: MEP Engineering Services Various Facilities (Term Services)
Consultant Selected: Stantec Planning and Landscape Architecture, P.C.
Method of selection: X Request for Proposal

1. **Date RFP / RFQ issued** (and posted on City web site): July 5, 2017
2. **The RFP / RFQ was also sent directly to:** Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 10 firms:

Bergmann and Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.,
 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyors, Architects and Landscape Architect, D.P.C.,
 205 St. Paul Street, Suite 500, Rochester, NY 14604
 EI Team Inc., 2060 Sheridan Drive, Buffalo, NY 14223
 Erdman Anthony and Associates, Inc., 145 Culver Road, Suite 200 Rochester, NY 14620
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 M/E Engineering, P.C., 150 N. Chestnut Street, Rochester, NY 14604
 Stantec Planning and Landscape Architecture, P.C., 61 Commercial Street, Rochester, NY
 14614
 T.Y. Lin International Engineering & Architecture, P.C., 255 East Avenue, Rochester, NY
 14604
 The LiRo Group, 250 Mill Street, Rochester, NY 14614
 Wendel, 85 Allen Street, Rochester, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>		<u>Points possible</u>	<u>Points received by Stantec (Average)</u>
<i>Firm Experience</i>		10	6.75
<i>Project Approach</i>		40	28
<i>Staff Qualifications</i>		<u>50</u>	<u>38.25</u>
TOTAL		100	73.0
Bonus			
City business	10% of total	10	7.30
M/WBE	10% of total	10	0
TOTAL RATING WITH BONUS =			80.30

5. Review team included staff from:

(3) DES/Arch Services (1) Building Services

Vendor / Consultant Selection Process Summary

Department: DES/Architectural Services
Project / Service sought: MEP Engineering Services Various Facilities (Term Services)
Consultant Selected: Bergmann and Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.
Method of selection: X Request for Proposal

1. **Date RFP / RFQ issued** (and posted on City web site): July 5, 2017
2. **The RFP / RFQ was also sent directly to:** Solicitation letters with directions to access the full RFP posting on the City website were sent to the attached list.

3. Proposals were received from 10 firms:

Bergmann and Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.,
 280 East Broad Street, Suite 200, Rochester, NY 14604
 Clark Patterson Engineers, Surveyors, Architects and Landscape Architect, D.P.C.,
 205 St. Paul Street, Suite 500, Rochester, NY 14604
 EI Team Inc., 2060 Sheridan Drive, Buffalo, NY 14223
 Erdman Anthony and Associates, Inc., 145 Culver Road, Suite 200 Rochester, NY 14620
 LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614
 M/E Engineering, P.C., 150 N. Chestnut Street, Rochester, NY 14604
 Stantec Planning and Landscape Architecture, P.C., 61 Commercial Street, Rochester, NY 14614
 T.Y. Lin International Engineering & Architecture, P.C., 255 East Avenue, Rochester, NY 14604
 The LiRo Group, 250 Mill Street, Rochester, NY 14614
 Wendel, 85 Allen Street, Rochester, Suite 200, Rochester, NY 14608

4. Evaluation criteria

<u>Criteria</u>		<u>Points possible</u>	<u>Points received by Bergmann (Average)</u>
<i>Firm Experience</i>		10	6.75
<i>Project Approach</i>		40	26
<i>Staff Qualifications</i>		<u>50</u>	<u>33</u>
TOTAL		100	65.75
Bonus			
City business	10% of total	10	6.58
M/WBE	10% of total	10	0
TOTAL RATING WITH BONUS =			72.33

5. Review team included staff from:

(3) DES/Arch Services (1) Building Services

338

Ordinance No.

Authorizing agreements for mechanical, electrical and plumbing engineering services for City facilities

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for mechanical, electrical and plumbing engineering services required for building renovation or capital projects as required by the City:

Erdman, Anthony and Associates, Inc.

LaBella Associates, D.P.C.

M/E Engineering, P.C.

Stantec Planning and Landscape Architecture P.C.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

Section 2. The agreements shall have a term of three years, and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services or from capital project appropriations.

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

Section 4. This ordinance shall take effect immediately.



City of Rochester

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

PARKS & PUBLIC WORKS INTRODUCTORY NO.

339

11
Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Town of Lima,
Water District 1

Transmitted herewith for your approval is legislation related to a wholesale water supply agreement with the Town of Lima Water District 1. This legislation will:

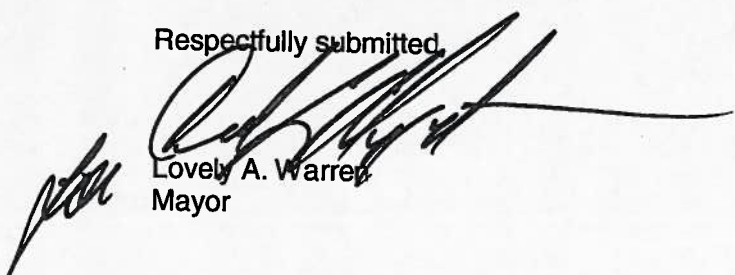
1. Authorize a new water supply agreement; and
2. Amend Section 23-37 of the Municipal Code to raise the wholesale water rate to \$1.68 per 1,000 gallons.

