

ROCHESTER CITY COUNCIL

REGULAR MEETING

October 17, 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:

DHRM

Philip F. LaPorta

RPD:

*Thomas W. Walton

RPL:

Marcia Thor

RFD:

Ernest S. Flagler-Mitchell

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of September 19, 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 – 4271-17

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. No. 361, Councilmember Haag on Int. No. 364 and Int. No. 382, and Councilmember Spaul on Int. No. 360.

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

Councilmember Spaul presented 11 statements in opposition of the Rochester Management plans for Cobbs Hill – Petition No. 1747

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Conklin
October 17, 2017

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

- | | |
|--------------|---|
| Int. No. 359 | Resolution establishing a Fund Balance Policy, <u>as amended</u> |
| Int. No. 360 | Authorizing an extension of an agreement for the operation of the South Avenue Garage |
| Int. No. 361 | Authorizing an agreement for the Local Government Records Management Improvement Fund grant |

The Finance Committee recommends for Consideration the following entitled legislation:

- | | |
|--------------|--|
| Int. No. 362 | Local Law amending the City Charter to establish the Rochester Traffic Violations Agency |
|--------------|--|

Respectfully submitted,

Carolee A. Conklin
Molly Clifford
Adam C. McFadden
Dana K. Miller
Loretta C. Scott

FINANCE COMMITTEE

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WHEREAS, the level of fund balance is a significant factor in the determination of the City’s credit ratings;
and

WHEREAS, the City’s credit ratings are a major determinant of the City’s ability to borrow and the level of interest expense and debt service the City incurs.

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

Section 1. The City will maintain a level of unrestricted fund balance in the general fund (fund balance that is committed, assigned or unassigned) that is no less than ~~two months~~ twelve and one-half percent of average annual projected general fund expenditures in the same fiscal year.

Section 2. Consistent with current practice, fund balance may be used to offset budgetary gaps, for certain planned expenditures, such as pension amortization payment and capital expenditures, and for unforeseen emergency funding requirements.

Section 3. In the event that the unrestricted fund balance falls below the minimum amount required by this policy, the City shall develop and implement a plan that increases the fund balance back to the required minimum level as soon as practicable and no later than within three years.

Section 4. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-321
Re: Amendatory Agreement - Rochester
Convention Center Management
Corporation, South Avenue Parking
Garage

Transmitted herewith for your approval is legislation authorizing an extension to the agreement with the Rochester Convention Center Management Corporation for operation of the South Avenue Parking Garage. The agreement was reauthorized for two years in July 2015 by Ordinance No. 2015-222. This legislation will extend the term of the agreement from July 1, 2017 to December 31, 2019. All other terms and conditions will remain the same, including a monthly payment to the City Parking Enterprise Fund of 15% of the gross revenue from the garage. The Rochester Convention Center Management Corporation will continue to be responsible for all expenses related to the operation of the garage including, but not limited to, security, customer service, utilities, cleaning, and repairs costing \$5,000 or less. Repairs in excess of \$5,000 must first be approved in writing by City staff.

The South Avenue Garage provides essential parking resources for the Joseph A. Floreano Rochester Riverside Convention Center and Hyatt Hotel. The requested agreement extension would continue the established rights and responsibilities of all parties.

The estimated annual revenue to the Parking Enterprise Fund from this agreement is \$200,000.

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Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-165

Ordinance No. 2017-321
(Int. No. 360)

Authorizing an extension of an agreement for the operation of the South Avenue Garage

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester Convention Center Management Corporation to amend the agreement for the operation of the South Avenue Garage that was authorized by Ordinance No. 2013-219 and extended by Ordinance No. 2015-222 so as to extend the agreement's term from July 1, 2017 to December 31, 2019. The Rochester Convention Center Management Corporation shall be responsible for all operating expenses relating to the Garage. All other agreement terms and conditions shall remain the same.

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

Section 3. This ordinance shall take effect immediately.

Passed 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:

Ordinance No. 2017-322
Re: Agreement - New York State Archives,
Demonstration Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Archives for the receipt and use of a \$200,000 Local Government Records Management Improvement Fund (LGRMIF) grant to continue implementation of an Enterprise Content

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Management Solution and amending the 2017-18 Budget of the Information Technology Department (ITD) to reflect receipt of the grant.

These funds will be used to complete the next phase of an Enterprise Content Management Solution that will automate document management processes of the Police Department, Department of Environmental Services' office of Maps and Surveys, and Department of Human Resource Management. After this phase is completed, ITD will address other City opportunities for integrating best practices, standards, regulations, the State Retention Schedule MU-1, and security.

It is anticipated that the phases related to the grant will be completed by June 30, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-322
(Int. No. 361)

Authorizing an agreement for the Local Government Records Management Improvement Fund grant

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Archives for receipt and use of \$200,000 from the Local Government Records Management Improvement Fund grant to continue implementation of an Enterprise Content Management Solution. The agreement shall terminate on June 30, 2018.

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

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Information Technology by the sum of \$200,000 received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 3
Re: Charter Amendment - Establish City
Traffic Violations Agency

Transmitted herewith for your approval is legislation amending the City Charter to establish a City Traffic Violations Agency (Agency) to adjudicate traffic violations. In June 2017, City Council joined with the Mayor's Office to

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present a Home Rule Message to the New York State Legislature in support of a bill that amends the State Vehicle and Traffic Law to authorize the City to establish the Agency (Res. No. 2017-14). The State Legislature approved the bill and it was signed into law on July 25 as Chapter 157 of the Laws of 2017 (State Law).

Currently, traffic violations that occur in the city must go before a State Traffic Violations Bureau (State Bureau) within the Department of Motor Vehicles, while each town has jurisdiction over the traffic violations that occur within its boundaries. Town courts may accept plea bargains that allow for reducing a charged infraction to a lesser offense. However, State rules prohibit the State Bureau from accepting plea bargains.

Without the plea bargain option, city residents face higher fines, higher points and, consequently, higher insurance premiums than those faced by drivers living outside the city for the same infractions. The Agency will eliminate this discrepancy by allowing the City of Rochester to run its own traffic violations system.

State Law authorizes the Agency to commence operations on or after April 21, 2018, provided that the City has enacted a local law establishing the Agency. This Charter amendment fulfills that requirement in accordance with the terms of the State Law. After enactment of the local law, the City can begin hiring the judicial hearing officers, prosecutors and staff to process and adjudicate traffic tickets.

In August 2017, Council authorized a lease and funding for the Agency's office space via Ordinance NO. 2017-263. It is anticipated that the costs of hiring the necessary employees and of administering the Agency will be more than offset by the collection of ticket revenues. For example, the City of Buffalo, which has been operating its traffic violations bureau since July 1, 2015, pursuant to similar State legislation, generated a net revenue increase of more than \$2 million annually.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-166

Local Law No. 3
(Int. No. 362)

Local Law amending the City Charter to establish the Rochester Traffic Violations Agency

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by inserting the following provisions at the end of Article VI, Department of Finance, in order to establish the Rochester Traffic Violations Agency in accordance with Chapter 157 of the Laws of 2017, which was enacted pursuant to the Home Rule Message of the City of Rochester in Resolution No. 2017-14:

Part J. Rochester Traffic Violations Agency

§ 6-141 Traffic Violations Agency established.

There shall be a bureau within the Department of Finance known as the Traffic Violations Agency which shall operate under the direction and control of the Mayor. The Traffic Violations Agency shall assist the Rochester City Court in the disposition and administration of infractions of traffic laws, ordinances, rules and regulations, except that said Agency shall not have jurisdiction over those matters which are specifically excluded by subdivision 2-b of section 371 of the General Municipal Law of the State of New York. The Agency shall be subject to the provisions of article fourteen-B of the General Municipal Law

§ 6-142 Agency officials.

A. Executive Director.

The Agency shall be headed by an Executive Director, appointed by the Mayor and who shall serve at the pleasure of the Mayor.

- (1) The Executive Director shall be responsible for the oversight and administration of the Agency.
- (2) The Executive Director shall not appear in any capacity in any part of the City Court on any matter relating to traffic violations and shall be further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic violations.
- (3) The Executive Director may establish such rules, regulations, procedures and forms as he or she may deem necessary to carry out the functions of the Agency pursuant to article 14-B of the General Municipal Law, and the collection of delinquent fines.
- (4) The Executive Director shall issue on an annual basis, beginning eighteen (18) months following the creation of the Agency pursuant to local law, a report detailing the progress, development and operations of the Agency. The report shall be provided to the Governor, the Temporary President of the Senate, the Speaker of the Assembly, the Mayor, the City Council, the Presiding Judge of the Rochester City Court and the Monroe County District Attorney.

B. Traffic Prosecutor.

The Executive Director of the Agency shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York State, for the prosecution of any traffic infraction within the Agency's lawful jurisdiction to be heard, tried, or otherwise disposed of by the Rochester City Court. Such persons shall be known as "Traffic Prosecutors," as that term is defined in section 370-a of the General Municipal Law and shall be subject to the provisions of section 374-b of the General Municipal Law. Traffic Prosecutors are prohibited from appearing in any capacity, other than as a Traffic Prosecutor, in any part of the Rochester City Court on any matter relating to traffic violations.

