

ROCHESTER CITY COUNCIL

REGULAR MEETING

August 15, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 9

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

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

Recognition Ceremony

Retirement:

ECD:

Jacqueline A. Gerhard
*Kathleen A. McAllister

FIN:

*David H. Crocker
*Cathy A. Cordaro

LAW:

*Suzanne C. Sutera

RPL:

*Martin R. Steinhauser

RPD:

*Mark W. Freese
*Kenneth R. Richardson

**Did not attend*

APPROVAL OF THE MINUTES

By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of July 18, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

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

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges – 4263-17

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Public Disclosure – CDBG Participation – 4264-17
Quarterly Report – Grant Administration – 4265-17
Quarterly Report – NBD Loans and Grants – 4266-17
Semi-Annual Reports (4) - 4267-17
 2016-17 Fiscal Year Shelter Rent PILOTs
 In-Lieu-Of-Tax Receipts 2016/17
 2017-18 COMIDA PILOT Billing
 2017-18 Fiscal Year Shelter Rent PILOTs
SEQR Determination for the Strong Neighborhood of Play Project in Int. No. 318 – 4268-17

The Council submits Disclosure of Interest Forms from Vice President Miller on Int. No. 293, Councilmember Conklin on Int. No. 290 and Int. No. 305, Councilmember Haag on Int. No. 311, and Councilmember Spaul on Int. No. 294.

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

Councilmember Spaul presented 20 signatures rejecting the legislation for Cobbs Hill Project. – Petition No. 1744
Councilmember Patterson presented 24 signatures Sylvester St. repairs/– Petition No. 1745

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Conklin
August 15, 2017

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

- Int. No. 290 Amending the 2017-18 Budget of the Library and accepting funds for library facility improvements
- Int. No. 291 Authorizing an amendatory professional services agreement for legal services
- Int. No. 323 Amending Chapter 108 of the Municipal Code with respect to taxicabs

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Respectfully submitted,

Carolee A. Conklin – Abstained on (Int. No. 290)
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott

FINANCE COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-251
Re: Budget Amendment -
Rochester Public Library

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation amending the 2017-18 Budget of the Library to reflect the receipt of New York State Education Department (NYSED) funds (“Bullet Aid” to libraries) in the amount of \$51,000. The NYSED Bullet Aid to libraries will be used for the following purposes:

| | |
|---|--------------|
| High school equivalency exam tutoring / classwork services for the Lyell Branch and Maplewood Community Libraries | \$15,000 |
| Enhancements to security equipment at the Douglass and Wheatley Community Libraries and the Arnett Branch Library | 27,000 |
| Enhancements to security equipment and literacy programming for the Sully, Monroe and Winton Branch Libraries | <u>9,000</u> |
| TOTAL | \$51,000 |

For the sixth year, Senator Joseph E. Robach has solicited NYSED funds to support branch library adult literacy initiatives (\$15,000), which will expand TASC tutoring in the Lyell and Maplewood Libraries.

For the fifth year, State Senator Michael H. Ranzenhofer has solicited NYSED funds for the Douglass, Wheatley and Arnett Libraries (\$27,000). The funds will support continuations of literacy initiatives including early childhood and TASC tutoring. It will also fund recommended security and public safety enhancements at these locations.

For the third year, Senator Rich Funke has solicited NYSED funds (\$9,000) to support the purchase of additional technology equipment, literacy materials and program services for the Sully Library. This funding will enable the implementation of recommended security and public safety enhancements at the Sully, Monroe and Winton branches.

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Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-251
(Int. No. 290)

Amending the 2017-18 Budget of the Library and accepting funds for library facility improvements

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

Section 1. 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 for the Budget of the Library by \$51,000 to reflect receipt of that amount from a New York State Education Department library grant (Bullet Aid).

Section 2. Said \$51,000 in Bullet Aid is hereby appropriated for the following programs:

- \$15,000 for high school equivalency exam tutoring/classwork services for the Lyell Branch and Maplewood Community Libraries.
- \$27,000 for enhancements to security equipment at the Douglass and Wheatley Community Libraries and the Arnett Branch Library.
- \$9,000 for enhancements to security equipment, and literacy programming at the Monroe, Sully and Winton Branch Libraries.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul-8

Nays – None- 0

Councilmember Conklin abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-252
Re: Agreement- Cohen Law Group,
Legal Services, Cable Television
Franchise Renewal

Council Priority: Deficit Reduction and

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Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an amendatory agreement with the Cohen Law Group for legal services related to the City's cable television franchise agreement. The amendatory agreement will be funded from the 2017-18 Budget for Undistributed Expenses and the term will be extended to September 30, 2018.

Because of the unique and complex nature of this matter, the Law Department retained the services of the Cohen Law Group to assist the City in negotiations with Time Warner and Comcast Corporation in 2014. That firm was selected through a request for qualifications process based on their specialized expertise and absence of conflicts of interest. That agreement was last amended by Ordinance No. 2016-132 to increase the maximum compensation to \$85,000 after Time Warner merged into Charter Communications, which now does business as Spectrum. This proposed amendment will increase total maximum compensation to \$100,000.

To date, Cohen Law Group has assisted with developing an analysis of past compliance, community needs and equipment needs, and has advised the City about federal laws that apply. They have prepared a draft of a new franchise agreement and have engaged in extensive negotiations with Charter Communications. However, there are still unresolved issues, and it is anticipated that further work will be necessary to complete the new franchise agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-252
(Int. No. 291)

Authorizing an amendatory professional services agreement for legal services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Cohen Law Group to continue its legal representation of the City with regard to cable television franchise issues. The maximum compensation for the agreement that was last amended by Ordinance No. 2016-132 is hereby increased by \$15,000 to a new total of \$100,000, and the term of the agreement is hereby extended to September 30, 2018. The additional compensation in the amount of \$15,000, or so much thereof as may be necessary, shall be funded from the 2017-18 Budget for Undistributed Expenses.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

August 15, 2017

Ladies and Gentlemen:

Ordinance No. 2017-253
Re: Taxicab Code

Transmitted herewith for your approval is legislation that amends the Chapter 108 of the Municipal Code to modify some of the rules that apply to taxicabs licensed by the City. The specific changes are:

The rule stating that no taxicab may be more than 10 years old is eliminated;

The requirement that taxis be painted a uniform white color is eliminated; and

The requirement for a panic light is made optional, at the option of the taxi owner.

Earlier this year, New York State adopted a new law to license Transportation Network Companies. These ridesharing companies such as Lyft and Uber operate a service that competes with taxis. Under State law, the Transportation Network Companies are exempt from local taxi regulations. These amendments are being proposed to recognize these changes in the transportation market and to give taxicab owners and drivers greater flexibility to compete for business. The rest of the taxi licensing rules in Chapter 108 will continue to apply, including the requirement for inspection by the Rochester Police Department as required in Section 108-11.

Respectfully submitted,

Loretta C. Scott
President

Dana K. Miller
Vice-President

Carolee A. Conklin
Chair, Finance Committee

Ordinance No. 2017-253
(Int. No. 323)

Amending Chapter 108 of the Municipal Code with respect to taxicabs

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

Section 1. Section 108-16 of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended to read as follows:

§ 108-16. Taxicab regulations.

A. No person shall operate a taxicab for hire in the City unless such taxicab meets all of the following requirements:

(1) All taxicabs shall have windows in the rear and side of the taxicab sufficient in number and of such size, dimensions and clarity that passengers may be readily seen and identified through the windows.

(2) All taxicabs shall be equipped with hubcaps, spoked covers or other equivalent covering on all wheels. All taxicabs shall be furnished with snow tires or radial tires on both drive wheels from November 1 through April 15.

- (3) All taxicabs shall be free from disfiguring damage to the interior and exterior of the vehicle, including significant rust. All taxicab doors, lights, seat belts and safety equipment shall be maintained in good operating condition. All seat belts shall be visible and available for use by passengers in both the front and rear seats for each and every fare.
- (4) All taxicabs shall have affixed to the outside rear, by means of nuts and bolts, screws or bumper brackets, a hack plate which is unobstructed and clearly visible to vehicular traffic.
- (5) All taxicabs shall be equipped with doors which fasten in a manner so that they may be readily opened from the inside by a passenger.
- (6) All taxicabs shall have printed lettering on both the left and right front doors at least three inches high in a color contrasting to that of the cab, setting forth the name of the person owning or dispatching said taxicab. The number of the hack plate which is affixed to the vehicle shall be printed upon the left and right front doors in lettering at least five inches high in a color contrasting to that of the cab. The top of such lettering and numbering shall be no less than four inches nor more than 10 inches from the bottom of the window area so as to be conspicuous, legible and free from obstruction. In addition, the number of the hack plate shall be printed in lettering at least five inches high on the rear of the cab. Such number shall be in a color contrasting to that of the vehicle and shall be clearly visible to vehicular traffic. Upon a showing of good cause, the Chief of Police may allow a vehicle to be temporarily used as a taxicab without identification printed on the exterior of such vehicle. No numbers other than the number of the hack plate shall appear on the side or rear of a taxicab, except the telephone number of the livery or operator of the taxicab.
- (7) All taxicabs shall be equipped with a roof light of a minimum size of 12 inches in length and three inches in height which shall contain the word "taxi" and/or the name of the applicable livery company. The light shall be illuminated when the taxicab is vacant or is for hire and shall be kept unlighted when the taxicab is occupied by a paying passenger.
- (8) All taxicabs shall have the license/rate card issued by the City Clerk posted on the back of the front seat of said taxicab. The license/rate card shall not be defaced, torn or mutilated and shall be visible to all passengers at all times.
- (9) All taxicabs shall be painted in a color pattern so as not to be confused with any federal, state or local law enforcement vehicle which normally operates or may be found within Monroe County. ~~All new taxicabs entering service shall be painted in a uniform white color. As of July 1, 2018, all taxicabs shall be painted in a uniform white color. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle.~~
- (10) All taxicabs shall be designed and constructed so as to seat nine persons or fewer, not including the driver, and shall have no more than five nor less than four doors.
- (11) All taxicabs shall have attached a New York State taxicab registration plate.
- (12) A taxicab license certificate issued by the City shall be carried in the taxicab at all times.
- (13) A trailer shall not be attached to a taxicab carrying passengers.
- ~~(14) No taxicab shall be more than 10 years old, as measured from the vehicle's model year. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle that is in good condition.~~
- (15) All taxicabs shall (14) Taxicabs may be equipped with a button that can be activated by the taxicab driver in case of an emergency, which activation shall cause a panic light to flash on the rear of the taxicab, at the option of the taxicab owner.

B. A driver shall not permit any nonpaying passenger to enter or to remain in a taxicab during the time such taxicab is available for hire, except a new driver who is being trained. A new driver who is being trained shall have in his or her possession a valid taxicab driver's license or a temporary permit and a valid New York State chauffeur's license, and shall produce the same upon the request of any

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police officer. A taxicab driver who is training a new driver shall ensure that the new driver has a valid taxicab driver's license or temporary permit and a valid New York State chauffeur's license.

C. No person shall smoke or carry a lighted cigar, cigarette or pipe or any other form of smoking object or device in a taxicab while such taxicab is in service.

Section 2. This ordinance shall take effect immediately.

New text is underlined, strikeout indicates deleted text.

Passed unanimously.