The term of the new agreement will be for 20 years and will increase the wholesale water rate by \$0.07, from \$1.61 to \$1.68 per 1,000 gallons.

The current agreement with Lima Water District 1, which is due to expire on September 24, 2017, was authorized in July 1987 for a 30 year term (Ord. No. 1987-73). The current rate of \$1.61 per 1,000 gallons was approved in April 2016 (Ord. No. 2016-166). In 2016, District 1 purchased 5.8 million gallons of water from the City.

The new wholesale water rate will be effective October 1, 2017 and will be subject to change on July 1 of each year thereafter.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing an agreement with the Town of Lima Water District 1 for the purchase of water and amending the Municipal Code with respect to wholesale water rates

Section 1. The Mayor is hereby authorized to enter into an agreement with the Town of Lima Water District 1 (the District) for the purchase of water from the City of Rochester. The District may use up to 50,000 gallons per day. If the District demonstrates a demand greater than or equal to 90% of the maximum quantity for a 30 day consecutive period and if supply is available, the City may consider increasing the maximum quantity. The term of the agreement shall be 20 years.

Section 2. The water may be supplied through either the City's Martin Road connection directly off of Conduit I or a secondary connection at the Monroe County Water Authority's (MCWA) Ontario Street water distribution main connection. The agreement shall provide that the initial rate shall be \$1.68 per 1,000 gallons supplied through either the Martin Road or Ontario Street connection. The rate per 1,000 gallons for water supplied through the Martin Road connection shall be subject to change each year to reflect the most recent water rates enacted by City Council. The Ontario Street connection rate shall be subject to change each year based on the District's monthly gallon usage and the then applicable City and MCWA exchange rate, or the then applicable MCWA Out-of-County Supplemental Supply rate.

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

Section 4. Chapter 23, Section 37 of the Municipal Code, relating to water fees, as amended, is here-by further amended by amending subsection F(9) thereof to read in its entirety as follows:

(9) Wholesale rate: ~~\$1.64~~ \$1.68 per 1,000 gallons for Water Districts 1 and 2 of the Town of Lima.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined



City of Rochester

City Hall Room 308A, 30 Church Street
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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

340

13
Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Corporation for National
and Community Service, AmeriCorps Affiliate
Pilot Program

Council Priority: Support the Creation of
Effective Educational Systems

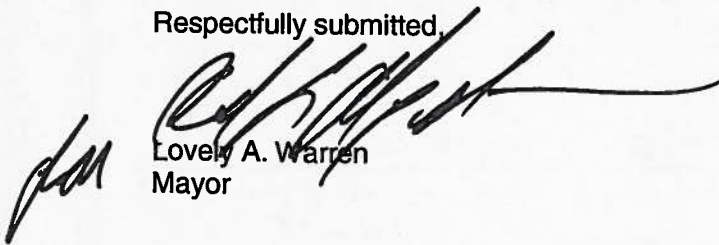
Transmitted herewith for your approval is legislation authorizing a memorandum of agreement with the Corporation for National and Community Service (CNCS) for the receipt and use of the national AmeriCorps Affiliate service program grant to create a Flower City AmeriCorps (FCA) Affiliate program specifically for youth ages 14-17. There are no funds associated with this agreement.

The national CNCS AmeriCorps Affiliate service program began in 2016 as a pilot initiative to engage more youth in service and to increase the number of national service positions available. This agreement will authorize the creation of 10 FCA Affiliate youth member positions who will act as the Service Learning Committee within Youth Voice One Vision (YVOV), the Mayor's Youth Advisory Council. Each FCA Affiliate youth member will complete at least 100 hours of service as well as participate in quarterly development and reflection sessions which will include topics such as youth employment training, goal setting and attainment, and the importance of service over the course of one year. FCA Affiliate youth members will also participate in YVOV activities such as monthly leadership meetings and quarterly full council meetings. Upon successful completion of 100 volunteer hours, FCA Affiliate youth members will receive an education award of \$327.38 from CNCS to be used within seven years at any accredited college, university, or trade school for tuition or attendance costs.

It is anticipated that the program will create service opportunities that will benefit 200 youth and engage an additional 90 youth as volunteers, 20 of whom will plan to continue volunteering as a result of their engagement with the FCA Affiliate youth members.

It is anticipated that this project will be completed by October 31, 2018.

Respectfully submitted,


Lovely A. Warren
Mayor



340

Ordinance No.

Authorizing a memorandum of agreement with the Corporation for National and Community Service

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

Section 1. The Mayor is hereby authorized to enter into a memorandum of agreement with the Corporation for National and Community Service (CNCS) for the receipt and use of the national AmeriCorps Affiliate service program grant to create a Flower City Americorps Affiliate program for youth ages 14-17.

Section 2. The term of the agreement shall continue to October 31, 2018. No City funds are required for the agreement.

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

Section 4. This ordinance shall take effect immediately.



City of Rochester

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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO,

Lovely A. Warren
Mayor

341

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement - Strong Behavioral
Health/Cooperative Officer Assistance Program,
Counseling and Stress Management Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with Strong Behavioral Health/Cooperative Officer Assistance Program (COAP), a division of Strong Memorial Hospital for the provision of counseling and critical incident stress services to Fire Department employees and their family members. The term of the agreement will be for two years, with the option for two, two-year renewals. The cost will be funded from the 2017-18 and subsequent Budgets of the Fire Department, contingent upon adoption.