§ 6-143 Agency procedures.

- A. A person charged with an infraction that shall be disposed of by the Agency may be permitted to answer, within a time specified by the Agency, either in person at the Agency or by written power of attorney in such form as prescribed herein, by paying the applicable fine and, in writing, waiving a hearing in court, pleading guilty to the charge or a lesser charge agreeable to the Traffic Prosecutor and the person charged with an infraction and authorizing the Executive Director or his or her designee to enter such a plea and accept

payment of said fine. Acceptance of the prescribed fine and power of attorney by the Agency shall be deemed complete satisfaction for the violation, and the violator shall be given a receipt which so states.

- B. If a person charged with an infraction does not answer within the time specified by the Agency as set forth in subdivision A of this section, the Agency may cause a complaint to be entered against him forthwith and warrant to be issued for his arrest and appearance before the City Court, such summons to be predicated upon the personal service of said summons upon the person charged with the infraction.
- C. Any person who shall have been, within the preceding twelve (12) months, guilty of three (3) or more infractions, shall not be permitted to appear and answer to a subsequent violation at the Agency, but must appear in City Court at a time specified by the Agency.
- D. The Agency shall not be authorized to deprive a person of his right to counsel or to prevent a person from exercising his or her right to appear and to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.
- E. The power of attorney referred to in subdivision A of this section shall be in the following form:

"POWER OF ATTORNEY: The undersigned pleads guilty to the charge noted herein and enclosed herewith is the sum of \$_____ cash, check or money order to pay the necessary fine (circle the one used).

I hereby appoint the Executive Director or any designated employee of the Traffic Violations Agency as my attorney-in-fact to appear for me in said Agency, to waive a hearing on such violation(s), to enter a plea of guilty on my behalf and to pay the fine.

PRINT NAME _____

SIGNATURE _____”

§ 6-144 Judicial Hearing Officers.

Subject to the provisions of section 1690 of the Vehicle and Traffic Law of the State of New York and notwithstanding any other provision of law, where the trial of a traffic infraction is authorized or required to be tried before the City Court, and such traffic infraction does not constitute a misdemeanor, felony, or any parking, stopping, standing or pedestrian offense, or any infraction excluded by subdivision 1-b of Section 1690 of the Vehicle and Traffic Law, the Administrative Judge of the Seventh Judicial District may without the consent of the parties assign judicial hearing officers to conduct such a trial.

§ 6-145 Distribution of funds.

Subject to the provisions of section 371 of the General Municipal Law, and notwithstanding any inconsistent provision of law, the fines, penalties and forfeitures collected by the Agency shall be distributed as provided in subdivision 4-b of section 371 of the General Municipal Law.

§ 6-146 Applicability of this part.

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Notwithstanding that the Agency is authorized to commence operations not sooner than two hundred seventy days after July 25, 2017, the provisions of this part shall apply to all actions on or after the effective date of this part and to all actions otherwise taken heretofore related to the establishment, maintenance and operation of the Agency. Insofar as the provisions of this part are inconsistent with the provisions of any other local law or act, the provisions of this part shall be controlling.

§ 6-147 Severability of provisions.

If any clause, sentence, paragraph, subdivision, section or provision of this part or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this part, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall have been rendered. It is hereby declared to be the intent of the City Council that this part would have been enacted even if such invalid provisions had not been included herein.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, provided that the City shall comply with all the provisions of the law set forth in Chapter 157 of the Laws of 2017 and further, that the Corporation Counsel shall notify New York State's Legislative Bill Drafting Commission of its enactment so that the Commission may maintain an accurate and timely effective data base of the official text of the laws of the State of New York in furtherance of effectuating the provisions of section 44 of the Legislative Law and section 70-b of the Public Officers Law.

Passed unanimously.

By Vice President Miller
October 17, 2017

To the Council:

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

Int. No. 364 Authorizing an agreement for business assistance services, as amended

The following entitled legislation is being held in committee:

Int. No. 363 Authorizing an agreement with Greater Rochester Enterprise, Inc. for economic development services

Respectfully submitted,
Dana K. Miller

October 17, 2017

Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Vice President Miller moved that Int. No. 363 be discharged from Committee.

Councilmember Spaul seconded the motion.

The motion was adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-323
Re: Agreement - Greater Rochester
Enterprise, Inc., Economic Development
Services

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with the Greater Rochester Enterprise, Inc. (GRE) for services related to business attraction and retention in the City of Rochester. The term of the agreement will be for one year and the cost will be funded from the Fund for the City's Future (\$34,000) and the 2017-18 Budget of the Department of Neighborhood and Business Development (\$6,000).

The last agreement with GRE was for six months, from January through June 2017 (Ord. No. 2016-397). During that time, GRE worked with 11 organizations who considered locating to and/or expanding in the city of Rochester, as described in the attached summary.

Efforts continue to attract businesses to the Eastman Business Park and other sites found within this community. GRE collaborates with government leaders, businesses, universities, and not-for-profit organizations through a team approach to economic development in the city and the Greater Rochester/Finger Lakes region. GRE acts as an ambassador to promote the city, and to connect businesses to city resources.

Terms of the agreement include the following goals:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the city of Rochester.
- Deliver at least 15 out-of-region business attraction opportunities that include sites located within the city of Rochester, especially the City's Science and Industrial parks.
- Include and actively promote the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester/ Finger Lakes region, including www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations.

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- A closer collaboration for business retention which will include meetings with existing employers and the provision of comprehensive data analysis to identify the potential loss and/or expansion of businesses currently located in the city of Rochester.
- GRE will assist the City of Rochester with activities designed to increase business retention, expansion, and the acceleration of startup businesses. This involves collaboration with colleges and universities, High Tech Rochester and others to promote the city as an outstanding entrepreneurial location. The focus of this effort may begin with companies headquartered out of the region or other large employers, as agreed to by the City of Rochester and GRE.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-167

Ordinance No. 2017-323
(Int. No. 363)

Authorizing an agreement with Greater Rochester Enterprise, Inc. for economic development services

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

Section 1. The Mayor is hereby authorized to enter the City into a professional services agreement with Greater Rochester Enterprise, Inc. to provide economic development services for attracting and retaining businesses in the City of Rochester. The sum of \$40,000 is hereby established as maximum compensation for the agreement and said amount, or so much thereof as may be necessary, shall be funded in the amounts of \$34,000 from the Fund for the City's Future and \$6,000 from the 2017-18 Budget of Neighborhood and Business Development.

Section 2. The term of such agreement shall be November 1, 2017 through October 31, 2018.

Section 3. The agreement shall contain such other 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. 2017-324
Re: Agreement - High Tech Rochester Inc.,
Economic Development Services
Council Priority: Jobs and Economic
Development

October 17, 2017

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with High Tech Rochester Inc. (HTR) for services related to assisting businesses within the city of Rochester. The term of agreement will be eight months, beginning November 1, 2017 and ending June 30, 2018, and the cost will be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development. HTR is a non-profit organization whose mission is to be a catalyst for entrepreneurship and innovation-based economic development. This is accomplished by applying business expertise and network connections to assist in the formation and growth of business in the Greater Rochester/Finger Lakes region. HTR provides assistance through technology commercialization for early stage organizations, business incubation for high growth potential startups, and access to venture capital for high technology. They also provide services to existing manufacturing companies.

Terms of the agreement will include the following expectations, among others:

- Work with Rochester businesses to retain 20 positions, create 15, and produce a minimum \$2 million investment.
- Host two collaborative business outreach events for entrepreneurs where City programs, services and opportunities to grow within the city of Rochester may be presented.
- Serve 20 manufacturing companies located in the city through HTR's Manufacturing Extension Partnership program.

The most recent annual agreement with HTR was authorized on July 12, 2016 via Ordinance No. 2016-227.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-324
(Int. No. 364, as amended)

Authorizing an agreement for business assistance services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with High Tech Rochester Inc. to provide services related to assisting businesses within the City of Rochester ~~from November 1, 2017 to June 30, 2018~~ for a term of one year. The maximum compensation for the agreement shall be \$20,000 which shall be funded from the 2017-18 Budget of Neighborhood and Business Development.

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.

Strikeout indicates deleted text, new text is underlined.
Passed by the following vote:

October 17, 2017

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

Nays – None- 0

Councilmember Haag abstained due to a professional relationship.

By Councilmember Ortiz
October 17, 2017

To the Council:

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

- | | |
|--------------|--|
| Int. No. 365 | Authorizing the sale of real estate, <u>as amended</u> |
| Int. No. 368 | Authorizing an agreement to update and enhance a three dimensional model of Downtown Rochester |
| Int. No. 369 | Amending Ordinance No. 2016-102 relating to the Lead Hazard Control Grant Program |
| Int. No. 370 | Accepting the City's Draft Local Waterfront Revitalization Program amendment as complete and ready for 60-day regulatory review and authorizing submission of the accepted Local Waterfront Revitalization Program to the New York State Department of State |
| Int. No. 371 | Amending Chapter 112 of the Municipal Code to be consistent with the updated Local Waterfront Revitalization Program, <u>as amended</u> |
| Int. No. 372 | Authorizing an amendatory agreement for training on the redesigned nuisance abatement program |

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

- | | |
|--------------|--|
| Int. No. 366 | Amending the Zoning Map for 1715, 1727, 1735, 1741 and 1749 Lyell Avenue |
| Int. No. 367 | Local Law amending the City Charter and correcting and clarifying Local Law 2-2017 with respect to the organization of the Department of Neighborhood and Business Development |

Respectfully submitted,
Jacklyn Ortiz

October 17, 2017

Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-325
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of eight 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 four properties are vacant lots sold by negotiated sale to the adjacent owners. The buyer of the first property will install a nine spot parking lot and driveway with drainage, curbing and paving as well as fencing and landscaping. The other three purchasers will combine the lots with their existing properties and utilize them as green space.