Vice President Miller
August 15, 2017

To the Council:

The Business & Economic Development Committee recommends for Consideration the following entitled legislation:

- | | |
|--------------|--|
| Int. No. 316 | Amending the Zoning Code by adding the 1201 Elmwood Avenue Planned Development District #18 |
| Int. No. 317 | Amending the Zoning Map by changing the zoning classification of 1201 Elmwood Avenue from Institutional Planned Development #9 – Rochester Psychiatric Center to Planned Development District No. 18-1201 Elmwood Avenue |
| Int. No. 318 | Authorizing purchase options for the redevelopment of Sites 4 and 5 of the Inner Loop East Transformation Project |

Respectfully submitted,

Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

August 15, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-254 &
Ordinance No. 2017-255
Re: Zoning Text and Map Amendment–
1201 Elmwood Avenue Planned
Development District #18

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map to establish a 17.7 acre Planned Development District (PD #18) for two parcels located at 1201 Elmwood Avenue owned by 293 A Alden Road, LLC (represented by Ralph DiTucci). The proposed Zoning Map and Text amendment are necessary to facilitate the redevelopment of 1201 Elmwood Avenue, formerly owned by the State of New York. This legislation will:

- 1) Amend the Zoning Text by adding PD #18 1201 Elmwood Avenue Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning the parcel at 1201 Elmwood Avenue from Institutional Planned Development District (IPD) to Planned Development District #18 1201 Elmwood Avenue.

This parcel, and several others to the west along South Avenue and Elmwood Avenue, are located in an IPD- an obsolete classification that was created under the 1975 Zoning Code. The properties within the IPD, totaling approximately 118 acres, were developed in the late 1800's to early 1900's as a multiple-building State Hospital. All of the properties, except for 1201 Elmwood Avenue, are currently owned either by the State of New York or the Al Sigl Center for Rehabilitation and continue to focus on health and human services related assistance.

The subject property, 1201 Elmwood Avenue, has been in private ownership for nearly a decade. The existing 17-story tower, the former Rochester Psychiatric Hospital, is vacant, riddled with asbestos, frequently vandalized, and has long been a blight to the city and town of Brighton.

This proposal will rezone a portion of the IPD to a Planned Development District (PD) by establishing a Development Concept Plan and regulations that are specific to 1201 Elmwood Avenue. The IPD classification will remain as the governing regulations for the State and Al Sigl owned properties to the west.

PD#18 – 1201 Elmwood Avenue, is a transformative project for the neighboring communities as it will essentially create a new neighborhood. As a city and a region with slow growth, the construction of a new neighborhood is a rare occurrence; making it is imperative to build a thoughtful and well-designed project, from overall concept to small, but critical, details.

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Many elements of the Development Concept Plan for 1201 Elmwood Avenue demonstrate an understanding of these objectives. These include:

- The division of the site into two main areas: a commercially focused area along Elmwood Avenue and the entrance boulevard (Street A), and a more residential focused area in the central and southern areas of the site.
- The concept of the entrance boulevard that creates the potential for a unique, identifiable place that leads to a compact and walkable mixed-use core, not only for this development, but also the established neighborhood on the north side of Elmwood Avenue.
- Consistent statements by the applicant as to the desire to create a walkable, bicycle friendly community.
- The evolution of the project's green space from scattered fragments into a more cohesive central linear park that provides an excellent organizing feature for the large site.
- A transition of larger or taller structures along the west property line adjacent to the Rochester Psychiatric Center to smaller scale residential structures along the east property line to respect and complement the existing residential development in the town of Brighton to the east.
- A mix of compatible commercial uses which provide needed services to residents and visitors.
- A mix of residential types and amenities, and the interface of the attached dwellings located in the town of Brighton that are integrated into the overall development plan, which supports housing choice and creates a sense of community.
- A better building design for the center building that reduces its massing and provides visual interest in its design and articulation.
- District amenities, such as benches, lighting, water features, sitting areas, and connectivity to nearby parks and trails that will appeal to residents as well as visitors.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal has been classified as unlisted. The Manager of Zoning as lead agency has issued a negative declaration.

The Planning Commission held an informational meeting on July 10, 2017. Nine people spoke in support of the PD, including the applicants, and five spoke in opposition. By a vote of 6-1-0, the Commission recommended approval with modifications noted by the City Planning Commission subject to the review and acceptance by the Manager of Zoning.

A public hearing is required for the Zoning Text and Map amendment. The regulations would take effect immediately upon Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-134

Ordinance No. 2017-254
(Int. No. 316)

Amending the Zoning Code by adding the 1201 Elmwood Avenue Planned Development District #18

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 18—1201 Elmwood Avenue and approving the text and concept plan for the district to read in its entirety as follows:

**Planned Development District No. 18
1201 Elmwood Avenue**

- A. Purpose and intent.
- (1) Planned Development District No. 18 (PD#18) is comprised of approximately 17.67 acres within the City of Rochester. PD#18 will provide a defined area for unified and integrated development providing for the benefits and efficiencies of mixed land use. The PD creates flexible use and development opportunities, including multi-family rental housing, retail sales and service, commercial, office, and hospitality. Non-residential uses in the PD are intended to serve the public as well as the residents of the district.
 - (2) PD#18 is composed of two subareas:
Subarea 1: Commercial Frontage. This subarea provides an interface with the Elmwood Avenue public right-of-way and accommodates commercial buildings along that frontage; and

Subarea 2: Mixed Use Core. This subarea is predominantly residential and includes smaller scale retail sales, service, and recreational uses providing for residents' needs and convenience, while at the same time available to the public. Uses in the Mixed Use Core area front on internal private streets and have no interface with the public right-of-way.
 - (3) The District is enhanced by a large, well defined, curvilinear central open space that provides leisure and recreational amenities for residents and guests. This area provides trails, pedestrian ways, gathering spaces, water features, cycling opportunities, and wayfinding signage, which serves as an organizing element for the district. Easements to the City of Rochester and Town of Brighton exist to enhance and extend the Highland Crossing trail system, which promotes linkages to nearby uses and neighborhoods, natural open space, and parks, and which will connect to a proposed cycle track along Elmwood Avenue.
- B. Permitted uses. Permitted uses in PD#18 are specified for each of the areas comprising the district:

- (1) The Commercial Frontage, Sub-Area 1: The following uses are permitted. All nonresidential uses shall operate between the hours of 6:00 a.m. to 2:00 a.m., unless otherwise noted:
 - (a) Hotels, including amenities such as bars, restaurants, conference and banquet facilities, meeting rooms, and outdoor seating areas open to the public on a 24-hour basis; events with live entertainment when located within a completely enclosed building shall only operate until 2:00 AM; and events with live entertainment offered in the outdoor seating and assembly area shall only operate until 12:00 midnight.
 - (b) Dwelling units when part of a mixed-use development with other permitted commercial uses.
 - (c) Bars and restaurants.
 - (d) Retail sales and services.
 - (e) Offices.
 - (f) Health clubs, spas and similar facilities.
 - (g) Day-care centers.
 - (h) Private Clubs and Lodges.
 - (i) Public and Semi-Public Uses.
 - (j) Technical and Vocational Schools.
- (2) The Mixed Use Core, Sub-Area 2: The following uses are permitted. All nonresidential uses shall operate between the hours of 6:00 a.m. to 2:00 a.m.:
 - (a) Residential uses, limited to attached dwellings and multifamily dwellings.
 - (b) Community centers, including indoor and outdoor social, educational, or recreational activities.
 - (c) Bars and Restaurants.
 - (d) Retail Sales and Service.
 - (e) Offices.
 - (f) Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
 - (g) Day Care Centers.

(h) Public and Semi Public Uses.

C. Special Permit Uses:

- (1) Drive throughs when located in Subarea 1, subject to the additional requirements for specified uses in § 120-136.
- (2) Any permitted or specially permitted use open to the public between the hours of 2:00 a.m. and 6:00 a.m.

D. Yard Requirements. Yard requirements shall apply only to public street frontages and district perimeter boundary lot lines.

- (1) Minimum setback along Elmwood Avenue: 40 feet.
- (2) Minimum setback along perimeter district boundary lines: 10 feet.
- (3) Minimum setback from interior lot lines: none.

E. Height Requirements.

- (1) Maximum building height shall be 4 stories or 62 ft. in Subarea 1.
- (2) Maximum building height shall be 12 stories or 156 ft. in Subarea 2.

F. Parking and loading requirements.

- (1) Parking. Shared parking is encouraged to promote efficient use of land and resources by allowing users to share parking facilities for uses that are located near one another and that have different peak parking demands or different operation hours. On-site parking shall be subject to the following:
 - (a) The supply of surface parking within PD#18 shall not exceed 420 spaces, and is subject to the parking lot design and maintenance standards set forth in § 120-173F
 - (b) Parking for uses located in PD#18 may be located anywhere within the district, except there shall be no parking developed between the buildings and the street line along the Elmwood Avenue frontage or in the central open space as illustrated on the Development Concept Plan.
- (2) Loading.
 - (a) On-site loading shall comply with the requirements set forth in § 120-172 of the Zoning Code.
 - (b) On-site loading facilities may be shared by any uses within the district.

- (c) Loading activities and loading spaces shall not be permitted or developed between the buildings and the street line along the Elmwood Avenue frontage or in the central open space as illustrated on the Development Concept Plan.
- G. Signage. A sign program shall be developed for the district, which will establish a format for all signage, appropriate for the architecture of the buildings within the district, and which will include building identification, business and wayfinding signs and which will be subject to site plan approval by the Manager of Zoning.
- H. Temporary uses. Temporary uses shall be subject to the requirements listed in § 120-149 of the Zoning Code.
- I. Additional Regulations:
 - (1) The planned development is subject to the requirements set forth in Article XVII of the Zoning Code regarding planned development districts.
 - (2) Development and/or redevelopment in PD#18 is subject to requirements applying to all districts (Article XX) except when waived by the Manager of Zoning in the review and approval of a site plan for incremental development.
 - (3) Development and/or redevelopment in PD#18 is subject to the City-Wide Design Guidelines and Standards Article XIX, § 120-157, § 120-158 and § 120-159, except for:
 - a. § 120-158C, Building entrances.
 - b. § 120-159B (3), Transparency. The minimum transparency requirements for all new construction on building facades in Subarea 1 within 60 feet of a public right-of-way shall provide the following areas of transparency between the height of two feet and eight feet above grade:
 - i. For buildings 1 and 2: 50%
 - ii. For the hotel: 40%
 - (4) The general height exceptions set forth in Article XXIII shall apply.
- J. Accessory structures and uses.
 - (1) Accessory structures, as per § 120-163A and B, including maintenance buildings and satellite dishes two meters or less, are permitted in connection with the established uses within the district and shall not be located between the buildings and the street line along the Elmwood Avenue frontage.
 - (2) Outdoor seating areas with hours of operation limited to 6:00 a.m. to 2:00 a.m., except as permitted by § B (1)(a) above.
 - (3) Site amenities, such as benches, lighting, knee walls, gazebos, arbors, water features, pergolas, bus shelters, and the like; and, hardscape elements of any landscape plan may be permitted anywhere within the District, and are encouraged as a unifying element of the PD.