Strong Behavioral Health/COAP was selected through a request for proposal process described in the attached summary.

Strong Behavioral Health/COAP will provide a comprehensive package of employee assistance services to address individual, family, and work-life needs. These services include confidential assessment and short term treatment; consultation and training for supervisors and managers to identify and resolve job performance issues; and direct linkage to mental health and wellness resources on a 24/7 basis for crisis coverage.

Respectfully submitted,


Lovely A. Warren
Mayor

Department – Fire**Project / Service sought: Critical Incident Counseling****Consultant Selected: Strong EAP/COAP**

Method of selection: X Request for Proposal [Complete 1-6]
 Request for Qualifications [Complete 1-6]

1. Date RFP issued: July 5, 2017**2. RFP also sent directly to:**

Strong EAP/COAP

550 White Spruce Blvd

Rochester, NY 14623

Catholic Family Center

87 N. Clinton Ave

Rochester, NY 14604

The Health Association – EAP

320 N. Goodman St, #202

Rochester, NY 14607

Associates in Employee Assistance

1100 University Ave

Rochester, NY 14609

ENI

Office Suites of Linden Oaks, Inc

70 Linden Oaks, 3rd Floor

Rochester, NY 14625

3. Proposals were received fromVENDORCITY / STATE

Strong EAP/COAP

Rochester, NY

ENI

Vestal, NY

4. Evaluation criteria

<u>Criteria</u>	<u>Points possible</u>	<u>Points received by winning proposal</u>
Facility Qualifications	10	10
Staff Qualifications	10	10
Capable of Service Provision	15	15
Cost	5	4.3
Ability to Transition	5	5
Met Deadline	5	5
City	10	10
MWBE	0	0

5. Review team included staff from: Rochester Fire Department

EDC Thomas Szatko

Maureen Hope

Kathleen McManus

Ordinance No.

Authorizing an agreement for Fire Department counseling and stress management services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement in the maximum annual amount of \$40,000 with Strong Behavioral Health/COAP, a division of Strong Memorial Hospital for the provision of counseling and critical incident stress services to Rochester Fire Department employees and their family members. The term of the agreement shall be two years with the option to extend for two additional two year periods. The first year of the agreement shall be funded from the 2017-18 Budget of the Fire Department and subsequent years from future budgets of the Fire Department, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.



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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

342

15

Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Code Amendment- Chapters 30 and 31,
Dog Control

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Chapters 30-42, 31-20 and 31-22 of the City of Rochester Municipal Code as follows:

1. Amend Chapter 31-20, A, (1) – Redemption, to remove the reference to “sterilization” and change New York State dog license to City dog license;
2. Amend Chapter 30-42 to require sterilization of cats only for adoption; and
3. Amend Chapter 31-22 to require sterilization only for adoption.

These changes, which will be effective September 1, 2017, are to eliminate the mandatory sterilization requirement for owners seeking to redeem pets from the shelter. Currently, the only exceptions to the sterilization of redeemed pets are for those meeting one of the following: (1) a medical contraindication that would endanger the life of the pet; (2) documentation of a breed show ring record or completion of requirements of a recognized registry association for the title of champion; (3) guide dogs, hearing dogs, service or police work dog, or (4) pet is owned by a person who is not a resident of New York and the pet is in the city for a period not to exceed 10 days.

Since that regulation was established, however, there has been an industry-wide shift in favor of removing obstacles to pet retention, thereby increasing the rate of returning dogs and cats to their owners. It has been found that pro-active outreach about the importance of pet sterilization and supporting no-cost spay/neuter vouchers for use at external clinics has a greater impact on reducing unwanted pets than mandatory pre-redemption sterilization. These changes also address frequent citizen complaints about mandatory sterilization.

Importantly, sterilization surgeries will continue to be included for all animals released for adoptions and as part of the public spay/neuter program. Redeeming clients may also opt to have their pets sterilized by Animal Services veterinarians at a low cost.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Amending Chapters 30 and 31 of the Municipal Code

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

Section 1. Chapter 30 of the Municipal Code, Animals, as amended, is hereby further amended in Section 30-42 to read in its entirety as follows:

§ 30-42. Sterilization of adopted cats required.