The next four properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties, with the exception of 4 Orange Street, which was sold for \$50.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,962.

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-168

Ordinance No. 2017-325
(Int. No. 365, as amended)

Authorizing the sale of real estate

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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
1296 Clifford Ave	106.35-1-74	46 x 118	5428	\$450	Chet Hamann
278 Emerson St	105.42-1-50	40 x 102	3953	\$425	Marie Drury/Cindy Shepardson
66 Scrantom St	106.38-1-63	40 x 128	5174	\$450	Edwin Rivera
99-101 Scrantom St	106.38-3-10.2	75 x 100	6560	\$475	Howard DaCosta

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

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
26-28 Farbridge St	091.71-4-40	35 x 117	4048	Rosa C. Laguer
206 Turpin St	091.66-3-30	35 x 96	3386	Pauline S. Smith
39 Weld St	106.73-1-4	34 x 141	5068	Florentino Zuniga Tovar

Section 3. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$50.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
4 Orange St	105.84-1-46	40 x 40	1600	David C Rucci

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

Section 5. The entry for the second property on the list of parcels of vacant land authorized in Ordinance No. 2017-294 to be sold to Charles Settlement House, Inc. or an affiliate is hereby revised to read as follows:

235 Whitney Street 105.74-2-29.001 77' x 253' 2,100

Section 6. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-326
Re: Zoning Map Amendment - 1715, 1727,
1735, 1741, and 1749 Lyell Avenue

Council Priority: Jobs and Economic
Development

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Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties 1715, 1727, 1735, 1741, and 1749 Lyell Avenue from C-2 Community Center District to M-1 Industrial District to better align the zoning district with the existing uses. Prior to a rezoning in 1995, the above properties were in a Manufacturing Zoning District (based on the 1975 Zoning Code).

Andy Melia, who owns 1727 and 1735 Lyell Avenue, is initiating this rezoning request. Mr. Melia also owns the adjacent property at 325 Grenville Road. Mr. Melia has a thriving lawnmower sales, rental and repair operation. He wants to expand his business (building and parking), and would like to combine all three of his properties into a single parcel, but these properties cannot be combined until they are in the same zoning district. If this rezoning is approved, the proposed business and parking expansion may also require Site Plan Review. The other three property owners included in this rezoning are also in support of the request, since the uses on their properties would benefit from being zoned M-1 Industrial District. The property uses are listed below:

- 1715 Lyell Avenue: Auto Body Repair and Used Car Sales
- 1727 Lyell Avenue: Small Engine Repair and Sales
- 1735 Lyell Avenue: Vacant (proposed parking for 1727 Lyell Avenue)
- 1741 Lyell Avenue: Parking for 1749 Lyell Avenue
- 1749 Lyell Avenue: Offices

The Planning Commission held an informational meeting on September 11, 2017, the minutes of which are attached. Two people spoke in support of the rezoning; no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-169
Ordinance No. 2017-326
(Int. No. 366)

Amending the Zoning Map for 1715, 1727, 1735, 1741 and 1749 Lyell 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 Map’s classification of the following properties from C-2 Community Center District to M-1 Industrial District:

Address	SBL #
1715 Lyell Avenue	104.68-1-54
1727 Lyell Avenue	104.68-1-64

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1735 Lyell Avenue	104.68-1-65
1741 Lyell Avenue	104.68-1-67
1749 Lyell Avenue	104.68-1-66.1

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

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 4
Re: Correction to Charter and Code
Amendments

Transmitted herewith for your approval is legislation revising the amendments to the City of Rochester Charter and Code which were adopted by City Council in June 2017 as Local Law No. 2-2017 regarding the Department of Neighborhood and Business Development (NBD) reorganization. These revisions are necessary to correct three minor errors that occurred during the final edits of that legislation relating to job and bureau titles.

The title of Director of Planning is corrected in the second instance, changing it from Director to Manager. The word “development” is struck from the title, Comprehensive Plan, and the name of the Bureau of Buildings and Zoning is properly inserted where the Bureau of Inspection and Compliance Services inadvertently remained.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 4
(Int. No. 367)

Local Law amending the City Charter and correcting and clarifying Local Law 2-2017 with respect to the organization of the Department of Neighborhood and Business Development

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending the following provisions of Article X, Department of Neighborhood and Business Development to correct and be consistent with the amendments enacted in Local Law 2-2017:

§ 10-4 Division of Planning.

B. The Division of Planning shall conduct and coordinate the City's physical, environmental and

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transportation planning. The Manager of Planning shall undertake studies of the physical, economic and social factors relevant to the well-being of the City. The ~~Director~~ Manager shall be responsible for preparing and maintaining a Comprehensive Development Plan for the City; reviewing the conformity of municipal and private proposals to the City's development objectives; collecting, cataloging and analyzing data on demographic, economic and physical characteristics of the City; and coordinating the City's planning programs with those of the Genesee/Finger Lakes Regional Planning Council, the Monroe County Department of Planning and the Genesee Transportation Council.

§ 10-8 Issuance of appearance tickets.

State-certified Code Enforcement Officers in the Bureau of Buildings and Zoning or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Streets Code, Refuse and Sanitation Codes, Property Conservation Code, Zoning Code, Fire Prevention Code, Building Code, Electrical Code, Elevator Code, and Plumbing Code and any other laws and ordinances enforced by the Department of Neighborhood and Business Development over which the Municipal Code Violations Bureau has jurisdiction, including violations of the New York State Uniform Fire Prevention and Building Code. Code Enforcement Inspectors in the Bureau of ~~Inspection and Compliance Services~~ Buildings and Zoning or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Refuse and Sanitation Codes, and Property Conservation Code. Neighborhood Service Centers Administrators are further authorized to issue appearance tickets for violations of the Noise Code.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-327
Re: Agreement - Bergmann Associates,
Architects, Engineers, Landscape
Architects & Surveyors, D.P.C.,
Downtown 3D Model

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, to update and enhance a three dimensional (3D) model of downtown Rochester and a segment of the Genesee riverfront. The term of this agreement will be six months and the cost will be funded from 2016-17 Cash Capital.

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Bergmann previously developed a 3D model for the City of Rochester in 2013. This project entails updating that model to reflect the changes to buildings, streets, and public spaces which have occurred since that time. Bergmann will also include simulations of future projects that are either proposed or envisioned for parts of downtown and the riverfront. A series of custom perspectives and “fly-through” videos will be developed to support various initiatives that will benefit from the model, such as the development of the City’s Comprehensive Plan, promotion of certain current and future site plans for downtown and the Genesee riverfront, and solicitation of support for future downtown and riverfront projects.

Since Bergmann developed the original 3D model of downtown, updating the product and adding future projects will take significantly less time than utilizing a different vendor to develop a model from scratch. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-170

Ordinance No. 2017-327
(Int. No. 368)

Authorizing an agreement to update and enhance a three dimensional model of Downtown Rochester

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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to update and enhance a three dimensional (3D) model of Downtown Rochester and a segment of the Genesee Riverfront. The maximum compensation for the agreement shall be \$15,000 which shall be funded from 2016-17 Cash Capital. The term of the agreement shall be six months.

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. 2017-328
Re: Amending Ordinance No. 2016-102 -
Lead Hazard Control Grant

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

October 17, 2017

Transmitted herewith for your approval is legislation amending Ordinance No. 2016-102, which authorized the 2016 Lead Hazard Control grant. This amendment will allow City staff to receive lead hazard control training under the terms of an existing agreement with Environmental Education Associates. Under that agreement, only contractors and property owners are eligible for training, excluding City staff.

Five staff that currently oversee the lead hazard control program will attend the training, which will allow for certification as Lead Abatement Supervisors. This is an important credential to maintain when operating lead hazard control programs. The training and certification is recommended by the U.S. Department of Housing and Urban Development (HUD) because it provides staff with the knowledge and expertise to review and understand technical documents (such as lead-based paint evaluations and clearances) and the lead hazard control process that is undertaken by contractors in the field.

In addition, staff certifications will strengthen the City's credentials for undertaking lead hazard control work, which adds value to future applications for HUD funding.