- K. Personal wireless telecommunications facilities (PWTF). Personal wireless telecommunications facilities in the Planned Development District No. 18 shall be regulated pursuant to Zoning Code § 120-143 A(1)(a).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-255
(Int. No. 317)

Amending the Zoning Map by changing the zoning classification of 1201 Elmwood Avenue from Institutional Planned Development #9 - Rochester Psychiatric Center to Planned Development District No. 18—1201 Elmwood Avenue

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of 1201 Elmwood Avenue (SBL# 136.56-1-1) and the area extending from that parcel to the center line of any adjoining street, alley, and right-of-way from Institutional Planned Development #9 - Rochester Psychiatric Center to Planned Development District No. 18—1201 Elmwood Avenue.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-256
Re: Land Purchase Option – Indus Adventure
Street LLC and FiveTwentyFive East
Broad LLC, 110 and 120 Howell Street,
65 and 85 South Union Street, 525 East
Broad Street, 47 Savannah Street, and
15 Manhattan Square Drive

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

Transmitted herewith for your approval is legislation related to a contract for an option to purchase City-owned and Rochester Urban Renewal Agency (RURA) -owned properties for a project proposed by The Strong Museum of Play, Konar Development Corp. and Indus Adventure Street LLC on Sites 4 and 5 of the former Inner Loop East. This legislation will:

1. Authorize agreements with FiveTwentyFive East Broad LLC (with principals Howard Konar and Rachel Guttenberg) and Indus Adventure Street LLC (with principals Goonjit “Jett” Mehta and Dr. Hasit Mehta), granting them exclusive options to purchase the following properties at their appraised values, subject to certain terms and conditions:

| Address | Owner | Appraised Value/ Purchaser | Purchase Price |
|--------------------------|-------------------|---------------------------------------|-----------------------|
| 15 Manhattan Sq. Dr. | RURA | FiveTwentyFive East Broad LLC | \$400,000 |
| 47 Savannah St. | RURA | FiveTwentyFive East Broad LLC | \$360,000 |
| 525 E. Broad St.(Site 4) | City of Rochester | FiveTwentyFive East Broad LLC | \$440,000 |
| 110 Howell St. (Site 5) | City of Rochester | Indus Adventure Street LLC | \$800,000 |
| 120 Howell St. (Site 5) | City of Rochester | Indus Adventure Street LLC | as part of 110 Howell |
| 65 S. Union St. (Site 5) | City of Rochester | Indus Adventure Street LLC | as part of 110 Howell |
| 85 S. Union St. (Site 5) | City of Rochester | Indus Adventure Street LLC | as part of 110 Howell |

2. Authorize the Mayor to adjust the terms and conditions of the purchase option contract for the project as necessary.

The Inner Loop East Transformation project created nearly six acres of development land as a result of the reconfiguration of part of the former Inner Loop highway. As part of the City’s efforts to reintegrate the neighborhoods previously separated by the eight-lane highway, five development sites were put up for sale via a request for proposals (RFP) process. An RFP was issued on March 17, 2016, followed by an informational meeting on March 29, 2016. The City received two proposals for these sites which were evaluated by staff from the Department of Neighborhood and Business Development, Department of Environmental Services, the Department of Finance’s Bureau of Assessment, the Law Department, and the City Council Chief of Staff. In addition to the former Inner Loop sites, the developers also requested the purchase of two adjacent development parcels owned by RURA at 15 Manhattan Square Drive and 47 Savannah Street. The Strong Museum of Play, Konar Development and Indus Adventure Street LLC proposals were recommended for selection based on their proposed development program.

The Strong Museum of Play, jointly with Konar Development and Indus Adventure Street LLC submitted proposals to create. The Strong Neighborhood of Play, a destination that appeals to all ages. The joint proposals, when fully developed, will have the following key elements: a 100,000 square foot museum expansion; approximately 250 units of rental housing, 10% of which will be affordable to households earning up to 120% of the Area Median Income; approximately 17,000 square feet of urban-mixed retail; an up to 175 room, all-suites national brand hotel and restaurant; a 1,200-car parking structure; and, a new two-way street linking Woodbury Boulevard and Manhattan Square Drive. Indus Adventure Street LLC will develop and own the hotel, and FiveTwentyFive East Broad LLC will develop and own the rental housing and retail structures.

The total purchase price of the parcels is \$2,000,000, as determined by independent appraisals completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates, in October and December 2016. The purchasers will pay three percent of the appraised value of the land for the purchase option (totaling \$60,000) and the balance of the appraised value (totaling \$1,940,000) will be paid when the option to purchase is exercised. The term of the option expires on June 30, 2018 and the developer may exercise the option to purchase the property at any time during the term. The purchase option allows the developer time to complete due diligence actions with the certainty that the City is committed to ultimately selling them the land, subject to certain terms and conditions.

August 15, 2017

A State Environmental Quality Review is underway and a Negative Declaration is expected to be issued on August 14, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor.

Attachment AQ -135

Ordinance No. 2017-256
(Int. No. 318)

Authorizing purchase options for the redevelopment of Sites 4 and 5 of the Inner Loop East Transformation project

WHEREAS, this Ordinance pertains to the redevelopment of various parcels within the Southeast Loop Urban Renewal Area created by Ordinance No. 1971-366, as amended, including on two parcels owned by the Rochester Urban Renewal Agency (“Agency”) at 15 Manhattan Square Drive and 47 Savannah Street (the “Agency Parcels”) and on two sites owned by the City of Rochester, Site 4 and Site 5, which are comprised of new buildable land that was created by the Inner Loop East Transformation project;

WHEREAS, the City issued a request for proposals to redevelop Inner Loop East Sites 4 and 5 and received from Konar Development Corp. with its affiliate FiveTwentyFive East Broad LLC (hereinafter called the “525 East Broad”) and Indus Hospitality Group Inc. with its affiliate Indus Adventure Street LLC (“Indus”) (collectively, the “Developers”) a joint proposal in conjunction with the Strong National Museum of Play to create “The Strong Neighborhood of Play” consisting of an approximately 100,000 square foot museum expansion, approximately 250 units of multifamily housing, approximately 17,000 square feet of urban mixed retail space, a hotel with up to 175 rooms or suites and a restaurant, a 1,200-space parking structure, and a new two-way street traversing the neighborhood (collectively, the “Project”);

WHEREAS, the Developers are proposing a purchase option agreement for 525 East Broad to acquire Inner Loop East Site 4, which is owned by the City of Rochester, for the development of housing units and for a purchase price of \$440,000 that is based on an independent fair market value appraisal;

WHEREAS, the Developers are proposing a purchase option agreement for Indus to acquire Inner Loop East Site 5, which is owned by the City, for the development of the hotel, restaurant, housing units and retail and for a purchase price of \$800,000 that is based on an independent fair market value appraisal;

WHEREAS, the City desires to grant to the Developers purchase options extending through June 30, 2018 to acquire Inner Loop East Sites 4 and 5 for their respective appraised fair market values of \$440,000 and \$800,000 with the dispositions to be conducted in accordance with Section 507 of the General Municipal Law of the State of New York and subject to terms and conditions that

require the development of the Project in accordance with the purpose and objectives of the Southeast Loop Urban Renewal Area;

WHEREAS, a legal notice has been issued giving public notice as to the availability for public examination of the proposed terms for the disposition of Inner Loop East Sites 4 and 5 and the Redeveloper’s Statements for Public Disclosure have been included with the proposed terms made available for public examination;

WHEREAS, the Agency has found the Developers to be a qualified and eligible sponsors to carry on the Project in the Southeast Loop Urban Renewal Area; and

WHEREAS, the City Council, pursuant to Article 15 of the General Municipal Law and after due notice, has held a public hearing on August 10, 2017 to consider the proposed disposition of Inner Loop East Sites 4 and 5.

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

Section 1. The Council hereby approves the granting of a purchase option agreement to 525 East Broad for the following parcel owned by the City comprising Site 4 of the former Inner Loop East for an appraised value of \$440,000:

| Address | SBL# | Size |
|------------------|---------------|------------|
| 525 E. Broad St. | 121.33-1-87.1 | ±0.97 acre |

Section 2. The Council hereby approves the granting of a purchase option agreement to Indus Adventure Street LLC or an entity to be formed by its principals (Indus), to purchase the following site owned by the City comprising Site 5 of the former Inner Loop East for an appraised value of \$800,000:

All that tract or parcel of land situated 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 southerly Street Boundary of Savannah Street and the westerly Highway Boundary of the former Rochester City Inner Loop Arterial, thence South 21° 19' 35" West a distance of 26'± feet to the true POINT OF BEGINNING, said point being 166.12 feet left of and at right angles to station U 36+44.86 of the hereinafter described 2012 Survey Baseline; thence South 21° 19' 35" West along said westerly Highway Boundary of the former Rochester City Inner Loop Arterial a distance of 344.65 feet to a point, said point being 139.67 feet left of and at right angles to Station U 33+01.23 of said Baseline; thence South 26° 00' 17" West continuing along said westerly Highway Boundary of the former Rochester City Inner Loop Arterial a distance of 98.01 feet to a point of curvature, said point being 140.15 feet left of and at right angles to Station U 32+03.22 of said Baseline; thence southwesterly continuing along said westerly Highway Boundary of the former Rochester City Inner loop Arterial along a non-tangent curve to the right, said curve having a radius of 600.00 feet, a distance of 486.38 feet to a point, said point being 302.37 feet left of and at right angles to Station U 18+19.00 of said Baseline; thence North 84° 10' 03" East through the property now or formerly owned by the People of the State of New York, a distance of 270.54 feet to o point of curvature, said point being

155.55 feet left of and at right angles to Station U 29+51.99 of said Baseline; thence northeasterly continuing through the property now or formerly owned by the People of the State of New York along a tangent curve to the right, said curve having a radius of 301.50 feet, a distance of 102.52 feet to a point of reverse curvature, said point being 55.83 feet left of and at right angles to Station U 29+73.62 of said Baseline; thence northeasterly continuing through the property now or formerly owned by the People of the State of New York along a tangent curve to the left, said curve having a radius of 18.00 feet, a distance of 25.66 feet to a point of tangency, said point being 38.71 feet left of and at right angles to Station U 29+89.77 of said Baseline: thence North 21° 58' 15" East continuing through said property of the People of the State of New York, a distance of 661.00 feet to a point of curvature, said point being 67.57 feet left of and at right angles to Station U 36+44.08 of said Baseline; thence northwesterly continuing through the property now or formerly owned by the People of the State of New York along a tangent curve to the left, said curve having a radius of 8.00 feet, a distance of 12.63 feet to a point of tangency, said point being 76.14 feet left of and at right angles to Station U 36+51.53 of said Baseline; thence North 68° 30' 40" West continuing through the property now or formerly owned by the People of the State of New York, a distance of 90.22 feet to the POINT OF BEGINNING, being 86,604 ± square feet or 1.988 ± acre more or less.

Section 3. The Council hereby approves the Developers' proposal for the Agency to grant to 525 East Broad Street a purchase option agreement to purchase the following two Agency Parcels for the specified appraised values:

| Address | SBL# | Size | Price |
|----------------------|--------------|-------------|--------------|
| 15 Manhattan Sq. Dr. | 121.33-1-4 | ± 0.87 acre | \$400,000 |
| 47 Savannah St. | 121.33-1-6.1 | ± 0.78 acre | \$360,000 |

Section 4. The Council hereby finds that disposition by request for proposal and negotiation is the appropriate method for making the properties available for redevelopment. The purchase option agreements shall be subject to terms and conditions that require the development of the Project in accordance with the purpose and objectives of the Southeast Loop Urban Renewal Area. The designated parcels shall be sold to the respective prospective purchasers for the specified appraised values if the purchasers exercise their options at any time during the term of the agreements, which shall expire on June 30, 2018.

Section 5. The Mayor is hereby authorized to enter into such agreements and to execute such other instruments as may be necessary to implement the actions authorized herein. The agreements and other instruments shall contain such other terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Ortiz

August 15, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for Adoption the following entitled legislation:

- Int. No. 292 Authorizing the sale of real estate
- Int. No. 293 Authorizing the acceptance of real estate by donation
- Int. No. 294 Authorizing agreements and appropriating funds for the Emergency Solutions Grant Program
- Int. No. 295 Approving appointments to the Rochester Environmental Commission and the Zoning Board of Appeals
- Int. No. 296 Authorizing replenishment of HOME Program funds
- Int. No. 313 Authorizing a lease agreement for the Municipal Parking office and the Traffic Violations Agency
- Int. No. 315 Authorizing submission of the Consolidated Community Development Plan/2017-18 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development
- Int. No. 322 Authorizing an agreement for hosting services and implementation of a community engagement software subscription
- Int. No. 188 Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to notification requirements for information meetings and public hearings
- Int. No. 242 Amending the Municipal Code with respect to the building owner's registry

The Neighborhood & Community Development Committee recommends for Consideration the following entitled legislation:

- Int. No. 314 Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan
- Int. No. 319 Amending the Zoning Code by adding the Education Success Campus Planned Development District #19
- Int. No. 320 Amending the Zoning Map by changing the zoning classification of 977-1017 Lake Avenue, 2 Lake View Park, 4-22 Lake View Park and 3 Fairview

August 15, 2017

Heights to Planned Development District No. 19 – Education Success Campus

Int. No. 321 Amending the Zoning Map for 956 and 960 West Ridge Road

Respectfully submitted,

Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Introductory No. 188 was introduced on June 20, 2017 and appears in its original form with its transmittal letter on page___ of the current Council Proceedings

Ordinance No. 2017-257
(Int. No. 188)

Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to notification requirements for information meetings and public hearings

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 so that Subsections K and L(1),(2) and (3) of Section 120-188, Common review procedures, read in their entirety as follows:

K. Informational meetings.

(1) Informational meetings shall be required for the following:

- (a) Planned development district designation;
- (b) Comprehensive Plan, Official Map, Zoning Map or zoning text amendments; and
- (c) Preservation district designation (by Planning Commission).