- A. The City of Rochester is experiencing a significant overpopulation of unwanted cats. These are matters of serious concern affecting public health, safety, quality of life, and welfare of the public and of their pets. Animal Services, which operates the City's animal shelter within the Rochester Police Department, estimates that over 5,500 unwanted, stray, or abandoned dogs and cats entered its facility during the 2005-2006 fiscal year. Of these, approximately 90% were not spayed and neutered. While wandering the City's streets, nonsterilized cats reproduce at alarming rates, exacerbating a potentially unhealthy and dangerous situation. As a result of the exponential rate of increase, increasing numbers of individuals and animals are at risk for rabies and many animals become victims of vehicular accidents. These animals also suffer from lack of appropriate food and water, ingestion of poisons, exposure to inclement weather, and infestation with parasites. Furthermore, it is well documented that sterilization helps to improve health and longevity and to reduce roaming tendencies and undesirable behaviors, all of which impact cat intakes at shelters. Given the large and growing number of unwanted cats and the benefits of sterilization that address the challenges of cat control, Animal Services finds that a law providing for the spaying and neutering of cats adopted ~~or redeemed~~ from the City's shelter is necessary to protect the health, safety, and quality of life of Rochester residents and the welfare of the City's pet community. Animal Services also finds that with the advancement of medical knowledge over the past 15 years, many veterinarians now advocate and practice early sterilization of pets, as early as eight weeks of age. Veterinarians at animal hospitals and humane shelters across the country, as well as the American Society for the Prevention of Cruelty to Animals, have performed thousands of early spay-neuter surgeries. Many veterinary associations now also agree that even though any surgery has inherent risks, kittens heal faster and are lower surgical risks than older animals who may be ill, in heat, or pregnant. If cats are spayed or neutered before adoption ~~or redemption~~ from the shelter, then the chance that they will add more unwanted offspring to the numbers that already exist will be eliminated.
- B. The Animal Services Center shall not release a cat to ~~a person claiming ownership thereof, or to a person adopting such cat~~, unless such cat has been sterilized by a licensed veterinarian; provided, however, that such requirement shall not apply: ~~(1)~~ if a licensed veterinarian certifies

to Animal Services that he or she has examined such cat and found that because of a medical contraindication, the life of such cat would be endangered by sterilization; provided however, that such reason shall not be based solely on the age of such cat, if such cat is at least eight weeks of age; Prior to releasing a nonsterilized cat to a person claiming ownership thereof, the Animal Services Center may offer to have the cat sterilized by a licensed veterinarian for a fee established by the Chief of Police pursuant to § 30-41, provided, however, that the owner shall not be required to accept the offer in order to redeem the cat.

~~(2) — If such cat within the time period provided for by law, rule or regulation, is claimed by a person claiming ownership thereof, and such person demonstrates to the satisfaction of the Director of Animal Services or his or her designee that such cat has a breed show record from the Cat Fancier Association or other similar registry association, dated no more than 12 months prior to the date such cat entered such shelter, or such person claiming ownership is able to provide proof that such cat has successfully completed the requirements of the Cat Fancier Association or other similar registry association for the title of Champion, Grand Champion, or its equivalent, at any time prior to the arrival of the cat at the shelter; or~~

~~(3) — If such cat is owned by a person who is not a resident of the state who possesses the cat in the City temporarily for a period not to exceed 10 days.~~

Section 2. Chapter 31 of the Municipal Code, Dog Control, as amended, is hereby further amended in Sections 31-20 and 31-22 to read in their entirety as follows:

§ 31-20: Fees for dog licenses and dog control activities.

A. The fees for procuring a dog license in the City, which shall include the state surcharges, shall be as follows:

- (1) Spayed female dogs and neutered male dogs: \$8.50.
- (2) Unaltered dogs: \$20.50.
- (3) Purebred dogs: \$23.50

B. Redemption.

- (1) The fees for redeeming any dog placed in the Animal Services Center shall include fees approved by the Chief of Police or set forth herein for the following: seizure, daily boarding, rabies vaccination, sterilization (when that service has been performed at the request of the redeeming owner) and City New York State dog license. There shall be no waiver of the boarding fee for a dog that is redeemed on the day of seizure.

- (2) No unlicensed dog shall be redeemed unless the person seeking the redemption first obtains a license for the dog.
- (3) No dog shall be redeemed unless the person seeking the redemption first pays all outstanding dog control fines and penalties owed by that person and the dog owner, and all outstanding dog control fines and penalties relating to the dog to be redeemed.
- C. The fees for adopting a dog from the Animal Services Center shall include fees approved by the Chief of Police or set forth herein for the following: adoption, rabies vaccination, sterilization and dog license.
- D. The Chief of Police shall establish fees for additional services offered by the Animal Services Center.
- E. No fees shall be required for the licensing of guide, service, hearing, war, working search, detection, police and therapy dogs.
- F. The fee to replace a lost identification tag shall be \$3.

§ 31-22: Sterilization required for adoption.

A. The City of Rochester is experiencing a host of challenges related to stray and roaming dogs. These are matters of serious concern affecting public health, safety, quality of life, and welfare of the public and of their pets. Animal Services, which operates the City's animal shelter within the Rochester Police Department, estimates that over 5,500 unwanted, stray, or abandoned dogs and cats entered its facility during the 2005-2006 fiscal year. Of these, approximately 90% were not spayed and neutered. While wandering the City's streets, nonsterilized dogs reproduce at alarming rates, exacerbating a potentially unhealthy and dangerous situation. As a result of the exponential rate of increase, increasing numbers of individuals and animals are at risk for rabies and many animals become victims of vehicular accidents. These animals also suffer from lack of appropriate food and water, ingestion of poisons, exposure to inclement weather, and infestation with parasites. Additionally, ~~dogs, including many reclaimed from the Animal Services Center,~~ are being intentionally bred irresponsibly throughout the City with little regard for health or temperament of the breeding pair and the resulting offspring. Furthermore, it is well documented that sterilization helps to improve health and longevity and to reduce roaming tendencies, undesirable behaviors, and possibly dominance aggression, all of which impact dog intakes at shelters. Given the benefits of sterilization that address the challenges of dog control, Animal Services finds that a law providing for the spaying and neutering of dogs adopted or redeemed from the City's shelter is necessary to protect the health, safety, and quality of life of Rochester residents and the welfare of the City's pet community. Animal Services also finds that with the advancement of medical knowledge over the past 15 years, many veterinarians now advocate and practice early sterilization of pets, as early as eight weeks of age. Veterinarians at animal hospitals and humane shelters across the country, as well as the American Society for the Prevention of Cruelty to Animals, have performed thousands of early spay-neuter surgeries. Many veterinary associations now also agree that even though any surgery has inherent risks, puppies heal faster and are