Respectfully submitted,
Lovely A. Warren
Mayor
Ordinance No. 2017-328
(Int. No. 369)

Amending Ordinance No. 2016-102 relating to the Lead Hazard Control Grant Program

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

Section 1. Ordinance No. 2016-102 regarding the 2016 Lead Hazard Control Grant Program, is hereby amended in Section 2 thereof as follows to allow City staff to receive training under the terms of the agreement with Environmental Education Associates, Inc.:

Section 2. The Mayor is hereby authorized to enter into professional services agreements between the City and the following consultants for Program services to be funded from the appropriation made in Section 1.a:

- a. PathStone Corporation, 400 East Avenue, Rochester, NY 14607, for application intake in a maximum amount not to exceed \$42,000.
- b. Action for a Better Community, Incorporated, 550 East Main St., Rochester, NY 14604, for application intake in a maximum amount not to exceed \$44,957.
- c. Environmental Education Associates, Inc., 346 Austin St., Buffalo, NY 14207, for training of lead abatement contractors and City staff in a maximum amount not to exceed \$98,400.
- d. The Housing Council at PathStone, Inc., 75 College Avenue, Rochester, NY 14607, for lead hazard outreach and education in a maximum amount not to exceed \$39,340.

Section 2. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-329

Ordinance No. 2017-330

Re: Local Waterfront Revitalization
Program Update

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the City's Local Waterfront Revitalization Program (LWRP) Update. This legislation will:

1. Accept the LWRP Update and authorize submission of the document to New York State Department of State (NYS DOS) to initiate a formal 60-day review by potentially affected State, federal and local agencies, and others, in accordance with the Waterfront Revitalization of Coastal Area and Inland Waterways Act (Article 42 of the Executive Law) and its implementing regulations at 19 NYCRR Part 600-603; and
2. Amend Chapter 112 Waterfront Consistency Review Ordinance to include updated section numbers and policy wording to be consistent with the LWRP Update.

Upon completion of this 60-day review process, if no substantive comments are generated, then the document will be deemed acceptable to proceed to approval by the NYS Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Act's implementing regulations. The next step is to gain federal concurrence by the Office for Coastal Management of the National Oceanic and Atmospheric Administration in the U.S. Department of Commerce on the LWRP Update's incorporation into the Coastal Management Plan.

Funding for the preparation of the LWRP Update was provided by an Environmental Protection Fund grant from NYSDOS (Ord. No. 2007-455). The final grant agreement with NYSDOS was approved and fully executed in November 2010 and expired in December 2015.

The City's original LWRP was adopted by City Council in 1990 and amended in 2010 to reflect proposed changes to the Port of Rochester. This update expands the boundary of the LWRP area to include all of the City's waterfront areas along Lake Ontario, the Genesee River, and the Erie Canal. The update also identifies new waterfront policies, projects and priorities that will serve as a guide for future development and infrastructure improvements, and will help expand and leverage potential funding opportunities.

The LWRP Update was prepared by City planning staff with assistance from a waterfront planning consultant team, and a 25-member Waterfront Advisory Committee. Five focus group meetings and two public informational meetings were held during the planning process. A web page and web survey

were also used to solicit public input. Upon completion of the new Comprehensive Plan, the LWRP will be adopted as a component of that plan.

In June 2015, City Council authorized the submission of the LWRP to the NYSDOS for the 60-day review (Ord. No. 2015-178). Subsequently, DOS determined that the document required further updating before it could advance to the 60-day review. Also, since June 2015, some of the coastal policies were modified which required additional changes to the LWRP. In light of these updates, DOS requires City Council authorization for the acceptance and transmission of the LWRP Update for the State review process.

In accordance with the requirements of the State Environmental Quality Review Act, an environmental determination will be issued prior to City Council action.

Respectfully submitted,
Lovely A. Warren
Mayor
Attachment No. AQ-171

Ordinance No. 2017-329
(Int. No. 370)

Accepting the City's Draft Local Waterfront Revitalization Program amendment as complete and ready for 60-day regulatory review and authorizing submission of the accepted Local Waterfront Revitalization Program to the New York State Department of State

WHEREAS, the City of Rochester Local Waterfront Revitalization Program (LWRP) was adopted in September 1990 and amended in March 2011; and

WHEREAS, the City of Rochester has prepared a Draft LWRP Amendment and amendments to the City's Waterfront Consistency Review Ordinance in cooperation with the New York State Department of State in accordance with the provisions of NYS Executive Law, Article 42; and

WHEREAS, the Draft LWRP Amendment and amendments to the City's Waterfront Consistency Review Ordinance have been prepared under the guidance of the City of Rochester Department of Neighborhood and Business Development, in coordination with the established Waterfront Advisory Committee; and

WHEREAS, the Mayor of the City of Rochester, as lead agency, determined that the proposed LWRP Amendment would not have a significant adverse environmental impact and filed a Negative Declaration Notice of Determination of No Significant Effect on the Environment in accordance with the requirements of the State Environmental Quality Review Act and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law; and

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

Section 1. The Council hereby accepts the City of Rochester draft LWRP Amendment, inclusive of a Harbor Management Plan as complete and ready for public review and the Draft LWRP shall be submitted to the New York State Department of State for 60-day review by State, federal, regional agencies, and others pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603 (hereinafter "60-day review period").

Section 2. If no substantial revisions are necessary to address comments received during the 60-day review period, the City of Rochester LWRP Amendment and Waterfront Consistency Review Ordinance is hereby adopted

and authorized for submission to the New York State Secretary of State for approval, pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603.

Section 3. The City of Rochester Manager of Planning in the Department of Neighborhood and Business Development, is authorized to work with the New York State Department of State to revise the draft LWRP Amendment as necessary to address non-substantial comments received during the 60-day review period.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-330

(Int. No. 371, as amended)

Amending Chapter 112 of the Municipal Code to be consistent with the updated Local Waterfront Revitalization Program

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

Section 1. Chapter 112 of the Municipal Code, Waterfront Consistency Review Ordinance, as amended, is hereby further amended to read in its entirety as follows:

§ 112-1 Purpose.

- A. The purpose of this chapter is to protect the public health, safety and general welfare in the City of Rochester by providing a framework for governmental agencies to review actions proposed within the boundaries of the City's Local Waterfront Revitalization Program (LWRP). This ~~homework~~framework will allow agencies to consider the policies and purposes contained in the City's LWRP when reviewing applications for actions or when directly approving, undertaking or funding agency actions located in the waterfront area. The framework will also ensure that such actions are consistent, to the maximum extent practicable, with said policies and purposes.
- B. It is the intention of the City of Rochester that the preservation, enhancement and utilization of the natural and manmade resources of the City's unique coastal areas take place in a coordinated and comprehensive manner, in order to ensure a proper balance between natural resource protection and the need to accommodate population growth and economic development. Accordingly, this chapter is intended to achieve such a balance by permitting the beneficial use of coastal resources while preventing loss of living estuarine resources and wildlife; diminution of open space areas or public access to the waterfront; erosion of shoreline; impairment of scenic beauty; losses due to flooding, erosion and sedimentation; or permanent adverse changes to ecological systems.

§ 112-2 Authority.

This chapter is enacted under the authority of § 20 of the General City Law and the Waterfront Revitalization and Coastal Resources Act of the State of New York (Article 42 of the Executive Law).

§ 112-3 Definitions.

When used in this chapter, the following terms shall have the meanings ascribed to them:

ACTION

The same meaning as in § 48-4 of the Municipal Code (Environmental Review), but shall be limited

to those activities that constitute an unlisted or Type I action, as defined in § 48-4.

AGENCY

Any governmental agency, including but not limited to the City Council, departments, offices, commissions, boards, agencies, officers or other bodies of the City of Rochester.

COASTAL AREA

The New York State coastal waters and adjacent shorelands, as defined in Article 42 of the Executive Law. The specific boundaries of the City's coastal area are shown on the Coastal Area Map on file in the office of the New York State Secretary of State and as delineated in the City of Rochester's Local Waterfront Revitalization Program (~~TASK I~~Section 1).

COASTAL ASSESSMENT FORM (CAF)

The form, contained in Appendix A, which shall be used by an agency to assist it in determining the consistency of an action with the City's LWRP.

CONSISTENT TO THE MAXIMUM EXTENT PRACTICABLE

That an action will not substantially hinder the achievement of any of the LWRP policy standards or conditions and, whenever practicable, will advance one or more of them.

DIRECT ACTIONS

An action planned and proposed for implementation by an agency itself, such as but not limited to a capital project or rulemaking, procedure-making or policy-making decisions or determinations.

LOCAL WATERFRONT AREA (LWA)

That portion of the New York State Coastal Area within the City of Rochester, as delineated in the City's LWRP (~~TASK I~~Section 1).

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

The Local Waterfront Revitalization Program of the City of Rochester, as approved by the New York State Secretary of State, pursuant to the Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42), a copy of which is on file in the office of the Clerk of the City of Rochester.

§ 112-4 Review of actions.

- A. Whenever a proposed action is located in the LWA, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent, to the maximum extent practicable, with the applicable LWRP policy standards and conditions set forth in § ~~412-5~~112-4G herein.
- B. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's undertaking of a direct action to be located in the LWA, the applicant or, in the case of a direct action, the agency shall prepare a coastal assessment form (CAF) to assist with the consistency review.
- C. Prior to making its determination, the agency shall solicit and consider the recommendation of the Commissioner of the City of Rochester Department of Neighborhood and Business Development or his or her designee regarding the consistency of the proposed action by referring a copy of the completed CAF to the Commissioner within 10 days of its submission to or completion by the agency.]
- D. After referral from an agency, the Commissioner shall consider whether the proposed action is

consistent, to the maximum extent practicable, with the LWRP policy standards and conditions set forth in § ~~H2-5112-4G~~ herein. The Commissioner may require the applicant to submit all completed applications, ~~CAPs~~ CAFs and any other information or documentation deemed to be necessary in order to make the consistency determination.