(2) Notification.

(a) Mailed notice. Within 10 business days of receipt of the complete application, the Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within 300 600 feet from the property line and the official neighborhood contacts. For applications for Comprehensive Plan or text amendments, notice shall only be made to the official neighborhood contact.

(b) Published notice. The Director of Planning and Zoning shall cause notice for such meetings to be placed in an official newspaper or a newspaper of general circulation in the City at least once, not more than 30 nor less than 10 business days before the date of the meeting.

L. Public hearings.

- (1) Public hearings shall be required for the following:
 - (a) Certificate of appropriateness approved by the Preservation Board;
 - (b) Special permit;
 - (c) Planned development district designation (by City Council);
 - (d) Cluster development;
 - (e) Adoption of neighborhood design guidelines;
 - (f) Comprehensive Plan, Official Map or Zoning Map or zoning text amendments (by City Council);
 - (g) Landmark designation;
 - (h) Certificate of economic hardship;
 - (i) Preservation district designation (by City Council);
 - (j) Variances;
 - (k) Appeals of administrative decisions;
 - (l) Site plan referrals; and
 - (m) Subdivisions per Chapter A128.
- (2) Setting hearing. For all matters properly brought before the Zoning Board of Appeals, the Planning Commission or the Preservation Board for which a public hearing is required by this chapter, the body charged with conducting the hearing shall, upon receipt of a completed application, select a reasonable time and place for such hearing; provided, however, that such time shall be not later than 62 days following the submission of the subject application, unless the applicant shall agree to some later time.
- (3) Notification.
 - (a) Mailed notice.
 - [1] The Director of Planning and Zoning shall be required to mail the appropriate notices for public hearings to property owners, both within and outside the municipal boundaries of the City of Rochester, within 300 600 feet of the property line. Where notice by mail is required, it shall be given at least 20 days in advance of the hearing date by regular United States mail, except that notice to City agencies or officials may be by interdepartmental memorandum.
 - [2] Where mailed notice is required, it shall be sent to the applicant, the owner of any property subject of the application as shown in the records of the office of the City Treasurer, the Department of Neighborhood and Business Development, the Official Neighborhood Contact and to any other person or persons deemed by the Director of Planning and Zoning to have a direct interest in the matter of the hearing.
 - [3] The time and manner for mailed notices for public hearings to be held by the City Council shall be determined by the City Clerk.

Section 3. This ordinance shall take effect with regard to informational meetings and public hearings occurring on and after July 1, 2017.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Introductory No. 242 was introduced on July 18, 2017 and appears in its original form with its transmittal letter on page___ of the current Council Proceedings

Attachment No. AQ-136

Ordinance No. 2017-258
(Int. No. 242)

Amending the Municipal Code with respect to the building owner's registry

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

Section 1. Section 90-20 of the Municipal Code, Building owner's registry required, is hereby amended to read in its entirety as follows:

§ 90-20 Building owner's registry required.

- A. The owners of all buildings shall register with the City as required herein.
- B. The owners of all buildings existing as of the effective date of this section shall register upon notice by the Director or upon submission of an application for a new or renewal certificate of occupancy.
- C. The owner of a new building shall register the building prior to allowing occupancy thereof.
- D. The owner of any building already registered with the City shall reregister within 10 days after any change occurs in registration information. A new owner of a registered building shall reregister the building within 10 days of assuming ownership.
- E. The City shall maintain a registry of all buildings containing the following information which shall be provided by the owner on forms available from the City:

(1) Name, street address and business telephone number of the owner.

(2) If the owner is not a natural person or is a natural person and the building is required to have a Certificate of Occupancy pursuant to section 90-16, the name, street address and business telephone number of the agent, manager or principal maintenance person to be responsible for and in control of the property shall also be provided on the application. If a principal, partner or the owner resides in a 13020 through 13905 or 14001 through 14925 zip code, he or she may designate him or herself as such property maintenance person. If a principal, partner or the owner does not reside in a 13020 through 13905 or 14001 through 14925 zip code, he or she must designate a person who resides in Monroe County as such property maintenance person. Such designation can be a responsible employee of a property maintenance company located in Monroe County. Any designation made pursuant to this section shall remain in full force and effect until changed or terminated.

~~(3) If the owner is a natural person who has designated an agent, manager or principal person responsible for the property, the name, street address and telephone number of such person shall also be provided on the application.~~

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~~(43) For purposes of this section, a post office box shall not be accepted as a street address. A telephone number may be designated as a business number, home number or cellular number.~~

~~(54) All notices of violation and other service of process upon an owner, if mailed, shall continue to be mailed to the owner's tax mailing address if such address has been provided by the owner to the City.~~

~~(6) The Council finds that the release of home or cellular telephone numbers provided in accordance with this section would constitute an unwarranted invasion of personal privacy, as these telephone numbers serve the primary purpose of allowing the City to contact responsible persons in an emergency or when property concerns arise.~~

(75) It shall be a violation of this chapter for an owner to fail to provide the information or to provide inaccurate information required herein for the registry. A ticket may be served on the owner of a building who fails to register, reregister or otherwise comply with the provisions of this section. The violation shall be considered a medium-level violation for which the penalties set forth in § 13A-11D(1)(b) of the Municipal Code shall apply.

F. This section shall not apply to buildings that are owner-occupied one-family dwellings or owner-occupied two-family dwellings; buildings owned by federal, state or local government units; hospitals; schools, colleges or universities; or commercial or industrial buildings that maintain operations for 24 hours each day or that have security on site 24 hours each day. A single registration shall be required for all buildings on a property.

Section 2. This ordinance shall take effect on September 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-259
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 three 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.

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The last property is an unbuildable vacant lot, being sold for \$1.00 (as per City policy) to the adjacent owner who will combine the lot with their existing property.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,014.

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

Attachment No. AQ- 137

Ordinance No. 2017-259
(Int. No. 292)

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 |
|-----------------|---------------|-----------------|---------------|--------------|----------------------|
| 8 Boston St | 106.23-4-38.1 | 68 x 96 | 6538 | \$475 | Jamar Stanley |
| 533 Conkey Av | 091.69-1-19 | 37 x 122 | 4514 | \$425 | Mase Properties, LLC |
| 58 Spiegel Park | 106.27-2-58.1 | 79 x 139 | 11000 | \$600 | Kelsey Bliss |

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

| Address | SBL# | Lot Size | Sq.Ft. | Purchaser |
|----------------|-------------|-----------------|---------------|------------------|
| 738 Seward St | 135.27-2-46 | 30 x 90 | 3406 | Lucas J Hartman |

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.

August 15, 2017

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-260
Re: Real Estate Donation

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real property from the owner, Rochester Land Bank Corporation (RLBC). The RLBC acquired the property by purchase at the City Tax Foreclosure Auction in November 2016. Council authorization is needed to accept the parcel:

| <u>Address</u> | <u>Purpose</u> |
|--------------------|----------------|
| 293 Emerson Street | Demolition |

Accepting the donation will allow the City to remove blight in neighborhood where redevelopment plans are in place and/or other investment of public dollars have been made through demolition or managing the disposition of salvageable properties for qualified buyers who will restore them to productive use.

Upon acquisition by the City, any taxes or charges levied after the date of closing shall be canceled. The property is to be conveyed with no other outstanding liens or encumbrances

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-138

Ordinance No. 2017-260
(Int. No. 293)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of a real estate parcel from the Rochester Land Bank Corporation as follows:

August 15, 2017

| Address | SBL No. | Purpose |
|--------------------|----------------|----------------|
| 293 Emerson Street | 105.42-1-71 | Demolition |

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Ortiz, Patterson, Spaul-
8

Nays – None- 0

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-261
Re: 2017-18 Consolidated Community
Development Plan - Emergency
Solutions Grants Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing thirteen agreements with twelve not-for-profit providers of services for homeless individuals and families through the Emergency Solutions Grant Program (ESG), and establishing \$640,636 as maximum compensation for the agreements to be funded from the Housing Choice Fund of the 2017-18 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program. The agreements will have a term of one year (with the option to extend for an additional year if funds remain in the original appropriation) and are itemized below:

| Organization | Amount |
|---|-----------|
| The Salvation Army | \$ 47,842 |
| The YWCA of Rochester and Monroe County, N.Y. | 44,812 |
| Rochester Area Interfaith Hospitality Network, Inc. (RAIHN) | 41,331 |
| Willow Domestic Violence Center of Greater Rochester, Inc. | 24,561 |
| Volunteers of America of Western New York, Inc. | 28,539 |
| The Center for Youth Services, Inc. | 31,500 |
| Spiritus Christi Prison Outreach, Inc. | 28,481 |
| Veterans Outreach Center, Inc. | 13,500 |
| Saving Grace Ministries of Rochester, Inc. | 18,000 |
| Coordinated Care Services Inc. (Coordinated Access) | 73,863 |

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| | |
|---|-----------|
| Coordinated Care Services Inc. (Rapid Re-housing) | 124,089 |
| Catholic Family Center | 101,000 |
| Providence Housing Development Corp. | 63,118 |
| Total: | \$640,636 |

This program was last authorized by City Council in May 2016 via Ordinance No. 2016-152 and December 2016 via Ordinance No. 2016-401. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid re-housing. The appropriation will fund coordinated access, case management, rapid re-housing and shelter operations. If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Emergency Solution Grants Program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC). Service providers for 2017-18 were selected through a request for proposals (RFP) process. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued January 30, 2017. A second RFP was issued on May 31, 2017, specifically for Homeless Prevention Services.

Attached are summaries of the RFP process and agency services. This legislation supports the City Housing Policy's Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ_139

Ordinance No. 2017-261
(Int. No. 294)

Authorizing agreements and appropriating funds for the Emergency Solutions 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 agreements with the following providers for services to homeless individuals under the Emergency Solutions Grant program. The agreements shall obligate the City to pay an aggregate amount not to exceed \$640,636 with the maximum amount for each agreement being as follows:

| Organization | Amount |
|--|-------------------|
| The Salvation Army | \$ 47,842 |
| The YWCA of Rochester and Monroe County, N.Y. | 44,812 |
| Rochester Area Interfaith Hospitality Network, Inc. | 41,331 |
| Willow Domestic Violence Center of Greater Rochester, Inc. | 24,561 |
| Volunteers of America of Western New York, Inc. | 28,539 |
| The Center for Youth Services, Inc. | 31,500 |
| Spiritus Christi Prison Outreach, Inc. | 28,481 |
| Veterans Outreach Center, Inc. | 13,500 |
| Saving Grace Ministries of Rochester, Inc. | 18,000 |
| Coordinated Care Services, Inc. (Coordinated Access) | 73,863 |
| Coordinated Care Services, Inc. (Rapid Rehousing) | 124,089 |
| Catholic Charities of the Diocese of Rochester, operating as the Catholic Family Center | 101,000 |
| Providence Housing Development Corp. | 63,118 |
| Total: | \$ 640,636 |

Section 2. The sum of \$640,636, or so much thereof as may be necessary, is hereby appropriated for the agreements from the Emergency Solutions Grants allocation of the Housing Choice Fund in the Consolidated Community Development Plan/2017-18 Annual Action Plan.