lower surgical risks than older animals who may be ill, in heat, or pregnant. If dogs are spayed or neutered before adoption or redemption from the shelter, then the chance that they will add more unwanted offspring to the numbers that already exist will be eliminated.

B. The Animal Services Center shall not release a dog to a person claiming ownership thereof, or to a person adopting such dog, unless such dog has been sterilized by a licensed veterinarian; provided, however, that such requirement shall not apply: (1) ~~_____ If~~ if a licensed veterinarian certifies to Animal Services that he or she has examined such dog and found that because of a medical contraindication, the life of such dog would be endangered by sterilization; provided however, that such reason shall not be based solely on the age of such dog, if such dog is at least eight weeks of age; Prior to releasing a nonsterilized dog to a person claiming ownership thereof, the Animal Services Center shall offer to have the dog sterilized by a licensed veterinarian for a fee established by the Chief of Police pursuant to § 31-20, provided, however, that the owner shall not be required to accept the offer in order to redeem the dog.

(2) ~~_____ If such dog, within the time period provided for by law, rule or regulation, is claimed by a person claiming ownership thereof, and such person demonstrates to the satisfaction of the Director of Animal Services or his or her designee that such dog has a breed ring show record from the American Kennel Club or United Kennel Club or other similar registry association, dated no more than 12 months prior to the date such dog entered the shelter, or such person claiming ownership is able to provide proof that such dog has successfully completed the requirements of the American Kennel Club or United Kennel Club or other similar registry association, for the title of Champion or its equivalent, at any time prior to the arrival of the dog at the shelter;~~

(3) ~~_____ If such dog, within the time period provided for by law, rule or regulation, is claimed by a person claiming ownership thereof, and such person demonstrates to the satisfaction of the Director of Animal Services or his or her designee that such dog is a guide dog, hearing dog, service dog or police work dog; or~~

(4) ~~_____ If such dog is owned by a person who is not a resident of the state who possesses the dog in the City temporarily for a period not to exceed 10 days.~~

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined



City of Rochester

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**PUBLIC SAFETY,
YOUTH & RECREATION
INTRODUCTORY NO.**

343

Lovely A. Warren
Mayor

16

August 24, 2017

TO THE COUNCIL

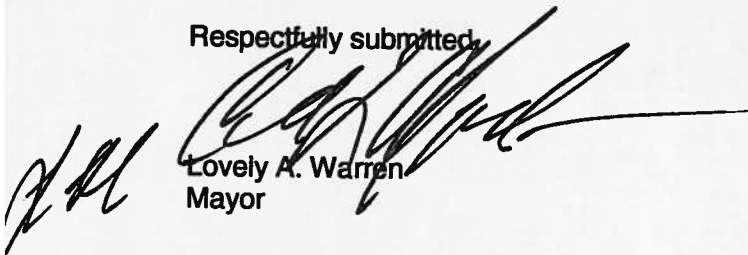
Ladies and Gentlemen:

Re: Agreement - 2017 American Society for
the Prevention of Cruelty to Animals,
Animal Population Control Program
Grant

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$25,000 from the American Society for the Prevention of Cruelty to Animals' Animal Population Control Program grant and amending the 2017-18 Budget of the Police Department by this amount. The term of this grant is August 3, 2017 through August 2, 2018.

This grant will assist low-income residents in paying for spay and neuter services for their pets with the purpose of reducing the number of animals born and surrendered to the shelter. No-cost spay/neuter vouchers will be provided to qualifying residents for redemption at local veterinary service providers where their pets can be spayed or neutered. These funds will pay for up to 425 spay/neuter services with residents providing a co-pay of \$1 per service.

Respectfully submitted,


Lovely A. Warren
Mayor



343

Ordinance No.

Authorizing an agreement for the funding of animal population control programs

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the American Society for the Prevention of Cruelty to Animals for the receipt and use of \$25,000 to fund no-cost spay/neuter vouchers for qualifying residents. The agreement shall have a term from August 3, 2017 to August 2, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$25,000 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.



City of Rochester

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**PUBLIC SAFETY,
YOUTH & RECREATION
INTRODUCTORY NO,**

344

17
Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – New York State Division of
Criminal Justice Services, Livescan
Grant

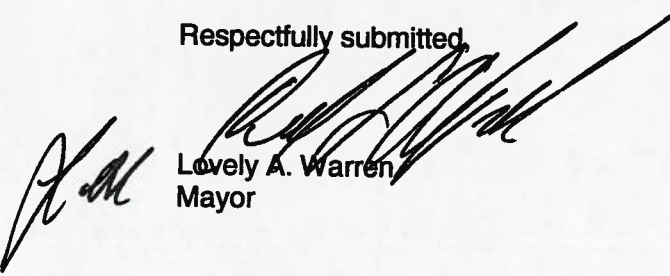
Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of \$16,300 for a Livescan Grant.