- E. The Commissioner shall render his or her written recommendation to the agency within 10 working days following the submission by the applicant of the required information, unless extended by mutual agreement of the Commissioner and the applicant or, in the case of a direct action, the agency. The recommendation shall indicate whether, in the opinion of the Commissioner, the proposed action is consistent, to the maximum extent practicable, or inconsistent with one or more of the applicable LWRP policy standards or conditions. The recommendation shall state the manner and extent to which any inconsistency affects the LWRP policy standards and conditions.
- (1) The Commissioner shall, along with his or her consistency determination, make any suggestions to the agency concerning modification of the proposed action in order to make it consistent, to the maximum extent practicable, with the LWRP policy standards and conditions or to greater advance them.
 - (2) In the event that the Commissioner's recommendation is not forthcoming within the specified time, ~~the application shall be deemed to have received a recommendation that it is consistent to the maximum extent practicable~~ the agency shall make its consistency decision without the benefit of the Commissioner's recommendation.
- F. The agency shall make the determination of consistency based on the CAF, the recommendation of the Commissioner and such other information as is deemed to be necessary in its determination. The agency shall issue its determination within seven days of receipt of the Commissioner's recommendation.
- G. Actions to be undertaken within the LWA shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in ~~TASK III~~ Section 3 of the City of Rochester's LWRP. The LWRP is on file in the City Clerk's office and is available for inspection during normal business hours. Agencies which undertake direct actions shall also consult with ~~Task IV~~ Section 4, Uses and Projects, of the LWRP in making their consistency determination. The action shall be consistent with the policy to:
- (1) Revitalize and redevelop deteriorating or underutilized institutional, commercial, recreational and residential areas and uses (Policy 1, ~~1A, 1B, 1C, 1D, 1E, 1F, 1G~~ and sub-policies);
 - (2) Encourage the development of water-dependent uses near coastal waters (Policy 2, ~~2A~~ and sub-policies);
 - (3) Strengthen the economic base of smaller harbor areas (Policy 4 and sub-policies);
 - (~~3~~4) Ensure that development occurs where adequate public infrastructure is available to reduce health and pollution hazards (Policy 5, ~~5A, 5B, 5C~~ and sub-policies);
 - (~~4~~5) Streamline development permit procedures (Policy 6 and sub-policies);
 - (~~5~~6) Protect significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, ~~7A, 7B, 7C~~ and 8 and the respective sub-policies);

- (~~6~~7) Maintain and expand commercial fishing facilities to promote commercial and recreational fishing opportunities (Policy 9, ~~9A, 9~~ and sub-policies);
- (~~7~~8) Minimize flooding and erosion hazards through nonstructural means, carefully selected, long-term structural measures and appropriate siting of structures (Policies 11, ~~11A, 11B, 12, 12A, 13, 13A, 14, 15 and 17, 17A~~ and the respective sub-policies);
- (~~8~~9) Safeguard economic, social and environmental interests in the coastal area when major actions are undertaken (Policy 18);
- (~~9~~10) Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment (Policies 19, ~~19A, 19B, 19C, 19D~~ and 20, ~~20A, 20B, 20C, 20D, 20E~~ and the respective sub-policies);
- (~~10~~11) Encourage and facilitate water-dependent and water-enhanced recreational resources and facilities near coastal waters (Policy 21, ~~21A, 21B, 21C~~ and sub-policies);
- (~~11~~12) Encourage the development of water-related recreational resources and facilities as multiple uses in appropriate locations within the shore zone (Policy 22, ~~22A, 22B~~ and sub-policies);
- (~~12~~13) Protect and restore historic and archaeological resources (Policy 23, ~~23A, 23B, 23C~~ and sub-policies);
- (~~13~~14) Protect and upgrade scenic resources (Policy 25, ~~25A, 25B, 25C~~ and sub-policies);
- (15) Determine public need, compatibility of facilities with environment, and the facility's need for a shorefront location before constructing major energy facilities in the coastal area (Policy 27 and sub-policies);
- (~~14~~16) Protect surface and ground waters from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, ~~32, 33, 34, 36, 37, and 38~~ and 40 and the respective sub-policies);
- (~~15~~17) Perform dredging and dredge spoil disposal in a manner protective of natural resources (Policy 35);
- (~~16~~18) Handle and dispose of hazardous wastes and effluents in a manner which will not adversely affect the environment nor expand existing landfills (Policy 39); ~~and~~
- (19) Protect air quality in the coastal area (Policy 41); and
- (~~17~~20) Protect tidal and freshwater wetlands (Policy 44).

H. If the agency determines that the action would cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

- (1) No reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such LWRP policy standards and conditions or which would not hinder the overall implementation of the LWRP;
- (2) The proposed action and any required mitigation measures would be undertaken in a

manner which would minimize all adverse effects on natural and man-made resources within the LWRP and would minimize the extent to which the implementation of LWRP policy standards and conditions are hindered; and

(3) The action will result in a significant and overriding city, regional or statewide public benefit.

I. Such a finding by the agency shall constitute a determination that the action is consistent to the maximum extent practicable.

J. Each agency shall maintain a file for each action which was the subject of a consistency determination, including any recommendations received from the Commissioner. Such files shall be made available for public inspection upon request.

§ 112-5 (Reserved)

§ 112-6 Coordinated review required.

The agency and the Commissioner of Neighborhood and Business Development or a designee shall coordinate the consistency determination process required by this chapter with the environmental review process required by Chapter 48 of the Municipal Code.

§ 112-7 Severability.

The provisions of this chapter are severable. If any provision is found invalid, such finding shall not affect the validity of any part or provision hereof other than the provision so found to be invalid.

Section 2. This ordinance shall not take effect until after it has been submitted to and approved in writing by the New York State Department of State as part of the City’s proposed amended Local Waterfront Revitalization Program in accordance with Article 42 of the NYS Executive Law and the Law’s implementing regulations at 19 NYCRR Parts 600-603.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-331
Re: Amendatory Agreement - Strategic
Community Intervention LLC,
Training on Redesigned Nuisance
Abatement Program

Transmitted herewith for your approval is legislation establishing \$28,000 as maximum compensation for an amendatory agreement with Strategic Community Intervention LLC (SCI) to provide training on the redesigned Nuisance Abatement Program and extending the term by six months (Ord. No. 2016-327). This agreement increases total maximum compensation from \$158,875 to \$186,875. The

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cost of the amendatory agreement will be funded from the 2017-18 Budget of the Department of Neighborhood and Business Development (NBD).

SCI was previously hired to evaluate and make recommendations for the City's Nuisance Abatement Program. In order to implement their report's recommendations, SCI will create a training protocol on the redesigned program. Per the SCI report's "Recommendation 2.1" (p. 20), the training will be for civilian and uniformed personnel who are engaged with nuisance abatement and work from the Neighborhood Service Centers (NSCs), Police patrol officers and command staff not associated with NSC, as well as Animal Control Officers, the Fire Department's Fire Safety and Training personnel, and lawyers who are assigned nuisance cases. Police personnel, with the exception of those assigned to NSCs, will be trained consistently through the Police Training Academy, and such training will be a part of recruits' curriculum. All civilian personnel will be trained under a new regimen that will be managed by a Training Coordinator working under the supervision of the NSC Director.

Implementing "Recommendation 2.1" (p. 27), also means "... standardizing a training regimen [to] include: establishing an oversight structure; developing tiered training models and curricula; creating training programs to disseminate learning to the field; establishing a timeline for implementation; and managing the implementation of the work plan."

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-331
(Int. No. 372)

Authorizing an amendatory agreement for training on the redesigned nuisance abatement 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 Strategic Community Intervention LLC for training to implement the redesigned nuisance abatement program. The amendments shall increase the maximum compensation of the existing agreement, which was last amended by Ordinance No. 2016-327, by \$28,000 to a total amount of \$186,875, and shall extend the existing agreement's term by 6 months. The amendatory agreement amount shall be funded from the 2017-18 Budget of Neighborhood and Business Development.