Section 3. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

August 15, 2017

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson-8

Nays – None- 0

Councilmember Spauld abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2017-16

Re: Appointments – Rochester Environmental
Commission and Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members to the Rochester Environmental Commission (REC) and one full-time member to the Zoning Board of Appeals (ZBA). The two new REC members, Carlos Perez and Elizabeth Primus, will replace Ian Kuchman and Rich Pospula, both of whom resigned from the Commission earlier this year. The new ZBA member, Tyrese Bryant, will replace Marcial Morales who had to resign from the Board because he moved out of the city. These new members will serve out the remainder of their predecessors' terms, which expire on May 31, 2018.

New full-time REC members:

| <u>Name</u> | <u>Address</u> |
|------------------|---------------------------------------|
| Carlos Perez | 612 Park Avenue, Unit 6, 14607 (East) |
| Elizabeth Primus | 15 Champeney Terrace, 14605 (NE) |

New full-time ZBA member:

| <u>Name</u> | <u>Address</u> |
|---------------|-------------------------------------|
| Tyrese Bryant | 408 Ravenwood Avenue, 14619 (South) |

Resumes for these individuals are available in the City Clerk's Office. Attached is an updated Board and Commission membership list.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-140

Resolution No. 2017-16
(Int. No. 295)

August 15, 2017

Approving appointments to the Rochester Environmental Commission and the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointments to the Rochester Environmental Commission of the following persons as member, each for a term which shall expire on May 31, 2018:

| Name | Address |
|------------------|--------------------------------|
| Carlos Perez | 612 Park Avenue, Unit 6, 14607 |
| Elizabeth Primus | 15 Champeney Terrace, 14605 |

Section 2. The Council hereby approves the appointment to the Zoning Board of Appeals of the following person as member, for a term which shall expire May 31, 2018:

| Name | Address |
|---------------|-----------------------------|
| Tyrese Bryant | 408 Ravenwood Avenue, 14619 |

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-262
Re: Repayment - US Housing and
Urban Development Department

City Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to a reimbursement to the City's HOME account for predevelopment funds provided to the Elston Hernandez Apartments project. This legislation will:

1. Appropriate \$53,000 from the City of Rochester's Insurance Reserve fund, and
2. Authorize a reimbursement to the City's HOME account from the appropriation made herein.

In 2015, the City approved a predevelopment grant to Isla for the Elston Hernandez Apartments project using HOME funds. Since then, the project has been determined to be infeasible and will not be going forward at this time.

August 15, 2017

It was anticipated that with the assistance of the City's predevelopment funding and the pledge of \$100,000 toward construction that the balance of the project cost would be funded through New York State (NYS) Homes and Community Development. After two applications, the project did receive an NYS award, however, it was not sufficient to complete the project.

While predevelopment activity is an eligible HOME cost, since the project has not been fully funded and the agreement has expired without creating the necessary nine units, the US Housing and Urban Development Department (HUD) has determined that the \$53,000 of HOME funds must be reimbursed to the City's HOME account using a non-federal source and that proof of this reimbursement is forwarded to the HUD Buffalo office. Once this line is reimbursed, the funds would be available for allocation to other eligible uses.

Allocation of these funds is imperative in order to minimize the risk of exclusion from the execution of new HOME agreements and voucher payments to vendors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-262
(Int. No. 296)

Authorizing replenishment of HOME Program funds

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

Section 1. Council hereby appropriates \$53,000 from the City's Insurance Reserve Fund to replenish the HOME Program portion of the Housing Development Fund within the Improving the Housing Stock and General Property Conditions Objective of the 2012-13 Consolidated Community Development Plan/Annual Action Plan.

Section 2. The Director of Finance shall record all fund transfers authorized herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 3. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-263
Re: Lease Agreement- Geddes Rochester
LLC, 200 East Main Street, Municipal
Parking and Traffic Violations

August 15, 2017

Council Priority: Creating and Sustaining a Culture of Vibrancy; Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing a lease agreement with Geddes Rochester, LLC (Chris Hill and Lewis Nory) for a portion of 200 East Main Street for the City office of Municipal Parking and the newly formed Traffic Violations Agency. The City will lease 15,000 square feet (SF) in the basement of the former McCrory's Building for a 20 year term, and the cost, as described below, will be funded from the 2017-18 and subsequent budgets of the Department of Finance, contingent upon approval of the future budgets.

The first-year lease payment will total \$195,000. The lease payments will pay for the base rent (\$4.00/SF), the amortized build-out cost (\$6.90/SF) and the operating expenses (\$2.10/SF) which include insurance, water, gas, and taxes. The build-out is estimated at \$1,200,000 and will be amortized at 6% over the 20 year term. The City has the right to exercise two, five-year renewals. The base rent will increase by 2.5% each year with the build-out costs remaining static for the entire 20 year term of the lease. If the City elects to exercise the renewal options, the rent will be computed on the base rent and operating expenses only. Municipal Parking will pay for its electricity and communications separately and handle its janitorial services internally.

The location of this space is considered a key point in the revitalization of Center City. The second and third floors will be occupied by the federal offices of the Social Security Administration. It is estimated that the two agencies (City and Federal) can potentially generate foot traffic of over 750 people per day. The City's efforts to activate the street front and bring more visitors to the downtown area will be greatly assisted with this agreement.

The newly built-out space will provide private offices for supervisors, multiple work-stations for support staff as well as several hearing rooms, a waiting area, security desks/platforms, conference room, money-handling rooms, attorney offices, restrooms, elevators and a common area/lobby space. It is anticipated that 25-30 employees will occupy the space (18-20 in Municipal Parking and 7-10 in Traffic Violations).

The lease amount was determined by an independent appraisal prepared by Kevin Bruckner of Bruckner, Tillett, Rossi, Cahill & Associates in July 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-141

Ordinance No. 2017-263
(Int. No. 313)

August 15, 2017

Authorizing a lease agreement for the Municipal Parking office and the Traffic Violations Agency

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 Geddes Rochester LLC for the lease of approximately 15,000 square feet of office space at 200 E. Main Street for use by the Municipal Parking office and the Traffic Violations Agency. The agreement shall have a term of 20 years and the City has the right to exercise two 5-year renewal options.

Section 2. The lease agreement shall obligate the City to pay \$195,000 in rent for the first year which includes the base rent (\$4.00/SF), the amortized build-out costs (\$6.90/SF), and the operating expenses (\$2.10/SF). The build-out will cost approximately \$1,200,000 and shall be amortized at 6% over the 20 year term. The base rent shall increase by 2.5% each year and, if the City elects to exercise its renewal option, the subsequent rent shall be computed on the base rent and operating expenses only. Said rent payments shall be funded from the 2017-18 Budget of the Finance Department for the first year and subsequent Budgets of the Finance Department for subsequent years, contingent upon approval of future budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-264 &
Ordinance No. 2017-265
Re: 2017-18 Annual Action Plan,
Consolidated Community
Development Plan

Council Priority: Rebuilding and Strengthening
Neighborhood Housing; Jobs and
Economic Development

Transmitted herewith for your approval is legislation related to the 2017-18 Annual Action Plan (Plan) of the Consolidated Community Development Plan. This legislation will:

1. Approve the updated 2017-18 Plan;
2. Authorize the submission of the Plan to the U.S. Department of Housing and Urban Development (HUD);
3. Authorize agreements with HUD for the receipt and use of grants to fund the 2017-18 Plan; and

August 15, 2017

4. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

HUD recently advised the City that there is an additional amount for the Emergency Solutions Grant Program that will be allocated to the City of Rochester. The ESG Supplemental Allocation is \$294,488. This is in addition to the previously allocated \$692,579, making a new ESG total of \$987,067.

The 2017-18 Annual Action Plan covers the period July 1, 2017 through June 30, 2018. Approval by the City Council of the updated Plan is required by HUD.

A public hearing on the 2017-18 Annual Action Plan is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-264
(Int. No. 314)

Approving the Consolidated Community Development Plan/2017-18 Annual Action Plan

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan to be funded with \$12,249,451 available to the City of Rochester from the federal Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, Housing Opportunities for Persons with AIDS Program, Urban Development Action Grant loan and interest repayments, and other program income;

WHEREAS, the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan updates and increases by \$294,488 the funding for a previous version of the proposed plan that was approved by this Council in Ordinance No. 2017-206;

WHEREAS, the proposed plan was prepared according to an approved Citizen Participation Plan and reflects public comments and consultations;

WHEREAS, notice of the proposed plan was published in the legal notices section of the Democrat and Chronicle on February 14, 2017;

WHEREAS, citizens, public agencies and other interested parties were invited to submit comments by March 8, 2017;

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff;

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Plan/2017-18 Annual Action Plan and the needs, strategies, proposed actions and annual performance; and

August 15, 2017

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby adopts the updated proposed plan that includes federal funding of \$12,249,451 as the City's Consolidated Community Development Plan/2017-18 Annual Action Plan and as a substitute for the proposed plan that was approved in Ordinance No. 2017-206.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. The Director of Finance shall record all transfers authorized herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-265
(Int. No. 315)

Authorizing submission of the Consolidated Community Development Plan/2017-18 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development

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

Section 1. The Mayor is hereby authorized to submit the Consolidated Community Development Plan/2017-18 Annual Action Plan to the United States Department of Housing and Urban Development.

Section 2. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2017.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

August 15, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-266 &
Ordinance No. 2017-267
Re: Zoning Text and Map Amendment-
Education Success Campus Planned
Development District #19

Council Priority: Support the Creation of
Effective Educational Systems; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map to establish a 6.27 acre Planned Development District (PD #19 Education Success Campus) consisting of several parcels owned by 1001 Lake Ave, LLC (represented by Joseph Martino). This legislation will:

- 1) Amend the Zoning Text by adding PD #19 Education Success Campus Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning 2 and 4-22 Lake View Park and 3 Fairview Heights from R-1 Low Density Residential District to PD #19 Education Success Campus and by rezoning 977-1017 Lake Avenue (formerly Nazareth Academy) from R-3 High Density Residential District to PD #19 Education Success Campus.

The proposed Education Success Campus PD will serve to facilitate the re-use of the former Nazareth Academy Campus. It is anticipated that the school building will be used as a charter school. The former convent and three residential structures will be used as administrative offices, for enrichment activities, and for support services such as clinics. Site improvements will be completed to expand parking, improve accessibility, and re-configure traffic flow on and off the site.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal has been classified as unlisted. The Manager of Zoning as lead agency has issued a negative declaration.

The Planning Commission held an informational meeting on July 10, 2017. Three people spoke in support of the PD, including the applicants, and no one spoke in opposition. By a vote of 6-0-0, the Commission recommended approval with modifications noted by the City Planning Commission as agreed to by the applicant during the Informational Meeting testimony. One Commissioner recused herself.

A public hearing is required for the Zoning Text and Map amendment. The regulations would take effect immediately upon Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-142

Ordinance No. 2017-266
(Int. No. 319)

Amending the Zoning Code by adding the Education Success Campus Planned Development District #19

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 19— Education Success Campus and approving the text and concept plan for the district to read in its entirety as follows:

**Planned Development District No. 19
Education Success Campus**

A. Purpose and Intent. The intent of the Education Success Campus Planned Development District is to provide the regulatory framework for the redevelopment and re-use of the former Nazareth Academy site. The purpose of the district is to create a unified campus that promotes a mixed-use environment that is centered on providing lifelong learning and enrichment opportunities for children and adults. The campus will also serve as a home to the community services necessary to ensure the success of our children and their families.

It is anticipated that the school building will be used for a public charter school, to host other schools (both public and private) and for administrative offices and support services. The former convent and three residential structures will be used as administrative offices, for enrichment activities, and for support services (such as clinics). Site improvements will be completed to expand parking, improve accessibility, and re-configure traffic flow (on and off the site.)