This grant is made available by DCJS to continue to build the palm-print database, particularly in those jurisdictions submitting high numbers of arrest-related prints to date. Rochester Police Department received a grant in 2015 to replace its fingerprint Livescan device in the City Court building with a finger/palm print Livescan device. This new grant will pay 50% of the cost of two finger/palm print Livescan devices. One will be used for the finger/palm printing of juveniles and the second will be placed in the Police Department's accident investigations section. It is expected that the demand for finger/palm printing of juveniles will increase in the near future due to the changes in the laws regarding age limits for juvenile offenders.

The term of this grant is October 1, 2017 through September 30, 2018. The Police Department will provide a match from 2016-17 Cash Capital.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing an agreement with the New York State Division of Criminal Justice Services for a Livescan Grant

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$16,300 for a Livescan Grant to pay 50% of the cost for two finger/palm print Livescan devices and the remainder of the cost shall be matched from 2016-17 Cash Capital. The term of the agreement shall be October 1, 2017 through September 30, 2018.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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INTRODUCTORY NO.**

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18
**Lovely A. Warren
Mayor**

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

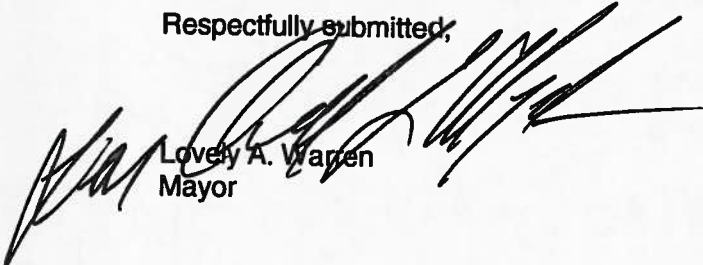
Re: Grant Agreement - PetSmart Charities,
Inc., 2017 Shelter Operations Grant

Transmitted herewith for your approval is legislation authorizing an agreement with PetSmart Charities, Inc. for the receipt and use of \$41,800 for a Shelter Operations Grant, and amending the 2017-18 Budget of the Police Department by this amount.

This grant offers funding opportunities for shelter-based programs that improve adoptions, reduce pets' length of stay, and strengthen shelter infrastructure. These funds will be used to purchase disinfectant, flea control, de-wormer chemicals, and cat cages.

The term of this grant is September 1, 2017 through August 31, 2018. No matching funds are required.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing acceptance of a PetSmart Charities Shelter Operations Grant for Animal Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with PetSmart Charities, Inc. for receipt and use of a Shelter Operations Grant in the amount of \$41,800 to fund wellness and medical programs to improve the quality of pets' stays and prevent illness in the Rochester Animal Services facility. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The term of the agreement shall be September 1, 2017 through August 31, 2018.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$41,800, which amount is hereby appropriated from funds to be received under the grant authorized herein.

Section 3. This ordinance shall take effect immediately.



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YOUTH & RECREATION
INTRODUCTORY NO.**

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19
Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Monroe County, STOP DWI
Grant

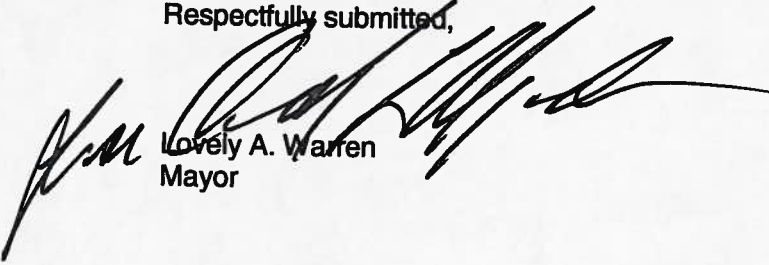
Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$140,100 for the 2018 STOP DWI Program, and amending the 2017-18 Budget of the Police Department by \$64,600 to reflect a portion of this grant.

The grant funds will be used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2018 calendar year. Supported activities include expenses for STOP DWI overtime details and associated fringe costs, supplies, equipment, training, breathalyzer calibration, and underage alcohol enforcement.

The term of this grant is January 1, 2018 through December 31, 2018. The previous STOP DWI grant was authorized via Ordinance No. 2016-353 on October 18, 2016. No matching funds are required.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing an intermunicipal agreement and funding for the STOP DWI Program

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the receipt and use of New York State funding for the 2018 STOP DWI Program in the amount of \$140,100. The term of agreement shall be January 1, 2018 through December 31, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$64,600 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.



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PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

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20

Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

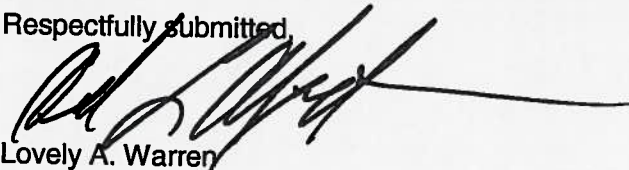
Ladies and Gentlemen:

Re: Agreement – Pethealth Services (USA)
Inc., PetPoint Software

Transmitted herewith for your approval is legislation authorizing an agreement with Pethealth Services (USA) Inc. to provide access to PetPoint software. There is no cost to the City for this agreement and the term is September 1, 2017 through August 31, 2020.