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
October 17, 2017

To the Council:

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

- Int. No. 373 Authorizing agreements and appropriating funds for the West River Wall Project
- Int. No. 374 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,850,000 Bonds of said City to finance certain development costs of Phase I of the City's West River Wall Reconstruction Project
- Int. No. 375 Authorizing a grant agreement and appropriation for a Climate Smart Communities Priority Bicycle Boulevards Project
- Int. No. 376 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$218,000 Bonds of said City to finance costs of the Broad & Allen Firehouse Truck Bay Alterations
- Int. No. 377 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$352,000 Bonds of said City to finance the costs of the Genesee Valley Park Sewage Pump Station Replacement Project
- Int. No. 378 Authorizing an agreement for development of a Climate Vulnerability Assessment
- Int. No. 379 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,999,000 Bonds of said City to finance costs of the replacement of twelve solid waste collection vehicles

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. 2017-332
Ordinance No. 2017-333
Re: West River Wall Project

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

Transmitted herewith for your approval is legislation related to the West River Wall Project. This legislation will:

1. Authorize an agreement with the New York State Canal Corporation (NYSCC) for participation, funding and maintenance responsibilities for Segment 1 of the project;
2. Authorize the receipt and use of \$4,200,000 in anticipated reimbursements from NYSCC to finance a portion of the construction for Segment 1 of the project;
3. Authorize the receipt and use of \$750,000 in anticipated reimbursements from the NYS Environmental Protection Fund (EPF), Local Waterfront Revitalization Grant Program to finance portions of planning and preliminary design for Segment 2, and final design services of Segment 1 for the project;
4. Authorize the issuance of bonds totaling \$1,850,000 and the appropriation of the proceeds thereof to partially finance final design, construction and resident project representation (RPR) services for the project;
5. Establish \$1,500,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, for professional planning, engineering and design services. The term of the agreement will be six months after completion and acceptance of the construction of the project, and the cost will be financed as follows:

<u>Source</u>	<u>Amount</u>
2014-15 Cash Capital (Segment 2)	\$ 400,000
Bonds appropriated herein (Segment 1)	350,000
<u>NYS EPF Fund / LWRP Grant Program (Segment 1 & 2)</u>	<u>750,000</u>
TOTAL	\$1,500,000

The West River Wall project is divided into two distinct segments for logistical and implementation purposes. Segment 1 is defined as the Corn Hill Waterfront along Exchange Boulevard (from Corn Hill Landing to the Ford Street Bridge). Segment 2 is defined as the Vacuum Oil Waterfront (from the Ford Street Bridge to Utica Place). Planning and design services will be undertaken for the entire length of the project [6,400 linear feet (LF)] from Corn Hill Landing to Utica Place. Funding from the NYSCC, supplemented with revenue from the proceeds of the local bonds, will be used to begin construction on the northern section of the West River Wall (2,400 LF) from Corn Hill Landing to Ford Street.

Ordinance No. 2014-6 authorized an agreement with Bergmann and Ordinance No. 2014-319 amended the agreement for a total of \$266,000 to advance the planning and preliminary design of the Corn Hill Section. The cost of Segment 1 final design is estimated at \$750,000, with final construction and RPR estimated at \$5,700,000, for a total project cost for Segment 1 of \$6,716,000.

The project area along the West River Wall is characterized by a crumbling flood control wall, overgrown vegetation, and lack of public access. Restoration of the wall will provide a uniform waterfront gateway to downtown, support the community's vision, enhance real estate values, support the goals of the Federal Emergency Management Agency (FEMA), and enhance public access to the Genesee River.

The property, identified in the Center City Master Plan as Erie Harbor Basin, has two principal owners: NYSCC, which owns and maintains the wall and the City, which owns and maintains the adjacent riverfront property. This property serves as a primary north-south corridor into Center City and is part of the Genesee Riverway Trail system.

The project leverages years of planning and public investment in the Corn Hill and Plymouth Exchange neighborhoods, in large part spurred by the Corn Hill Vision Plan, West River Wall Waterfront Master Plan, and

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Vacuum Oil Brownfield Opportunity Area Master Plan- all large-scale planning projects completed in collaboration with the neighborhoods, the NYS Department of State, and private sector developers and investors.

The project will improve flood protection, physical and visual access to the waterfront, access to the Genesee Riverway Trail, and contribute to the overall revitalization of a regionally significant area located between downtown and the University of Rochester, the region's largest employer.

Based on previous findings, flood map revisions were approved by FEMA for Segment 1 in June 2016. The results of this Letter of Map Revision (LOMR) shall be incorporated into the final design and contract documents required for Segment 1. Further refinements to flood modeling will be accomplished for the Vacuum Oil Waterfront (Segment 2 - Ford Street to Utica Place) under this project, which will lead to an LOMR for flood elevations along this section of the river.

The project begins to implement the strategic elements contained in the Vacuum Oil - South Genesee River Brownfield Opportunity Area Vision 2035 Plan and the West River Wall Master Plan. Work on the Vacuum Oil Waterfront (Segment 2) further aids in guiding and informing the City's Brownfield Cleanup Program Site Remedial Alternatives Analysis (RAA).

Bergmann was selected for these services through a request for proposals process, which is described in the attached summary.

Planning and preliminary design services will begin in the fall of 2017. Construction activities related to Segment 1 of the River Wall (Corn Hill Landing to Ford Street) is anticipated to commence in the winter of 2018. The project results in the creation and/or retention of the equivalent of 78 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-172

Ordinance No. 2017-332
(Int. No. 373)

Authorizing agreements and appropriating funds for the West River Wall Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Canal Corporation for the receipt and use of \$4,200,000 to fund a portion of the construction of Segment 1 of the West River Wall Project (Project) and said grant funds, or such amount as shall be available, are hereby appropriated for that purpose.

Section 2. The Mayor is hereby authorized to accept \$750,000 in anticipated reimbursements from the New York State Environmental Protection Fund's Local Waterfront Revitalization Program (LWRP) to fund portions of planning and design services for the Project and said LWRP funds, or such amount as shall be available, are hereby appropriated in the amounts of \$400,000 for final design services for Segment 1 and \$350,000 for planning and preliminary design services for Segment 2.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide planning, engineering and design services for Segments 1 and 2 of the Project. The agreement shall provide for a maximum compensation of \$1,500,000, which amount shall be funded in the sums of \$750,000 from the LWRP funds appropriated by Section 2 herein, \$400,000 in 2014-15 Cash Capital, and \$350,000 from the proceeds of a bond ordinance to be authorized for Segment 1 of the Project. The term of the agreement shall continue until 6 months after the guarantee inspection that follows the completion of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-333
(Int. No. 374)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,850,000 Bonds of said City to finance certain development costs of Phase I of the City's West River Wall Reconstruction Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of development of Phase I of the City's West River Wall Reconstruction Project, including reconstruction of the flood control wall and ancillary amenities on the west side of the Genesee River from the Corn Hill Waterfront to the Ford Street Bridge (the "Project"). The estimated maximum cost of said class of objects or purposes of Phase I of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,716,000. The plan of financing includes the issuance of \$1,850,000 bonds of the City, and said amount is hereby appropriated therefor, a \$4,200,000 grant from the NYS Canal Corporation appropriated in an accompanying ordinance, a \$400,000 grant from the NYS Environmental Protection Fund, Local Waterfront Revitalization Program appropriated in an accompanying ordinance, \$122,000 from the proceeds of a prior NYS Environmental Protection Fund, Local Waterfront Revitalization Program Grant (appropriated by Ordinance 2014-6), \$122,000 from 2016-2017 City Cash Capital (appropriated by Ordinance 2014-6) and \$22,000 from 2013-2014 Cash Capital (appropriated by Ordinance 2014-319) 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 \$1,850,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,850,000. 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. 3. of the Law, is thirty (30) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-334
Agreement - New York State
Department of Environmental
Conservation, Climate Smart
Communities Program Grant,

October 17, 2017

Priority Bicycle Boulevards
Implementation Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the design and construction of the Priority Bicycle Boulevards Implementation project. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Department of Environmental Conservation (NYSDEC); and,
2. Authorize the receipt and use of \$150,000 in anticipated grant funds from NYSDEC to finance the project.

In December 2016, the City was selected to receive a \$150,000 grant through the Climate Smart Communities (CSC) Program administered by NYSDEC. This grant program is designed to provide funding to communities throughout the State to assist with efforts to mitigate climate change through the reduction of greenhouse gas emissions. Investment in the City's Bicycle Boulevards initiative will reduce vehicle miles traveled in the city by encouraging more trips to be taken by bicycle.

This project will result in the design and installation of approximately ten centerline miles of neighborhood Bicycle Boulevard routes and will enable the City to accelerate implementation of the Bicycle Boulevard Master Plan. Bicycle Boulevards are local, residential streets that have been optimized for bicycle travel through the use of pavement markings, directional signage, and traffic calming elements. Bicycle Boulevards provide a low-stress alternative to busy arterial streets and a cost-effective technique for improving the overall bike-friendliness of our city.

The project will be designed by City Street Design staff in coordination with an upcoming milling and resurfacing project. Construction is anticipated to begin in spring 2018 with scheduled completion in fall 2018. The project will result in the creation and/or retention of the equivalent of 3.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-173

Ordinance No. 2017-334
(Int. No. 375)

Authorizing a grant agreement and appropriation for a Climate Smart Communities Priority Bicycle Boulevards Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Environmental Conservation (NYSDEC) for the receipt and use of Climate Smart Communities program funds in

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the amount of \$150,000 and said funds are hereby appropriated to implement a Priority Bicycle Boulevards Project in furtherance of the City’s Bicycle Boulevards Master Plan. The term of the agreement shall continue through the completion and NYSDEC’s acceptance of said Project.

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. 2017-335
Re: Bond Authorization - Broad and Allen
Firehouse Truck Bay Alteration Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$218,000 for the Broad and Allen Firehouse Truck Bay Alteration project, and appropriating the proceeds thereof to finance the design and construction of the project.