It is the intent to maintain the residential character of the former convent and the three existing residential structures on site to ensure the continued compatibility with the predominate character of the surrounding residential neighborhood.

B. Permitted Uses. The following uses are permitted by right in all buildings. All activities shall occur within a completely enclosed building unless otherwise noted.

- (1) Schools.
- (2) Places of worship.
- (3) Convents and rectories.
- (4) Offices, operating between the hours of 6:00AM to 9:00PM.
- (5) Studios for artists, craftsmen, photographers, composers, writers and the like.
- (6) Live-work space, subject to the additional requirements for specified uses in Section 120-142.1.

(7) Single-family detached dwellings.

(8) Two-family dwellings.

C. Special Permit Uses.

(1) Daycare

D. Temporary Uses. Temporary uses are permitted within the District provided they are in full compliance with Section 120-149 (Temporary Uses) of the City of Rochester Zoning Code.

E. Accessory Uses

a. Accessory uses and structures listed in Section 120-163B. of the City of Rochester Zoning Code.

b. When accessory to a school building, the following uses are permitted:

(a) Clinics, operating between the hours of 6:00AM to 9:00PM.

(b) Active recreational facilities such as ball fields, tennis courts, playgrounds, and the like.

(c) Band shells and outdoor theaters, not including drive-in theaters.

(d) Garage, storage and maintenance.

(e) Greenhouses.

(f) Parking.

F. Lot, Area, Yard and Building Height Requirements.

(1) Lot frontage: Not applicable.

(2) Maximum Lot coverage: 70%.

(3) Maximum building height: 5 stories.

(4) Provisions for height exceptions and other height related requirements shall comply with Section 120-196 of the City of Rochester Zoning Code.

(5) Minimum yard requirements. Ramps or structures designed to provide increased accessibility are exempt from the following minimum yard requirements.

(a) Along Lake Avenue:

[1] Parking lots: 20 feet.

[2] Buildings: 100 feet.

(b) Along Lakeview Park:

[1] Parking lots: 6 feet.

[2] Buildings: 25 feet.

(c) Along Fairview Heights:

- [1] Parking lots: 7 feet.
- [2] Buildings: 100 feet.

(d) Along Eldorado Place:

- [1] Parking lots: 0 feet.
- [2] Buildings: 10 feet.

(e) Along residentially zoned properties:

- [1] Parking lots: 5 feet, except where a solid screen of at least six feet in height is placed on the lot line, in which case no setback shall be required.
- [2] Buildings: 2 feet.

G. Off-Street Parking and Loading Requirements.

(1) Off-Street Parking.

- (a) Maximum number of on-site parking spaces is established at the cap of 200 based on the development concept plan. Any requested increase in the parking cap shall require the submission of a parking demand analysis and is subject to site plan review approval.
- (b) Provisions for off-street parking shall comply with the parking lot design and maintenance standards set forth in Sections 120-173.F(3) through 120-173.F(7) of the City of Rochester Zoning Code.
- (c) Parking is not permitted between the former convent building and Lake View Park.

(2) Off-Street Loading. Loading spaces shall comply with the requirements set forth in Section 120-172 (Off-Street Loading) of the City of Rochester Zoning Code.

H. Signage. A sign program shall be developed for the district which will include building and/or tenant identification, way finding and event promotion. The sign program shall be subject to site plan review approval by the Director of Planning and Zoning.

I. Additional Requirements.

- (1) The enlargement of existing buildings within the “Building Development Envelope” depicted on the approved site plan is subject to a minor site plan review approval by the Director of Planning and Zoning. New buildings that are not considered accessory or building enlargements beyond the “Building Development Envelope” are subject to major site plan review approval by the Director of Planning and Zoning.

- (2) This planned development is subject to the requirements set forth in Article XVII (PD Planned Development District) of the City of Rochester Zoning Code.
- (3) Uses in PD District No. 19 are subject to the requirements set forth in Article XX (Requirements Applying to All Districts) of the City of Rochester Zoning Code, except where they are superseded by the regulations set forth in this district.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-267
(Int. No. 320)

Amending the Zoning Map by changing the zoning classification of 977-1017 Lake Avenue, 2 Lake View Park, 4-22 Lake View Park and 3 Fairview Heights to Planned Development District No. 19—Education Success Campus

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-3 High Density Residential to Planned Development District No. 19—Education Success Campus the zoning classification of the following property:

| Address | SBL # |
|----------------------|--------------|
| 977-1017 Lake Avenue | 090.75-1-31 |

and the area extending from that parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential to Planned Development District No. 19—Education Success Campus the zoning classification of the following properties:

| Address | SBL # |
|---------------------|--------------|
| 2 Lake View Park | 090.75-1-32 |
| 4-22 Lake View Park | 090.75-1-33 |
| 3 Fairview Heights | 090.75-1-34 |

and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-268
Re: Zoning Map Amendment –
960 and 956 West Ridge Road

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties at 960 and 956 West Ridge Road from R-1 Low Density Residential District/ Overlay-Boutique to C-3 Regional Destination Center District for the expansion of the existing Delta Sonic Car Wash. The purpose of this rezoning is to facilitate an expansion/modernization project for Delta Sonic that will include the addition of a new oil change building, more vacuum stations and a new entrance to help with circulation and to allow room for the new oil change building.

The properties at 960 and 956 West Ridge Road are presently vacant single family residential homes owned by Delta Sonic Car Wash Systems, Inc. These houses will be demolished, and this land will be incorporated into the new entrance.

The Planning Commission held an informational meeting on July 10, 2017. Only the applicant spoke in support of the rezoning; no one spoke in opposition. By a vote of 7-0-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-143

Ordinance No. 2017-268
(Int. No. 321)

Amending the Zoning Map for 956 and 960 West Ridge Road

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential/Overlay-Boutique to C-3 Regional Destination Center the zoning classification of the following properties:

| Address | SBL # |
|---------------------|--------------|
| 956 West Ridge Road | 075.79-1-14 |
| 960 West Ridge Road | 075.79-1-13 |

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and the area extending from those parcels to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-269

Re: Agreement – Envision Sustainability
Tools Inc., MetroQuest Software

Transmitted herewith for your approval is legislation establishing \$21,000 as maximum compensation for an agreement with Envision Sustainability Tools Inc., Vancouver, British Columbia, Canada, to provide hosting services and implementation of a community engagement software subscription for as many applications as needed. The term of this service/subscription will be one year with two, one-year renewable options. Envision Sustainability Tools Inc. would provide their MetroQuest product as a “Software as a Service” or SaaS, with subscription-based licensing, which allows the City to set-up and launch MetroQuest sites to provide surveys in support of our public engagement objectives.

MetroQuest will be shared throughout City Hall for the community engagement component of several projects. For example, the Comprehensive Plan and Comprehensive Access Management Plan will benefit from this community engagement tool. Funding will be from the 2017-18 Budget of the following departments:

| | |
|--------------------------------------|--------------|
| Department of Environmental Services | \$7,000 |
| Mayor - Office of Innovation | 6,000 |
| Undistributed Expenses | <u>8,000</u> |
| TOTAL | \$21,000 |

MetroQuest is the most innovative and leading-edge tool currently on the market to help achieve robust, enthusiastic, and informed community engagement in planning and programming processes. MetroQuest provides thought provoking text and visual content to educate the public and collect informed input quickly. Participants can see the impact of their choices and priorities, learn about the alternatives and tradeoffs, and visualize options. The result is more thoughtful and meaningful input that carries more weight than simple multiple choice or text input, providing the City with a wealth of organized quantifiable data that is complemented with individual comments for even greater insight about community preferences.

The unique nature and capabilities of MetroQuest, coupled with the fact that it is only available from the software developer, creates the need to obtain the service through Sole Source procedures. A justification of Sole Source procurement is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-144

Ordinance No. 2017-269
(Int. No. 322)

Authorizing an agreement for hosting services and implementation of a community engagement software subscription

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 in the maximum amount of \$21,000 with Envision Sustainability Tools Inc. to provide hosting services and implementation of a community engagement software subscription. The term of the agreement shall be one year with two one-year renewal options with a maximum annual compensation of \$21,000. The first year shall be funded from the 2017-18 Budgets of the Department of Environmental Services (\$7,000), the Office of the Mayor (\$6,000) and of Undistributed Expenses (\$8,000) and, if renewed, from future budgets, contingent upon approval of said budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
August 15, 2017

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

- | | |
|--------------|--|
| Int. No. 297 | Authorizing an agreement for resident project representation services for the Genesee Valley Park Playground Project |
| Int. No. 299 | Appropriating funds for the 2017 Preventive Maintenance Group 5 (Arnett Blvd/Genesee Park Blvd/Webster Ave) Project |
| Int. No. 300 | Authorizing an agreement for the City's annual Water Main Extensions and Improvements program |
| Int. No. 301 | Authorizing a reimbursement agreement for right of way improvements |
| Int. No. 302 | Authorizing an agreement with Center for Employment Opportunities, Inc. |

August 15, 2017

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

Int. No. 298 Authorizing pavement width changes for the School Number 16 Bus Pull-off Lane project

Respectfully submitted,

Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-270
Re: Agreement – LaBella Associates
D.P.C., Genesee Valley Park
Playground Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with LaBella Associates D.P.C., Rochester, New York, for resident project representation (RPR) services related to the Genesee Valley Park Playground Project. The agreement will be funded with Community Development Block Grant (CDBG) funds as appropriated in March 2017 (Ord. No. 2017-69) and have a term of three months after a two-year guarantee period.

The Genesee Valley Park Playground Project encompasses demolition of the existing play equipment, safety surface, pavement, and four shade trees. The project also involves the installation of pre-teen and tot playsets with swings, poured-in-place safety surface with concrete curb edge, paths, five shade trees, six benches on concrete pads, two trash receptacles, four bike racks, an asphalt parking lot with five spaces, porous asphalt pavement, entry gates and boulders.

This project was designed in-house by the Department of Environmental Services' Bureau of Architecture and Engineering. LaBella Associates D.P.C. was selected for RPR services through a request for proposals process, which is described in the attached summary.

Construction will begin in summer 2017 with scheduled completion in fall 2017. This agreement will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren

August 15, 2017

Mayor

Attachment No. AQ-145

Ordinance No. 2017-270
(Int. No. 297)

Authorizing an agreement for resident project representation services for the Genesee Valley Park Playground Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C to provide resident project representation services for the Genesee Valley Park Playground Project. The maximum compensation for the agreement shall be \$50,000 and said amount, or so much thereof as may be necessary, shall be funded from the Community Development Block Grant funds that were appropriated in Ordinance No. 2017-69.

Section 2. The term shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-271
Re: Pavement Width Changes- 321
Post Avenue, Bus Pull-off Lane for
John Walton Spencer School No. 16

Transmitted herewith for your approval is legislation authorizing pavement width changes required for a bus pull-off lane for the Rochester City School District's (RCSD's) John Walton Spencer School No. 16 located at 321 Post Avenue. Post Avenue will be widened by an increase of 9 feet, from 26 feet to 35 feet, beginning at a point 145 feet north of the north property line of Aberdeen Street and extending south for 384 feet to a point 28 feet south of the south property line of Aberdeen Street.

In addition to pavement width changes, this project includes new curbs, new sidewalks along school property, and adjustments to existing utilities in the widening area. The project is being designed by Watts Engineering for the RCSD. This is not a City project, and no City funds will be expended.

No additional right-of-way is required to accommodate the changes in pavement width.

August 15, 2017

The pavement width changes were endorsed at the June 20, 2017 meeting of the Traffic Control Board.