Pethealth Services is an international leader in the provision of animal management software, radio frequency identification microchips, database related services for companion animals, and pet health insurance. Pethealth will provide Rochester Animal Services with access to PetPoint data management software, which is a comprehensive, easy to use, web-based system that serves as the database for all records related to animal intakes and dispositions, ownership, sterilization and medical care, enforcement, business transactions, and pro-active outreach. This system is provided at no-cost contingent upon (1) the purchase of the microchips and (2) providing adoption clients an opt-in offer for a 30-day gift of pet health insurance, both from Pethealth.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing agreement for use of Pethealth Services (USA) Inc. animal management software

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Pethealth Services (USA) Inc. (Pethealth) for Rochester Animal Services (RAS) to use the company's PetPoint animal management software at no cost in return for RAS committing to purchase its radio-frequency identification microchips from the company and providing to clients the option to accept a free 30-day Pethealth pet health insurance policy. The term of the agreement shall be September 1, 2017 through August 31, 2020.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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

PUBLIC SAFETY, YOUTH & RECREATION INTRODUCTORY NO.

21
Lovely A. Warren
Mayor

348

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

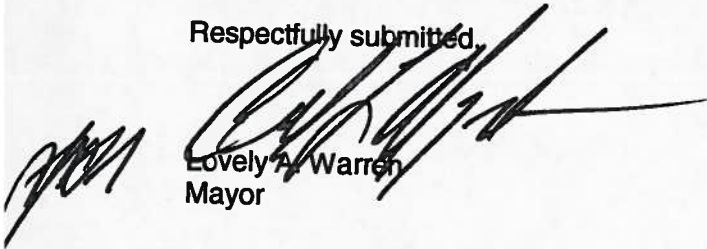
Re: Agreement – University of Rochester,
Fitness for Duty Clinical Services

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the University of Rochester, Department of Psychiatry, for Dr. Robert L. Weisman, DO to provide clinical services related to psychological fitness for duty for the Rochester Police Department (RPD). The term of the agreement will be for one year, with the option to renew for three additional one-year periods. The cost of the agreement will be funded from the 2017-18 Budget of the Police Department.

Dr. Weisman will provide fitness for duty psychological evaluations for law enforcement officers who have experienced a duty-related injury or trauma, as well as non-duty-related mental health issues. Evaluations will include an assessment of the officer's psychological ability to return to work, a determination of work-related causality, and management of care for duty-related psychological conditions.

A request for proposals was posted to the City's website on May 2, 2017 and mailed to five vendors: University of Rochester (Rochester, New York), Clinical & Forensic Psychology Services, PLLC (Penfield, New York), Clinical, Police, & Forensic Psychological Services PLLC (Yorktown Heights, New York), Law Enforcement Psychological Associates (Rochester, New York), and Public Safety Psychology (Albany, New York). The University of Rochester was the only vendor to submit a proposal and it meets RPD's requirements. Dr. Weisman has satisfactorily provided these services since November 2013, and the University of Rochester has the unique resources and capabilities to effectively support Dr. Weisman in performing highly sensitive services on behalf of the RPD.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing an agreement for fitness for duty clinical services for the Rochester Police Department

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the University of Rochester, Department of Psychiatry, to provide clinical services for fitness for duty evaluations for personnel of the Rochester Police Department for a term of one year, with options to renew for three additional terms of one year each. The maximum annual compensation for the agreement shall be \$50,000. The compensation for the first year shall be funded from the 2017-18 Budget of the Police Department and the compensation for subsequent optional years, if any, shall be funded from future years' budgets of the Police Department, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.



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Lovely A. Warren
Mayor

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – US Department of Justice,
2017 Justice Assistance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2017 Justice Assistance Grant. This legislation will:

1. Authorize an agreement with the US Department of Justice for the receipt and use of the 2017 Justice Assistance Grant in the amount of \$169,060; and
2. Authorize an agreement with the County of Monroe for the distribution and use of \$76,077 of the grant to support the "Operation Nightwatch" program.

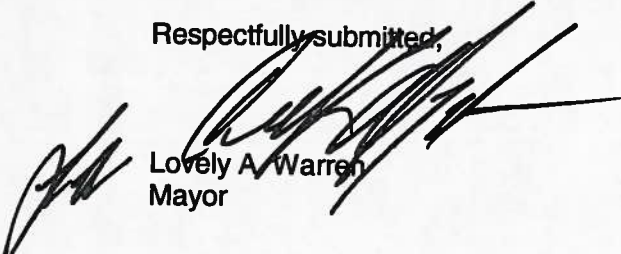
The County intends to use its share of this grant for "Operation Nightwatch," a program of the Probation Department which follows up on probationers' evening curfews.

The City's share (\$92,983) will be used to fund salary (\$38,258.40) and fringe (\$15,368.60) for one full-time and one part-time Counseling Specialist, and to underwrite part of the salary costs (\$39,356) of the Coordinator of the Police Department's Family and Victims Services Section. The funds were anticipated and included in the 2017-18 Budget of the Police Department.

The term of this grant is October 1, 2016 through September 30, 2020. No matching funds are required.