The Broad and Allen Firehouse, built in 1966, has truck bays that are inadequate for new fire trucks the City is procuring. These new trucks are larger and heavier than the existing trucks. In order to safely park the vehicles in the firehouse truck bays, alterations must be made to the concrete slab and/or the apparatus bay opening to meet the minimum height and weight clearances.

Construction is anticipated to begin in spring 2018 with scheduled completion in fall 2018. The project will result in the creation and/or retention of the equivalent of 2.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-335
(Int. No. 376)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$218,000 Bonds of said City to finance costs of the Broad & Allen Firehouse Truck Bay Alterations

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 truck bay alterations for the City’s Broad & Allen Firehouse, including costs of enhancing the concrete slab floor and the apparatus bay openings (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 \$218,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$218,000

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 \$218,000 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 \$218,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-336
Re: Bond Authorization - Genesee Valley
Park Sewage Pump Station
Replacement Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$352,000 for the Genesee Valley Park Sewage Pump Station Replacement project, and appropriating the proceeds thereof to finance the design and construction of the project.

The existing sewage pump station at Genesee Valley Park has reached the end of its service life and is in need of replacement. The pumps handle the building's main waste, storm water and pool backwash, and pump it to a gravity sewer on Elmwood Avenue. The system is comprised of a basin, two pumps, rails and associated controls.

Construction is anticipated to begin in summer 2018 with scheduled completion in fall 2018. The project will result in the creation and/or retention of the equivalent of 3.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-336
(Int. No. 377)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$352,000 Bonds of said City to finance the costs of the Genesee Valley Park Sewage Pump Station Replacement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the Genesee Valley Park Sewage Pump Station Replacement Project, including design and construction of a new basin, two pumps, rails and associated controls (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 \$352,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$352,000 bonds of the City authorized herein 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 \$352,000 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 \$352,000. 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. 4. of the Law, is thirty (30) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

October 17, 2017

Ladies and Gentlemen:

Ordinance No. 2017-337
Re: Agreement - City of Rochester Climate
Vulnerability Assessment

Transmitted herewith for your approval is legislation authorizing \$70,000 as maximum compensation for an agreement with Highland Planning, LLC, Rochester, New York, for the development of a Climate Vulnerability Assessment (CVA). The term of the agreement will be for two years with an optional one-year renewal, and the cost will be funded by a New York State Department of Environmental Conservation (NYSDEC) Climate Smart Communities (CSC) grant (\$35,000), which was appropriated in May 2017 via Ordinance No. 2017-101, and by 2016-17 Cash Capital (\$35,000).

In December 2016, the City was selected by NYSDEC to receive a grant through the CSC program. The grant provides the City with funding to assess and evaluate the degree to which the city is susceptible to adverse climate change impacts, such as warmer summers, increasing storms, warmer waters, colder winters, and increasing drought. The CVA will include a description of each potential impact, the sensitivity of the city to those impacts, and the adaptive capacity of the city to react when necessary. The CVA will serve as an important resource in the development of climate adaptation actions and projects.

Highland Planning was selected through a request for proposals (RFP) process, which is described in the attached summary. The RFP was issued in July 2017 and four companies responded. Highland Planning was chosen based on the experience and expertise of the proposed project team, their ability to meet the City's schedule, and the quality and cost of their proposal. Highland Planning will be partnering with VHB, a Massachusetts-based firm, to develop the CVA.

The CVA is expected to be completed by December 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-174

Ordinance No. 2017-337
(Int. No. 378)

Authorizing an agreement for development of a Climate Vulnerability Assessment

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 Highland Planning, LLC for development of a Climate Vulnerability Assessment. The agreement shall provide for a maximum compensation of \$70,000, which amount, or so much thereof as is necessary, shall be funded in the amounts of \$35,000 from 2016-17 Cash Capital and \$35,000 from the New York State Department of Environmental Conservation's Climate Smart Communities program, which were appropriated for said purpose in Ordinance No. 2017-101. The term of the agreement shall be 2 years with the option to extend for up to one additional year.

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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. 2017-338
Re: Bond Authorization - Solid Waste
Motor Equipment Replacement

Transmitted herewith for your approval is legislation authorizing the issuance of \$3,999,000 in bonds and appropriating the proceeds thereof to finance the purchase of Solid Waste collection vehicles. These bonds will be funded by the Refuse Fund.

The Department of Environmental Services periodically replaces collection vehicles based upon a combination of use and age. The 11 sideload packers and 1 stake body truck being replaced are first line vehicles that operate out of the Solid Waste Division located at 210 Colfax Street. Each of the 12 vehicles are nine years old. The sideload packers are used on a daily basis in the collection of refuse material set out at the curb by residents. The stake body truck is used on a daily basis to deliver containers to residents. Upon replacement, the existing sideload packers and stake body truck will replace reserve vehicles that are over 17 years old and eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-338
(Int. No. 379)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,999,000 Bonds of said City to finance costs of the replacement of twelve solid waste collection vehicles

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 acquisition of eleven (11) sideload packers and one (1) stake body truck to be used in the City's solid waste collection system and to be garaged at 210 Colfax Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,999,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,999,000 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 \$3,999,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$3,999,000. 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. 29. of the Law, is five (5) years.

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

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

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

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

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

Passed unanimously.

October 17, 2017

By Councilmember McFadden
October 17, 2017

To the Council:

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

- | | |
|--------------|--|
| Int. No. 380 | Authorizing an agreement for the Flower City AmeriCorps program |
| Int. No. 381 | Authorizing an agreement for an educational tracking management system for firefighters |
| Int. No. 382 | Authorizing an agreement for medical director consultation services |
| Int. No. 383 | Amending Ordinance No. 2017-316 and amending the 2017-18 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds |
| Int. No. 385 | Accepting and appropriating a grant for fire prevention and safety education |

The following entitled legislation is being held in committee:

- | | |
|--------------|--|
| Int. No. 384 | Authorizing an agreement with the Rochester City School District related to School Resource Officers |
|--------------|--|

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. 2017-339

October 17, 2017

Re: Agreement - New York State Office of
Children and Family Services,
AmeriCorps Grant

Council Priority: Jobs and Economic
Development; Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the receipt and use of a \$431,600 grant award, and any additional future cost of living adjustment funds, from the New York State Office of Children and Family Services (NYS OCFS) for the Flower City AmeriCorps program. The term of the agreement will be for 15 months, from October 1, 2017 to December 31, 2018, and was anticipated and included in the 2017-18 Budgets of the Department of Recreation and Youth Services (DRYS), Undistributed Expenses, and Rochester Public Library (RPL). This is the third of three cycles of funding.

The goal of the Flower City AmeriCorps program is to engage individuals and families in childhood literacy, financial literacy, employment readiness, food justice, and teen pregnancy prevention programs, with a focus on service delivery in poverty-stricken areas in each geographic quadrant of the City. Thirty-six AmeriCorps members will be selected (11 or more from the identified high poverty block groups) to provide one year of service to positively impact their neighborhoods through placement in DRYS (9 Corps members), RPL (8 Corps members), and Neighborhood Service Centers, Office of Innovation and Strategic Initiatives, and community organizations (19 Corps members).

AmeriCorps members are volunteers and, if serving full time (40 hours per week), will receive a \$12,530 annual "living allowance," along with childcare benefits provided by NYS upon qualification, assistance navigating the State Health Exchange, transportation support, and an education award of \$5,815 upon successful completion of the program. AmeriCorps members serving half time (20 hours per week) will receive a \$6,265 annual "living allowance" and an education award of \$2,907.50 upon successful completion of the program.

In this third cycle, the program is projected to reach at least 400 individuals through financial literacy programming, 80 youth through positive youth development and teen pregnancy prevention programming, 200 families through the Raising a Reader program, 125 individuals through Operation Transformation Rochester, 100 youth through youth employment programming, 50 youth through school-based and afterschool educational programming, 16 youth through adult-youth mentoring, and 770 individuals through food justice and community garden programming. Oversight of the program will be performed by two DRYS staff and one RPL staff. A program description and budget are attached.

The Flower City AmeriCorps grant was initially authorized on October 13, 2015 via Ordinance No. 2015-343 and last authorized on September 15, 2016 via Ordinance No. 2016-316.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-339
(Int. No. 380)

Authorizing an agreement for the Flower City AmeriCorps program

October 17, 2017

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services for receipt and use of a grant award of \$431,600 and any additional future cost of living adjustments funds to operate the Flower City AmeriCorps program established by Ordinance No. 2015-343. The agreement shall have a term of 15 months commencing October 1, 2017 and continuing through December 31, 2018.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-340
Re: Agreement - Ninth Brain, Inc.,
Educational Tracking Management
System

Transmitted herewith for your approval is legislation establishing \$12,710 as maximum compensation for an agreement with Ninth Brain, Inc., Grand Rapids, Michigan, for the continued provision of a web-based software educational tracking management system for training certification and to facilitate New York State mandated report generation. The term of the agreement will be one year, with the option of four, one-year renewals, and the cost will be funded by the 2017-18 Budget of the Fire Department. The optional renewals will be funded by future Budgets of the Fire Department, contingent upon their approval, as follows: 2018-19 will cost a maximum of \$13,100; 2019-20, \$13,500; 2020-21, \$13,900; and 2021-22, \$14,320.

The Rochester Fire Department (RFD) Training Division is responsible for the provision and tracking of education and professional certification requirements for Firefighters. This includes Emergency Medical Technician (EMT) and Special Operations and Technical Rescue. In particular, EMT certifications are renewed every three years and report forms that verify compliance must be submitted to the State on an annual basis for each EMT certified, uniform member.

Since the implementation of the educational tracking management system, RFD's process for tracking various educational certifications throughout the department has improved, and significantly reduced reliance upon paper files. The software is accessible 24 hours, seven days a week to both the EMS Division and employees who are monitoring their own certification status. The system also automatically notifies employees and Training Division staff when re-certifications are due, which has improved the department's ability to ensure consistent compliance with mandated training and certification requirements for Firefighters.

In September 2014, Ninth Brain, Inc. was selected to provide this service through a request for proposals (RFP) process based on their expertise and familiarity with the State requirement and the training needs of the RFD (Ord. No. 2014-302). A full justification for not issuing another RFP is attached.

Respectfully submitted,

October 17, 2017

Lovely A. Warren
Mayor

Attachment No. AQ-175

Ordinance No. 2017 -340
(Int. No. 381)

Authorizing an agreement for an educational tracking management system for firefighters

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 Ninth Brain, Inc. for the continued provision of a web-based software educational tracking system for training certification and to facilitate state mandated report generation for firefighters. The agreement shall have a term of one year, with up to four one-year renewal options.

Section 2. The maximum annual compensation for the first year of the agreement shall be \$12,710. For each subsequent year that the parties exercise a renewal option, the maximum annual compensation shall be as follows: year two: \$13,100; year three: \$13,500; year four: \$13,900; and year five: \$14,320. The first year of the agreement shall be funded from the 2017-18 Budget of the Fire Department and optional subsequent years, if any, shall be funded from future budgets of the Fire Department contingent upon approval.

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. 2017-341
Re: Agreement - University of Rochester
Medical Center, Medical Director
Consultation Services

Transmitted herewith for your approval is legislation establishing annual maximum compensation of \$30,000 for an agreement with the University of Rochester Medical Center for Jeremy Cushman, M.C., M.S., EMT-P, FACEP to act as the Agency Medical Director. The term of this agreement will be for two years, with an optional two-year renewal, and will be funded from the 2017-18 and subsequent Budgets of the Fire Department, contingent upon their approval.

The Rochester Fire Department (RFD) is the primary local first responder emergency medical service (EMS) agency, and is required by New York State to provide medical consultation services for the enhancement and maintenance of integrated, systematic preparedness for pre-hospital emergency medical care. As such, the City must contract with a physician with knowledge and experience in the delivery of emergency medical care to provide the following services:

October 17, 2017

- Direction and guidance of pre-hospital emergency medical provision and documentation procedures;
- Review EMS Patient Care Reports and other documentation necessary to monitor quality of care;
- Participate in RFD Quality Improvement and Quality Assurance programs;
- Provide technical expertise on the design and structure of emergency medical procedures in the field;
- Review EMS documentation of quality of care provided by RFD;
- Provide technical assistance in the development of medical guidelines for the health and safety of RFD personnel;
- Participate in EMS certification training for RFD personnel;
- Advise RFD in the administration of the Ambulance contract on issues associated with patient care; and
- Represent the interests of the RFD in the medical community.

The most recent agreement for this service was authorized via Ordinance No. 2013-366.

The University of Rochester Medical Center was selected through a request for proposals process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-176

Ordinance No. 2017-341
(Int. No. 382)

Authorizing an agreement for medical director consultation services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the University of Rochester Medical Center to provide emergency medical consultation services for the Rochester Fire Department. The agreement shall have a term of two years with one optional two-year renewal. The maximum annual compensation for the agreement shall be \$30,000. The agreement shall be funded from the 2017-18 Budget of the Fire Department for the first year and future Budgets of the Fire Department for subsequent years, 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. 2017-342
Re: Amendments - Ordinance No.
2017-316 and 2017-18 Budget of the
Police Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-316, Child Passenger Safety Program, by increasing the amount authorized and appropriated to the Police Budget in Sections 1 and 3 from \$900 to \$2,400; and amending the 2017-18 Budget of the Police Department by \$11,900 to reflect the balance of carryover funds from existing grants.

The carryover funds are itemized below, and will be used for their original intended purpose.

GRANT	Amount to Carry Over
Maddie’s Fund	\$ 800
MVTIFP	5,100
2017 Stop DWI	<u>6,000</u>
Total	\$11,900

The goal of Maddie’s Fund is to help owners retain their pets by providing assistance that will keep pets safe and secure in their homes. By offering such support, the hope is to reduce the intake of pets with medical or behavioral concerns to the shelter. These funds will be used to buy supplies, such as collars, leashes, identity tags and cable tie-outs, to assist pet owners in the city with retaining their pets

The Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant provides overtime, but not fringe, to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides funds to train police officers in specialized anti-theft techniques and technology.

The Stop DWI grant is used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2017 calendar year. Supported activities include expenses for Stop DWI overtime details and associated fringe costs, training, and underage alcohol enforcement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-342
(Int. No. 383)

Amending Ordinance No. 2017-316 and amending the 2017-18 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

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

Section 1. Ordinance No. 2017-316 regarding the Child Passenger Safety Program, is hereby amended in Sections 1 and 3 thereof as follows to increase the amount authorized and appropriated:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor’s Traffic Safety Committee for receipt and use of ~~\$900~~2,400 in grant funds for the Child Passenger Safety Program. The term of the agreement shall be October 1, 2017 through September 30, 2018.

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of ~~\$900~~2,400, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$11,900, which amount is hereby appropriated from unspent grant funds appropriated in the 2016-17 Budget for the Police Department as shown below. Said funds shall be used for their original purpose.

Grant	Amount to Carry Over
Maddie’s Fund	\$ 800
Motor Vehicle Theft and Insurance Fraud Prevention	5,100
2017 Stop DWI	<u>6,000</u>
Total	<u>\$11,900</u>

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-343
Re: Grant Agreement - The Hartford
Financial Services Group, Inc., Fire
Prevention and Safety

Council Priority: Public Safety

October 17, 2017

Transmitted herewith for your approval is legislation authorizing an agreement with The Hartford Financial Services Group, Inc. for the receipt and use of a \$10,000 grant, and amending the 2017-18 Budget of the Fire Department to reflect receipt of said grant. The term of the agreement will be October 13, 2017 to October 12, 2018.

The Fire Department's Community Risk Reduction unit reaches thousands of adults and school age children with fire prevention and safety curriculum at schools and other community events throughout the year. With the funding provided by The Hartford Financial Services Group, Inc., the department will purchase fun, educational equipment designed to teach and reinforce home fire safety skills and promote fire safety awareness to families and children.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-343
(Int. No. 385)

Accepting and appropriating a grant for fire prevention and safety education

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 Hartford Financial Services Group, Inc. for the receipt and use of a grant in the amount of \$10,000 to support and enhance the Rochester Fire Department's ongoing program to provide fire prevention and safety education to school-age children. The term of the agreement shall be from October 13, 2017 through October 12, 2018. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by the sum of \$10,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 384
Re: Intermunicipal Agreement - Rochester
City School District, School Resource
Officers

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

October 17, 2017

Transmitted herewith for your approval is legislation authorizing the Mayor to enter into an agreement with the Rochester City School District (RCSD) to provide sworn City of Rochester Police Officers to serve as School Resource Officers (SROs) at school facilities in return for RCSD providing up to \$1,120,000 as partial reimbursement of the City's cost. The term of this agreement is from July 1, 2017 through June 30, 2018. The number of Officers assigned to the SRO staff and the annual maximum reimbursement amount are the same as the staffing and reimbursement amount that were provided in the agreement for the 2016-17 school year (Ord. No. 2017-24).

Police Officers have been assigned as SROs since 1999 to assist in maintaining safe school environments. Some of the duties of SROs include functioning as role models for students, providing a police presence in the schools, anti-truancy enforcement, and handling calls for service that originate within the school setting.

The cost for the SRO service from its inception through 2003 was supported in part by a federal grant. From 2003 to 2007, the total cost was absorbed by the City. During the development of the 2007-08 Budget of the City of Rochester, it was agreed that the RCSD would provide annual support for the School Resource Officers.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 384

AUTHORIZING AN AGREEMENT WITH THE ROCHESTER CITY SCHOOL DISTRICT RELATED TO SCHOOL RESOURCE OFFICERS

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District (RCSD) to provide sworn City of Rochester Police Officers to serve as School Resource Officers at RCSD facilities and for the receipt and use of funds in an amount not to exceed \$1,120,000 from the RCSD as partial reimbursement for the City's cost of providing the officers.

Section 2. The term of said agreement shall extend from July 1, 2017, through June 30, 2018.

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.

Held in committee

The meeting was adjourned at 8:12 p.m.

HAZEL L. WASHINGTON
City Clerk