It is anticipated that construction will begin in late summer 2017 with substantial completion by fall 2017. The State Environmental Quality Review Act determination for this project was included as a part of the School Modernization Act and a negative declaration was issued on June 20, 2016.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-146

Ordinance No. 2017-271
(Int. No. 298)

Authorizing pavement width changes for the School Number 16 Bus Pull-off Lane project

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

Section 1. Council hereby approves the following pavement width change related to the installation of a bus pull-off lane adjacent to the School Number 16 at 321 Post Avenue: An increase of 9.04 feet, from 25.71 feet to 34.75 feet, along the west side of Post Avenue, beginning at a point 145 feet north and across the street from the north right-of-way line of the northern strand of Aberdeen Street and extending 383.98 feet south to a point 28.34 feet south and across the street from the south right-of-way line of the southern strand of Aberdeen Street.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-271
(Int. No. 298)

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-272
Re: Marchiselli Aid - 2017 Preventive

August 15, 2017

Maintenance Group 5 Project

Transmitted herewith for your approval is legislation appropriating \$9,000 in anticipated reimbursement from the New York State Marchiselli Aid Program to partially finance the State share of construction costs related to the 2017 Preventive Maintenance Group 5 (Arnett Boulevard/ Genesee Park Boulevard/ Webster Avenue) Project. This legislation maximizes the State funds available for this project.

Construction started in spring 2017 and will be substantially completed in fall 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-272
(Int. No. 299)

Appropriating funds for the 2017 Preventive Maintenance Group 5 (Arnett Blvd/Genesee Park Blvd/Webster Ave) Project

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

Section 1. The Mayor is hereby authorized to accept and use \$9,000 in anticipated reimbursements from the New York State Department of Transportation (NYSDOT) Marchiselli Aid Program, which amount is hereby appropriated to fund a portion of construction and inspection services for the 2017 Preventive Maintenance Group 5 (Arnett Blvd/Genesee Park Blvd/Webster Ave) Project.

Section 2. The Mayor is hereby authorized to enter into any agreement with NYSDOT that is necessary to effectuate the receipt and use of the Marchiselli Aid funds appropriated in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-273
Re: Agreement – Erdman, Anthony and
Associates, Inc., Land Surveying Services

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with Erdman, Anthony and Associates, Inc., Rochester, New York, for surveying services required for planning and design of the City's annual Water Main Extensions and Improvements program, and other surveying needs of the Water Bureau. The agreement will have a term of three years, with the option to extend for two additional, one-year periods, and the cost will be funded from 2017-18 Cash Capital and future years' budgets, contingent upon their approval.

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Erdman, Anthony Associates, Inc. was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-147

Ordinance No. 2017-273
(Int. No. 300)

Authorizing an agreement for the City's annual Water Main Extensions and Improvements 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 in the maximum annual amount of \$40,000 with Erdman, Anthony and Associates, Inc. for planning and design of the City's annual Water Main Extensions and Improvements program and other surveying needs of the Water Bureau. The term of the agreement shall be three years with the option to extend for two additional one year periods. The first year shall be funded from the 2017-2018 Cash Capital and subsequent years from future years' Cash Capital, 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-274
Re: Reimbursement Agreement –
Eastman Kodak Company, 343 State
Street Right of Way Improvements

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for a reimbursement agreement with Eastman Kodak Company for right of way improvements. The cost of the agreement will be financed from 2014-15 Cash Capital and the term will be for one year.

The project includes new curbs, sidewalks, driveway, pavement and drainage improvements in front of 343 State Street. It is anticipated that construction will begin in summer 2017 with scheduled

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completion in fall 2017. The project will result in the creation and/or retention of the equivalent of 0.43 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-148

Ordinance No. 2017-274
(Int. No. 301)

Authorizing a reimbursement agreement for right of way improvements

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 in the maximum amount of \$40,000 with Eastman Kodak Company for improvements to the City right of way. Said amount shall be funded from 2014-15 Cash Capital and the term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-275
Re: Agreement – Center for Employment
Opportunities, Inc., Pilot Community
Lot Mowing Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$8,000 as maximum compensation for an agreement with the Center for Employment Opportunities, Inc. (CEO) to partner with the City on a pilot community lot mowing program. The term of the agreement will be from August 21 through December 31, 2017, and the cost will be funded from the 2017-18 Budget of the Department of Environmental Services.

CEO will provide a work force to implement the lot mowing pilot to provide debris cleaning, mowing, and trimming within an area of City-owned properties. The area is located in the Southwest quadrant,

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bounded by the western City limit on the western side, Chili Avenue on the south, Silver Street on the east, and I-490 on the north.

The City shall provide performance expectations and reviews of the work performed. Work performance shall be reviewed by the same process the City uses to review its contracted mowing program, with visible inspections of each property by a City lot inspector.

CEO will submit invoices to the New York State Department of Corrections and Community Supervision (DOCCS) for payment of the services provided, and the City will reimburse DOCCS for the City's use of the CEO crews.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-275
(Int. No. 302)

Authorizing an agreement with Center for Employment Opportunities, Inc.

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 Center for Employment Opportunities, Inc. to implement a pilot community landscaping and beautification program on City-owned properties located within the Southwest Quadrant. The term of the agreement shall be August 21, 2017 through December 31, 2017. The maximum compensation shall be \$8,000. Said amount shall be funded from the 2017-18 Budget of the Department of Environmental Services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
August 15, 2017

To the Council:

August 15, 2017

The Public Safety, Youth & Recreation Committee recommends for Adoption the following entitled legislation:

- Int. No. 303 Appropriating funds for the Force Science Certification Course
- Int. No. 304 Appropriating funds and authorizing an agreement to support community programs
- Int. No. 305 Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.
- Int. No. 306 Authorizing grant agreements and funding for Rochester Police Department violence prevention and community policing programs
- Int. No. 307 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,600,000 Bonds of said City to finance costs of the replacement of Fire Truck 4, Fire Truck 5 and Hazmat Step Van 2
- Int. No. 308 Adoption of Monroe County Pre-Disaster Mitigation Plan
- Int. No. 309 Appropriating funds for the Smoke Detector Installation Program
- Int. No. 310 Authorizing an agreement with the Center for Teen Empowerment, Inc. related to the Southwest Youth Organizing Project
- Int. No. 311 Authorizing funding and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program
- Int. No. 312 Authorizing an agreement with All Pro Catalyst, LLC ~~All Pro Multimedia, LLC~~ related to the Champion Academy Mentoring and Empowerment Initiative, as amended

Respectfully submitted,

Adam C. McFadden
Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-276
Re: Appropriation of Forfeiture Funds –

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Force Science Certification Course

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$15,000 from federal forfeited funds generated by the Rochester Police Department (RPD) and amending the 2017-18 Budget of the Police Department by this amount.

These funds will support the attendance of ten sworn RPD personnel at the 2017 Force Science Certification Course from September 11 through September 15, 2017 being held in Rochester. Attendees who successfully complete the program will be certified in "Force Science Analysis." This designation attests that the holder has been trained to recognize and articulate important psychological, biological, and physiological factors that can influence human behavior and memory in force encounters and pursuit situations. Each day the course will consist of sessions in which the instructors will identify and explain in detail certain physical and psychological phenomena associated with human behavior and demonstrate how these can impact performance under stress. Furthermore, trainees will receive detailed instruction on analyzing use of police force depicted in video recordings. This will be extremely valuable training since most force used now by RPD is recorded to at least some degree on body-worn cameras.

The appropriations requested this month will result in a balance of approximately \$683,300 in the Federal Forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-149

Ordinance No. 2017-276
(Int. No. 303)

Appropriating funds for the Force Science Certification Course

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

Section 1. 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 \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to fund the attendance of Department personnel at the Force Science Certification Course.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

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TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-277

Re: Appropriation - Federal Forfeiture
Funds for Community Programs

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD). This legislation will:

1. Appropriate \$10,000 in RPD federal forfeiture funds to support community programs as described below, and amend the 2017-18 Budget of the Police Department by said amount.
2. Establish \$6,000 as maximum compensation for an agreement with the Center for Teen Empowerment, Inc. to continue its programs to improve police and youth dialog for engagement and relationship building as a component of RPD's commitment towards community engagement and training. The cost of this agreement will be funded from the 2017-18 Budget of the Police Department and have a term of one year.

RPD will use up to \$3,000 of the funds appropriated herein to support the Police Explorers program for youth interested in policing. The remaining \$1,000 of the amount appropriated herein will be distributed throughout the year to other organizations in accordance with federal requirements and with the knowledge and support of City Council.

The appropriations requested this month will result in a balance of approximately \$683,300 in the Federal Forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-277
(Int. No. 304)

Appropriating funds and authorizing an agreement to support community programs

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

Section 1. 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 \$10,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support community programs.

Section 2. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$6,000 with Center for Teen Empowerment, Inc. to continue its programs to improve police

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and youth dialog for engagement and relationship building. Said amount shall be funded from the appropriation in Section 1 herein and the term of the agreement shall not exceed one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-278
Re: Appropriation - Federal Forfeiture
Funds for Crime Stoppers

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD). This legislation will:

1. Appropriate \$15,000 in RPD federal forfeiture funds to support Crime Stoppers and amend the 2017-18 Budget of the Police Department by said amount.
2. Establish \$15,000 as maximum compensation for an agreement with Rochester Area Crime Stoppers, Inc., an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The cost of this agreement will be funded from the 2017-18 Budget of the Police Department and have a term of one year.

Rochester Area Crime Stoppers, Inc. also publishes the *Fugitive Flyer* to assist local law enforcement in arresting known career criminals.

The appropriations requested this month will result in a balance of approximately \$683,300 in the Federal Forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-278
(Int. No. 305)

Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.

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

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Section 1. 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 \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support Crime Stoppers.

Section 2. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$15,000 with Rochester Area Crime Stoppers, Inc., an organization which solicits anonymous crime tips and provides rewards for tips that result in arrests. Said amount shall be funded from the 2017-18 Budget of the Police Department and the term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8

Nays – None-0

Councilmember Conklin abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-279
Re: Grant Agreements – New York State
Division of Criminal Justice Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two grants described below, and amending the 2017-18 Budget of the Police Department by \$25,000 to reflect these grants.

New York State Senate Grant/Funke, October 1, 2017 – September 30, 2018

This \$10,000 grant, facilitated by Senator Rich Funke, will be used for police overtime details to intensify investigations in the Goodman Section to decrease the incidence of violence in that area. Fringe benefits, in the amount of \$3,268, are not included in this grant.

New York State Senate Grant/Ranzenhofer, October 1, 2017 – September 30, 2018

This award, not to exceed \$15,000, was secured by Senator Michael H. Ranzenhofer to provide overtime for police operational activities including walking beats, bike patrols, anti-violence

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operations, and community policing in the Genesee Section to address and decrease the incidence of violence. Fringe benefits, in the amount of \$4,902, are not included in this grant.

No match is required for these grants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-150

Ordinance No. 2017-279
(Int. No. 306)

Authorizing grant agreements and funding for Rochester Police Department violence prevention and community policing programs

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (DCJS) for receipt and use of funds in the amount of \$10,000 to intensify the Rochester Police Department's investigations in the City's Goodman Section in order to decrease the incidence of violence. The term of the agreement shall be October 1, 2017 through September 30, 2018.

Section 2. The Mayor is hereby authorized to enter into an agreement with the DCJS for receipt and use of funds in the amount of \$15,000 for Police Department operational activities to address and decrease violence in the Department's Genesee Section. The term of the agreement shall be October 1, 2017 through September 30, 2018.

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

Section 4. 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, which amount is hereby appropriated from funds to be received under the grant agreements and for the purposes authorized herein.

Section 5. This ordinance shall take effect immediately

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 8

Nays – Councilmember Conklin – 1

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TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-280
Re: Fire Apparatus Bonding

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,600,000 and the appropriation of proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting and rescue apparatus based upon a combination of use and age. The ladder trucks and hazmat step van are first line apparatus and are currently located at the fire stations. Details about the apparatus are as follows:

| <u>Apparatus</u> | <u>Location</u> | <u>Years Old</u> | <u>No. of Annual Runs</u> |
|------------------|-----------------------|------------------|---------------------------|
| Truck 4 | 977 University Avenue | 10 | 1,100 |
| Truck 5 | 57 Gardiner Avenue | 10 | 2,100 |
| Hazmat 2 | 185 Chestnut Street | 30 | 25 |

The current ladder trucks will replace Fire’s reserve ladder trucks, which will be 20 years old. These older ladder trucks and the current Hazmat 2 vehicle will be eligible for disposal through the Purchasing Bureau’s surplus process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-280
(Int. No. 307)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,600,000 Bonds of said City to finance costs of the replacement of Fire Truck 4, Fire Truck 5 and Hazmat Step Van 2

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the replacement of Fire Truck 4 (University Avenue Station), Fire Truck 5 (Gardiner Avenue Station) and Hazmat Step Van 2 (Chestnut Street Station, collectively the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,600,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the

City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,600,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,600,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 27. of the Law, is twenty (20) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-281
Re: Monroe County Pre-Disaster
Mitigation Plan

Transmitted herewith for your approval is a resolution adopting the Monroe County Pre-Disaster Mitigation Plan. The plan is required to be in place by all communities in order to be eligible for federal funds for hazard prevention. The plan was developed and initially adopted in 2004 through the collaborative efforts of the City of Rochester, County of Monroe, 19 towns and 10 villages within the County, their authorities, Cornell Cooperative Extension, American Red Cross and Rochester Gas and Electric. City Council approval and adoption of the Monroe County Pre-Disaster Mitigation Plan is required by the Federal Emergency Management Agency and is annexed to the City of Rochester Comprehensive Emergency Preparedness Plan. The last updated adoption was in 2012 via Ordinance No. 2012-51.

The Disaster Mitigation Act of 2000 established a requirement that all local governments have an All-Hazard Mitigation Plan to be eligible to receive Hazard Mitigation Grant Program Funding. The first plan was adopted on November 1, 2004 (Ord. No. 2004-412). The plan must be reviewed and updated every five years by all 21 participating jurisdictions who have agreed that a single, comprehensive, all-inclusive plan would best serve our communities.

The plan is designed to reduce or eliminate losses from natural, human or technological hazards. This is done through a comprehensive hazard and risk assessment process based on the possibility, the probability and actual disaster experience.

The requirement for a public hearing was satisfied for all involved municipalities on May 9, 2017 during a meeting of the Monroe County Legislature. A copy of the plan is available for review in the Office of the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-281
(Int. No. 308)

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Adoption of Monroe County Pre-Disaster Mitigation Plan

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

Section 1. In accordance with the Federal Disaster Mitigation Act of 2000, the Council hereby approves and adopts the amended Monroe County Pre-Disaster Mitigation Plan.

Section 2. The County Executive, or her designee, is hereby authorized and directed to submit the amended Monroe County Pre-Disaster Mitigation Plan to the New York State Division of Homeland Security and Emergency Services and the Federal Emergency Management Agency (FEMA).

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-282

Re: Smoke Detector Installation Program

Transmitted herewith for your approval is legislation appropriating \$55,000 in 2017-18 Consolidated Community Development Plan-Annual Action Plan, General Community Needs Allocation for the purchase of smoke and carbon monoxide detectors and replacement batteries.

The Fire Department provides and installs free smoke and carbon monoxide detectors to low and moderate income families living in residential properties. The department coordinates and implements fire prevention and education programs to reach at-risk target populations. In 2016-17, the Smoke Detector Installation Program completed 13,261 detector checks and installed 892 smoke and 550 carbon monoxide detectors in residential properties throughout the city. The department's detector checks found a compliance rate of 86% of city residences having working smoke and carbon monoxide detectors.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-282
(Int. No. 309)

Appropriating funds for the Smoke Detector Installation Program

August 15, 2017

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

Section 1. The sum of \$55,000 is hereby appropriated from the Fire Department Small Equipment project of the 2017-18 Consolidated Community Development Plan/ Annual Action Plan to fund the purchase of smoke and carbon monoxide detectors and replacement batteries for the Rochester Fire Department to install in the residences of low and moderate income families.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-283
Re: Agreement - Center for Teen
Empowerment, Inc., Southwest
Youth Organizing Project

Council Priority: Public Safety; Support the
Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with the Center for Teen Empowerment, Inc. for the Southwest Youth Organizing Project. The term of the agreement will be for the remainder of this fiscal year and will be funded from the 2017-18 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of future budgets.

The Center for Teen Empowerment will hire 10 youth from the southwest area of the city to implement youth initiatives, including activities and events for youth, to improve the community in the southwest area. The goal of this project is to build strong relationships and ties within the southwest community between youth, businesses, existing agencies and neighborhood adults to create positive change.

The project will involve more than 200 youth participants in positive change activities in the southwest by connecting them to available youth resources in their neighborhoods and throughout the city; building relationships among the youth to help prevent and/or resolve street conflicts; fostering leadership skills; and increasing civic engagement.

The most recent agreement for these services was approved by Council in June 2016 via Ordinance No. 2016-249.

Respectfully submitted,
Lovely A. Warren
Mayor
Ordinance No. 2017-283
(Int. No. 310)

Authorizing an agreement with the Center for Teen Empowerment, Inc. related to the Southwest Youth Organizing Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Center for Teen Empowerment, Inc. for the Southwest Youth Organizing Project. The sum of \$25,000 is hereby established as maximum compensation to be paid under the agreement, funded from the 2017-18 Budget of Undistributed Expenses. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year with two one-year renewal options with a maximum annual compensation of \$25,000, 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-284
Re: Amendment– Comprehensive
Adolescent Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant. This legislation will:

1. Authorize an amendatory agreement with the New York State Department of Health (DOH) for the receipt and use of \$50,826 in additional funding for a cost of living adjustment (COLA) for the 2017 CAPP Program.
2. Authorize amendatory agreements with the following CAPP service providers to provide a COLA to their grant staff wages and purchase additional program supplies:

| <u>Agency</u> | <u>Original Agreement Ord. No. 2016-382</u> | <u>COLA Increase</u> | <u>New Total</u> |
|---|---|----------------------|------------------|
| Baden Street Settlement, Inc./Metro Council for Teen Potential (MCTP) | \$63,542 | \$5,000 | \$68,542 |
| Highland Family Planning | \$46,470 | \$5,000 | \$51,470 |
| Society for the Protection and Care of Children | \$54,461 | \$5,000 | \$59,461 |
| YWCA of Rochester and Monroe County, N.Y. | \$50,559 | \$5,000 | \$55,559 |

3. Establish \$16,825 as maximum compensation for an additional amendatory agreement with Baden Street Settlement, Inc./MCTP to coordinate *Family Talk*, CAPP's Parent Education program, increasing total compensation from \$63,542 (Ord. No. 2016-382) to \$85,367.

The remaining \$30,826 COLA funds will be utilized by the City for operation of the CAPP program. A portion will be used to reimburse City personnel costs (\$3,375) and was anticipated and included in the 2017-18 Budget of the Department of Recreation and Youth Services. The remaining \$27,451 will be included in the City's Teenage Pregnancy Prevention Special Revenue Fund for non-personnel costs, including office supplies (\$727), professional development (\$9,095), two youth events (\$2,700), program supplies (\$11,929), college tours (\$2,000), and parent engagement activities (\$1,000).

The City of Rochester is currently in the first year of a five-year DOH CAPP program, initially authorized in November 2016 via Ordinance No. 2016-382. On June 13, 2017, the City was notified that the DOH authorized a COLA for the CAPP program based upon a Congressional Budget Office calculation for the State fiscal year 2017-18, resulting in an additional \$50,826.

The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas by implementing programs using evidence-based curriculum in Rochester City School District middle and high schools; reducing adolescent pregnancy rates in the City of Rochester; and improving high school graduation rates in the City of Rochester. The program, to be locally promoted as RISE (Reach Inside, Strive for Excellence), will serve a total of 900 unduplicated youth and 200 parents each year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-284
(Int. No. 311)

Authorizing funding and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health (DOH) to increase by \$50,826 in cost of living adjustment (COLA) funds to a new total of \$667,642 the DOH funds authorized to be received and used for the calendar year 2017 program period for the Comprehensive Adolescent Pregnancy Prevention Program (Program), which was authorized by Ordinance No. 2016-382.

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations providing Program services to increase the maximum compensation for the agreements authorized in Ordinance No. 2016-382 and as amended in Ordinance No. 2017-22 as follows:

August 15, 2017

| Organization | Previously Authorized | COLA Increase | Total |
|---|------------------------------|----------------------|--------------|
| Baden St. Settlement, Inc./Metro Council for Teen Potential | \$63,542 | \$5,000 | \$68,542 |
| Highland Family Planning | \$46,470 | \$5,000 | \$51,470 |
| Society for the Protection and Care of Children | \$54,461 | \$5,000 | \$59,461 |
| YWCA of Rochester and Monroe County, N.Y. | \$50,559 | \$5,000 | \$55,559 |

and \$20,000 is hereby appropriated for the COLA Increase from the funds received pursuant to the amendatory agreement with DOH authorized in Section 1.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Baden St. Settlement, Inc./Metro Council for Teen Potential (MCTP) to increase the maximum compensation for the CAPP service agreement authorized in Ordinance No. 2016-382, as amended in Ordinance No. 2017-22 and by Section 2 herein, to increase the maximum compensation by \$16,825 to a new total of \$85,367 and for MCTP to coordinate the CAPP parent education program. To fund the amendatory amount, the Council hereby appropriates \$16,825, or so much thereof as may be necessary, from the DOH CAPP funds authorized in Ordinance No. 2016-382.

Section 4. Grant funds received pursuant to Section 1 are hereby appropriated in the amount of \$27,451 to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel costs to operate the Program.

Section 5. The amendatory grant agreement and provider agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-285
Re: Agreement - All Pro Multimedia, LLC,
Youth Mentoring and
Empowerment Initiative

Council Priority: Support the Creation of
Effective Educational Systems

August 15, 2017

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with All Pro Multimedia, LLC (Principal: Roland Williams) for its Champion Academy Mentoring and Empowerment Initiative. The term of the agreement will be for the remainder of this fiscal year and will be funded from the 2017-18 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of the future budgets.

The Champion Academy Mentoring and Empowerment Initiative will provide a two-week summer academy to 300 Rochester youth, ages 11 to 18, which focuses on life skills development, healthy behaviors, sportsmanship, and academic performance. Upon completion of the summer academy, participants will have the opportunity to participate in monthly interactive and educational workshops, community service projects, leadership training, and mentorship.

All Pro Multimedia, LLC and the Champion Academy Mentoring and Empowerment Initiative were created and are led by Roland Williams, a city of Rochester native who has gone on to become a Super Bowl Champion, ESPN and CBS Sports Analyst, Syracuse University graduate and award-winning Performance Coach. All Pro Multimedia was selected through a request for proposals process as described in the attached summary.

The most recent agreement for this service was approved by Council in June 2016 via Ordinance No. 2016-250.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ- 151

Ordinance No. 2017-285
(Int. No. 312, as amended)

Authorizing an agreement with All Pro Catalyst, LLC ~~All Pro Multimedia, LLC~~ related to the Champion Academy Mentoring and Empowerment Initiative

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 All Pro Catalyst, LLC, a California Limited Liability Company, ~~All Pro Multimedia, LLC~~ related to the Champion Academy Mentoring and Empowerment Initiative. The sum of \$25,000 is hereby established as maximum compensation under the agreement, funded from the 2017-18 Budget of Undistributed Expenses. The term of the agreement shall be for the remainder of the 2017-18 Fiscal Year with two one-year renewal options with a maximum annual compensation of \$25,000, 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.

August 15, 2017

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

The meeting was adjourned at 8:01 p.m.

HAZEL L. WASHINGTON
City Clerk