Council last approved the 2016 Justice Assistant Grant via Ordinance No. 2016-252.

Respectfully submitted,


Lovely A. Warren
Mayor



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Ordinance No.

Authorizing agreements for the 2017 Justice Assistance Grant program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for the receipt and use of funding from the 2017 Justice Assistance Grant program in the amount of \$169,060, and said amount is hereby appropriated for this purpose. The term of the agreement shall be October 1, 2016 through September 30, 2020.

Section 2. The Mayor is hereby further authorized to enter into an intermunicipal agreement with the County of Monroe in the maximum amount of \$76,077 to fund the Monroe County Probation Department's Nightwatch program. Said amount shall be funded from the amount appropriated in Section 1 herein. The term of the agreement shall be October 1, 2016 through September 30, 2020.

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

Section 4. This ordinance shall take effect immediately.



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**Lovely A. Warren
Mayor**

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Governor's Traffic Safety Committee,
2017 Child Passenger Safety Grant

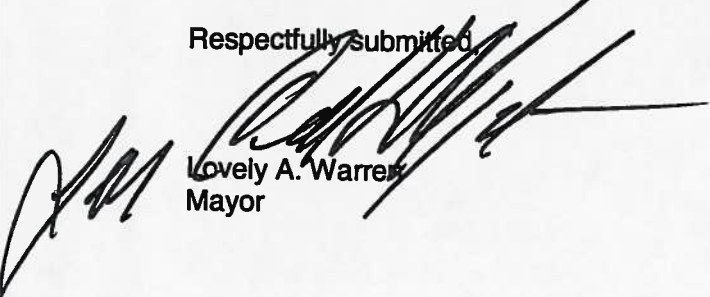
Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$900 from the New York State Governor's Traffic Safety Committee for a Child Passenger Safety grant, and amending the 2017-18 Budget of the Police Department by this amount.

The Governor's Traffic Safety Committee provides this funding to support the Police Department's efforts to ensure correct use of car child seats during the period of October 1, 2017 through September 30, 2018. Funding will be used for certification and continuing education of those officers teaching about safety seats at community-based, seat-checking events and seat-fitting station supplies.

This is the sixth year that the Police Department has received this grant. During the first half of the current grant period (through March 31, 2017), 21 car seats were inspected and three new seats were given to residents. No matching funds are required.

Respectfully submitted,


Lovely A. Warren
Mayor



Ordinance No.

Authorizing a grant agreement and funding for the Child Passenger Safety Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor's Traffic Safety Committee for receipt and use of \$900 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2017 through September 30, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of \$900, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.



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**Lovely A. Warren
Mayor**

August 24, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amending Ordinance No. 2017-242 – Agreement
with R.K. Hite & Co., Inc., Campbell Street R-Center
Gateway Project

Council Priority: Rebuilding and Strengthening
Neighborhood Housing; Creating and Sustaining a
Culture of Vibrancy

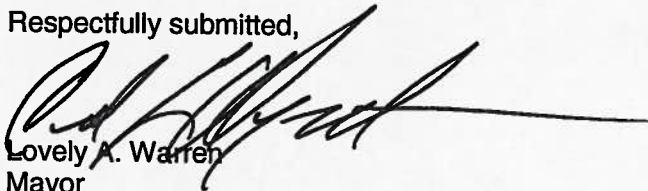
Transmitted herewith for your approval is legislation amending Ordinance No. 2017-242 which established \$22,500 as maximum compensation for an agreement with R.K. Hite & Co., Inc. for real property acquisition services related to the Campbell Street R-Center Gateway Project.

This amendment will remove the agreement's funding source of 2008-09 Community Development Block Grant (CDBG) Infrastructure Improvements allocation of the General Community Needs fund and add the funding source of 2017-18 Cash Capital. Due to the CDBG requirement that an environmental assessment be complete prior to use of funds, Cash Capital will be used for the real property acquisition services and CDBG funds will be reprogrammed to the construction phase of the project.

The Campbell Street R-Center Gateway Project will create new community access and entry points to the R-Center facility grounds. As part of this project, the City intends to acquire the adjacent properties of 512 Campbell Street, a single family house; 520 Campbell Street, a single family house; and 835 Jay Street, a vacant residential lot, in order to develop new public pathways onto the R-Center grounds, create sight lines, and provide more parking.

The City will hire R.K. Hite & Co, Inc. to conduct property title research and certification; handle communication with property owners; provide real property appraisals, reviews, and purchase offer assistance; and perform title transfers and other project and records management activities.

Respectfully submitted,



Lovely A. Warren
Mayor



Ordinance No.

Amending Ordinance No. 2017-242 relating to real property acquisition for the Campbell Street R-Center Gateway Project

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

Section 1. Ordinance No. 2017-242 relating to a professional services agreement with R.K. Hite & Co., Inc. for real property acquisition for the Campbell Street R-Center Gateway Project is hereby amended in Section 2 thereof to read as follows:

Section 2. The cost of the agreement shall not exceed \$22,500, which shall be funded from 2017-18 Cash Capital ~~Infrastructure Improvements allocation of the General Community Needs Fund within the 2008-09 Community Development Block Grant that was appropriated in Section 2 of Ordinance No. 2017-69.~~

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined