

ROCHESTER CITY COUNCIL

REGULAR MEETING

February 20, 2018

Present – President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Patterson, Spaul – 8

Absent – Councilmember Ortiz – 1

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

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

Recognition Ceremony

Retirement:

DES:

James McIntosh

APPROVAL OF THE MINUTES

By Councilmember Spaul

RESOLVED, that the minutes of the Organizational Meeting of January 2, 2018 and the Regular Meeting on January 23, 2018 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:

Quarterly Report – Schedule of Revenues & Expenditures report 4281-18

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 57, and Councilmember Spaul on Int. No. 39.

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

None presented

February 20, 2018

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Vice President McFadden
February 20, 2018

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

- Int. No. 31 Approving the commitment of reserve funds
- Int. No. 33 Authorizing an agreement for citizen survey services
- Int. No. 34 Authorizing an agreement with Garnet Capital Advisors, LLC for sales advisory services
- Int. No. 35 Authorizing an amendatory agreement with The Guardian Life Insurance Company of America for dental plan administration services
- Int. No. 57 Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc.

The following entitled legislation is being held in committee:

- Int. No. 32 Authorizing the bulk sale of delinquent tax liens

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Malik Evans
Michael A. Patterson
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2018-24
 Committing Tax Relief and
 Retirement Reserves
 Council Priority: Deficit Reduction and
 Long Term Financial Stability

February 20, 2018

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 *Fund Balance Reporting and Government Fund Type Definitions*.

From the surplus available at the end of fiscal year 2016-17, the Director of Finance, as authorized in the City Charter, assigned \$5,139,000 to Property Tax Relief and \$4,500,000 to Retirement Costs. In order to change the classification from *assigned* to *committed*, City Council action is required. The commitment of these balances would bring the total General Fund Balance committed for Property Tax Relief to \$29,545,600 and for Retirement Costs to \$27,928,565. These balances are further reduced by the budgeted appropriations of fund balance for 2017-18 which are \$5,000,000 for Property Tax Relief and \$4,600,000 for Retirement Costs.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2016-17 year-end variances attributable to personnel and fringe benefit savings due to vacancies, motor equipment savings, unanticipated revenue including sale of property and higher sales tax distributions, and the cancellation of unspent prior year encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-24
(Int. No. 31)

Approving the commitment of reserve funds

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

Section 1. The Council hereby approves the commitment of \$5,139,000 for the purpose of property tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$4,500,000 for the purpose of retirement to assist in managing future retirement costs.

Section 2. The funds to be committed shall be funded from the surpluses available from the 2016-17 Budget, said funds having previously been assigned to the purpose of tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

February 20, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-26

Re: Agreement – National Research
Center, Inc., Survey Services

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with National Research Center, Inc. (Tom Miller, CEO) of Boulder, CO, for survey services. The cost of this agreement will be funded from the 2017-18 Budget of the Mayor's Office. The term of this agreement will be one year, with two one year renewal options for a maximum compensation of \$20,000 per each renewal term. Renewals to be funded as follows; 2018-19 (\$20,000), and 2019-20 (\$20,000) Budgets of the Mayor's Office, contingent upon the approval of the two latter budgets.

National Research Center's National Citizen Survey is considered the national standard for statistically-valid citizen surveys and is endorsed by the International City/County Management Association and the National League of Cities. This survey will help the City better understand citizens' perceptions of the provision of services in areas such as mobility, safety, economic development, quality of the natural and built environments, recreation and wellness, education and enrichment, and general government. The National Citizen Survey is the most widely used and trusted survey tool of its type and is promoted by the main local government trade organization as an essential tool for modern, data-driven municipal management. The survey results are scientifically valid samples of the local population, and National Research Center has years of experience working with cities similar to Rochester in terms of size, racial/ethnic diversity, and median household income.

The City can use this data on customer satisfaction to inform strategic plans, program development, budget prioritization, and in public engagement. It would also enable the City to benchmark its performance against the results of over 300 cities and counties in America. The results can be broken down by City quadrant to understand differences in performance/customer experience by geographic area, as well as by the demographic characteristics of the respondents. If the City were to commission this survey annually, City leadership would be able to track changes over time in customer perception and rigorously target specific areas for improvement. Initial survey would commence in summer 2018, with results available by fall 2018.

The National Research Center provides truly unique expertise and the National Citizen Survey is the only such survey benchmarking data with over 300 other cities/counties.

A justification for not issuing an RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-12

Ordinance No. 2018-26
(Int. No. 33)

Authorizing an agreement for citizen survey 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 National Research Center, Inc. for the provision of citizen survey services. The term of the agreement shall be one year with the option to renew for up to two extensions of one year each. The maximum annual compensation for the agreement shall be \$20,000. The compensation for the first year shall be funded from the 2017-18 Budget of the Office of the Mayor. The compensation for subsequent years, if any, shall be funded from subsequent years' Budgets of the Office of Mayor, contingent upon their approval.

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.

Vice President McFadden moved to amend Int. No. 34.

The motion was seconded by Councilmember Patterson.

The motion was adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-27

Re: Agreement- Garnet Capital
LLC, Sales Advisory Services

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with Garnet Capital Advisors, LLC, Lou DiPalma, Principal, 500 Mamaroneck Ave No. 104, Harrison, NY, to act as sale advisor to the City of Rochester for the sale of unpaid fines resulting from red light traffic cameras.

The term of this agreement shall not exceed one year.

Currently the City has a backlog of delinquent red light camera tickets having an aggregate nominal value of \$7,217,367.

February 20, 2018

A discounted, bulk sale of red light camera tickets to a qualified institutional investor at auction will offer three benefits:

- (1) provide the City with a lump sum revenue payment for budgetary purposes
- (2) cancel the outstanding tickets from the City's delinquency files; and
- (3) provide the opportunity for individuals with a ticket(s) to pay a lesser amount than the face value of the ticket and cure their delinquency.

Garnet Capital has successfully completed hundreds of sales of similar type for many of the largest financial institutions nationally and several government agencies at the federal level. Garnet specializes in the sale of unsecured debt for these entities.

Garnet will conduct a comprehensive loan sale process in compliance with data security protocols vetted with the FDIC. As part of this process Garnet will:

- (1) prepare an offering announcement and memorandum to be approved by the City as well as analyze, review and remediate data as necessary with the City;
- (2) provide the City with a sale agreement for review, editing and distribution;
- (3) implement buyer outreach via electronic, telephone and personal visits;
- (4) conduct an auction on Garnet's secure website;
- (5) prepare a summary bid sheet for the City to review and choose the winning bid;
- (6) assist in all aspects of the sale closing including final data reconciliation.

The fee payable to Garnet for this service is 10% of the gross proceeds of any or all of the assets, subject to a minimum of \$25,000.

A justification statement for not issuing an RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-13

Ordinance No. 2018-27
(Int. No. 34, as amended)

Authorizing an agreement with Garnet Capital Advisors, LLC for sales advisory services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Garnet Capital Advisors, LLC for advisory services related to the sale of unpaid red light traffic camera fines. The agreement shall be for a term of one year.

Section 2. The sale of such unpaid fines shall be contingent upon the approval of the Council.

~~Section 2~~ 3. The maximum compensation for the agreement shall not exceed 10% of the gross proceeds of the sale, subject to a minimum compensation of \$25,000.

~~Section 3~~ 4. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

~~Section 4~~ 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Lightfoot, McFadden, Patterson – 6

Nays – Councilmembers Clifford, Spaul – 2

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-28

Re: Amendatory Agreement –
Guardian Dental Plan
Administration Services

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation amending the agreement with The Guardian Life Insurance Company of America originally authorized by Ordinance No. 2016-286 by an additional \$50,000, increasing maximum compensation from \$102,000 to \$152,000. The Guardian Life Insurance Company of America currently serves as administrator of the dental insurance benefits for all City employees. In order to properly fund the contract, an additional \$39,000 shall be funded by the 2017-18 Budget for Undistributed Expense, and an additional \$11,000 shall be funded by the 2018-19 Budget for Undistributed Expense, contingent upon its approval.

Guardian has been the plan administrator for the self-funded dental plan that was implemented on January 1, 2017 for all benefit-eligible employees. The monthly funding requirements of the commission and administrative service fees translated to a monthly rate of approximately \$6,300 resulting in the need for additional funds. No changes have occurred to the original proposed rates and no change is proposed to the original contract term.

Respectfully submitted,
Lovely A. Warren
Mayor

February 20, 2018

Ordinance No. 2018-28
(Int. No. 35)

Authorizing an amendatory agreement with The Guardian Life Insurance Company of America for dental plan administration services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with The Guardian Life Insurance Company of America for dental plan administration services. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2016-286, by \$50,000 to a new total of \$152,000. Of the amendatory amount, \$39,000 shall be funded from the 2017-18 Budget for Undistributed Expense and \$11,000 from the 2018-19 Budget for Undistributed Expense, contingent upon the approval of the latter budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2018-7
Re: Appointment – ABC Board

Transmitted herewith for your approval is legislation making the following appointment to the Action for a Better Community (ABC), Inc. Board of Directors:

Mitchell Gruber
10 King Street
Rochester, New York 14608

Councilmember Gruber's ABC Board term is through May 2020, and a copy of his resume` is on file in the office of the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2018-7
(Int. No. 57)

Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc.

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

Section 1. The Council hereby approves the appointment of City Councilmember Mitchell Gruber to the Board of Directors of Action for a Better Community, Inc. for a term which shall expire on May 31, 2020.

Section 2. This resolution shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Evans, Lightfoot, McFadden, Patterson, Spaul - 7

Nays - None - 0

Councilmember Gruber abstained due to a professional relationship.

Vice President McFadden moved to discharge Int. No. 32 from committee.

Councilmember Spaul seconded the motion.

The motion was adopted unanimously.

THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-25
Re: Bulk Sale of Delinquent Tax
Liens

Transmitted herewith for your approval is legislation authorizing the sale of 2016-2017 and prior delinquent tax liens, in bulk to American Tax Funding, LLC (ATF).

Local Law No. 8 of 2008 amended the City Charter to allow the City to conduct bulk sales of delinquent tax liens. Council Ordinance No. 2008-379 authorized three lien sales with the option for two subsequent sales. The table below summarizes the results of the sales relating to the original contract term:

February 20, 2018

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Feb 2009	5,675	3,327	\$13,976,777	\$6,036,829	43.19
Sept 2009	5,444	4,864	\$11,443,795	\$4,981,986	43.53
Dec 2010	5,249	4,780	\$10,999,275	\$5,342,778	48.57
Feb 2012	4,580	4,274	\$10,336,100	\$4,578,407	44.30
Feb 2013	4,616	4,405	\$9,966,089	\$4,524,150	45.40

Council Ordinance No. 2013-398 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2014	2,033	1,977	\$4,396,376	\$2,531,023	57.57

Council Ordinance No. 2015-3 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2015	2,041	1,837	\$3,659,724	\$2,172,334	59.36

Council Ordinance No. 2016-62 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
May 2016	1,372	1,272	\$2,682,810	\$1,863,732	69.47

Council Ordinance No. 2017-77 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
June 2017	1,886	1,645	\$3,467,862	\$2,514,348	72.50%

The City classifies liens into one of three categories, as follows:

- New Liens - Liens on properties for which ATF has not previously purchased any liens.
- Unsettled Liens- Liens on properties for which ATF had previously purchased liens that are unpaid
- Settled Liens- New liens on properties for which any previous liens sold to ATF have been paid

Under the previous agreements, ATF was granted a right of first refusal through the 2017 delinquent tax year, on New and Unsettled Liens; ATF does not have a right of first refusal on Settled Liens.

In 2013 ATFS began assigning some of its liens purchased from the City to Cheswold LLC. On January 26, 2016 Cheswold LLC was purchased by Alterna Tax Asset Group. Cheswold is now a wholly owned subsidiary of Alterna. The liens owned by Cheswold LLC. are serviced by MTAG, and ATF services the liens it retains. Further, last year ATF consummated the assignment of additional liens to Ebury Street Capital LLC., located in Rye New, York. ATF services the City of Rochester liens purchased by Ebury.

In order to increase delinquent tax collection revenue; enhance re-development efforts; reduce the presence of blighted property; and offer flexibility to homeowners, the City is proposing to remove certain properties from the lien sale based on community input and review by the Department of Neighborhood and Business Development. The City will sell high value liens and liens on owner-occupied property to ATF. Properties removed are subject to foreclosure and collection efforts with potential future ownership by the Rochester Land Bank Corporation.

For this year, based on a bulk lien sale list having an aggregate lien amount of \$6,714,063 ATF has proposed to purchase a pool of high value Unsettled Liens having a value of \$3,541,281 at a price of \$2,292,625 representing 64.74% of the original lien amount. ATF has also proposed to purchase a pool of high value New Liens having a value of \$1,655,927, at a price of \$1,439,033 representing 86.90% of the original lien amount. ATF has proposed to purchase a pool of high value Settled Liens having a value of \$934,966, at a price of \$664,854, representing 71.11% of the original lien amount. Lastly, ATF has proposed to purchase a pool of low value owner occupied liens having a value of \$581,889, at a price of \$29,094, presenting 5.00% of the original lien amount.

In the aggregate ATF is offering \$4,425,607 or 65.9% of the original lien amount of \$6,714,063 for these lien pools. It is important to note that this year's delinquent lien portfolio contains fewer new liens as compared to last year. This year 25% of the liens are new liens, compared to 50% last year.

The City would retain approximately \$1.0 million of low valued liens for which ATF does not wish to purchase. The City would also retain liens requested by the City's Neighborhood & Business Development Department on approximately 1,300 properties valued at \$3.0 million. Both categories of retained liens will be included in the City's 2018 foreclosure auction. The foreclosure action is scheduled to commence in the spring of 2018 and culminate with a fall 2018 foreclosure auction.

As required by Ordinance No. 2008-379, the Administration will file a list of the properties with liens to be sold to ATF and the properties with liens removed from the sale and a map showing both categories.

This legislation approves the sale of this year's delinquent tax liens to ATF based upon this initial estimated dollar value and percentage amounts. The final sale dollar amount and percentage will reflect changes to the delinquent tax liens finally sold.

This agreement will have a term of one year. Subsequent tax lien sales are subject to City Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-25
(Int. No. 32)

Authorizing the bulk sale of delinquent tax liens

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 American Tax Funding, LLC (ATF) for the bulk sale of delinquent tax liens. The Council hereby approves the bulk sale of 2016-2017 and prior years' delinquent tax liens.

Section 2. The agreement shall have a term of one year and shall obligate ATF to pay to the City an amount based upon the ATF offer of:

High Value Unsettled Liens	\$2,292,625
High Value New Liens	\$1,439,033
High Value Settled Liens	\$664,854
Low Value Owner-Occupied Liens	\$29,094

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
February 20, 2018

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

- Int. No. 36 Authorizing the sale of real estate
- Int. No. 37 Authorizing agreements for the Asset Control Area/Home Rochester Program
- Int. No. 38 Authorizing payment in lieu of taxes and loan agreements for the Eastman Reserve project, as amended
- Int. No. 39 Authorizing funding and amendments to service agreements for the Emergency Solutions Grant program for the homeless
- Int. No. 40 Authorizing funding and an agreement for the Owner-Occupant Rehabilitation Program

- Int. No. 41 Authorizing an intermunicipal agreement with the County of Monroe to fund enforcement of the Lead-Based Paint Poisoning Prevention ordinance
- Int. No. 42 Authorizing the acquisition of 835-855 West Main Street
- Int. No. 56 Authorizing an amendatory agreement with the Strategic Community Intervention LLC for Nuisance Abatement Program training

Respectfully submitted,
Michael A. Patterson
Willie J. Lightfoot
Jacklyn Ortiz
Adam C. McFadden
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-29
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first two properties are a mixed use structure and adjoining vacant lot being sold by request for proposal. The buyer will rehabilitate the property to create a storefront and an apartment.

The next property is an unbuildable vacant lot being sold for \$1.00 (as per City policy) to its adjacent owner. The buyer will combine the lot with his existing properties to construct two single family residences, one of which will be owner occupied.

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

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,378.

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. AR-14

Ordinance No. 2018-29
(Int. No. 36)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of improved property with proposal:

Address	S.B.L.#	Lot Size	Use	Price	Purchaser
58-58.5 Lowell St	106.46-2-55	33 x 100	mixed	\$8,000	Jaison John
‡ 56 Lowell St	106.46-2-56	32 x 100	vacant lot		

‡ indicates vacant lot sold in conjunction with the previous listed structure listed

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

Address	S.B.L.#	Lot Size	Sq. Feet	Purchaser
1 Eisenberg Pl	121.24-1-1	31 x 78	2,529	Thomas H. Ophardt

Section 3. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
791 Exchange St	121.69-3-41	28 x 100	2,408	Rising Tide Assets, LLC

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. This ordinance shall take effect immediately.

Passed unanimously.

February 20, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-30

Re: Asset Control Area Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an agreement for the continuation of the Asset Control Area (ACA) program with the United States Department of Housing and Urban Development (HUD), through February 28, 2020, and approving the updated Business Plan which is on file with the City Clerk.

The ACA program allows local government and not-for-profit developers to enter into agreements with HUD to purchase the inventory of HUD-owned residential properties at a discount in designated areas. The discount allows the City to acquire properties at lower prices and reduce the amount of subsidy required for rehabilitation of each property, thus maximizing the number of vacant homes that can be addressed. The City's ACA Program is a component of the Home Rochester Program. A program description is attached.

As a condition of the HUD/ACA agreement, the City must purchase all single-family properties in the designated census tract areas. Once acquired, each property must be fully rehabilitated and sold to owner-occupant, first time homebuyers. Buyers of Home Rochester properties are required to have incomes at or below 120% of the Area Median Income and must agree to live in the property for a minimum of 10-15 years.

Since the program began in 2004, 480 properties have entered the ACA system. Currently, 457 properties have been sold to owner-occupant buyers with 7 properties currently listed for sale and 16 properties are in various stages of development. The City's ACA program, known as "Home Rochester", has received excellent program compliance reviews conducted by independent auditors. It is anticipated that approximately 25-50 properties will be acquired during each year of the agreement. The most recent agreement was approved by City Council on January 19, 2016, Ordinance No. 2016-12.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-15

Ordinance No. 2018-30
(Int. No. 37)

Authorizing agreements for the Asset Control Area/Home Rochester Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Housing and Urban Development (HUD) to permit the continued participation of the City in the Asset Control Area/Home Rochester (ACA) Program, which consists of the acquisition and development of vacant single family properties. The term of the agreement may extend through February 28, 2020.

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

Section 3. The Council hereby approves the updated Business Plan for the ACA Program, a copy of which is on file with the City Clerk.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-31

Re: Payment In Lieu of Taxes
Agreement—Eastman Reserve
Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation for the Eastman Reserve project being undertaken by Pathstone Housing Action Corporation. This legislation will:

Authorize property tax exemptions and a payment-in-lieu of taxes agreement for the Eastman Reserve project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).

The project includes the revitalization of a vacant parking lot, part of Eastman Business Park, through the construction of a mixed-income, mixed-use development including townhomes, single-family buildings, commercial space, and a multi-family building in Rochester's Maplewood neighborhood. The development contains 187 units and 3,000 square feet of commercial space, including amenities such as a playground, native landscaping, walkable site design, basketball court, bicycle storage area, gazebo, fitness room, roof-top patio, computer lab, and energy efficient design.

The project site is located to the north of West Ridge Road, between Dewey Avenue and Woodside Street in the City of Rochester. The ~9.4 acre site combines five parcels into two, including 17 Woodside Street, 50, 59, and 70 Goodwill Street, and a portion (1.37 acres) of 1991 Lake Avenue. A site map can be found on Attachment A. The parcels required re-zoning, from PD#12 to R-3 (high

density residential). The developer secured City Planning Commission approval on October 16, 2017, followed by zoning approval on November 15, 2017, as certified by Ordinance No. 2017-350.

The development of Eastman Reserve calls for one-hundred eighty-seven (187) one-, two-, and three-bedroom apartments for families, with twenty-seven (27) units set-aside for victims/survivors of domestic violence and homeless young adults between eighteen and twenty-five years of age. The proposal includes apartments that are affordable to households at various income ranges, consistent with the City’s interest in expanding housing options for a mix of diverse incomes. The project meets the rental housing needs for sixty-nine (69) households with incomes at or below 50% area median income (AMI), sixty-one (61) households with incomes at or below 60% AMI, thirty-eight (38) households with incomes at or below 90% AMI, and for nineteen (19) households at or below 120% AMI.

Eastman Reserve is consistent with the City of Rochester’s Consolidated Community Development Plan, Strategic Plan, and Housing Policy, and aligns with the Rochester-Monroe Anti-Poverty Initiative by increasing the availability of affordable housing, working toward the de-concentration of poverty in City neighborhoods by attracting middle-income households and expanding housing choices for lower-income households, redeveloping non-residential sites to address market demand for currently underrepresented housing types in the existing housing inventory, and developing housing that supports neighborhood commercial corridors.

The total cost of the development is \$51,301,460. PathStone requested a PILOT as an alternate to assessment under Real Property Tax Law 581A, to which the project is entitled under State law to offset operating costs needed to maintain rents affordable to the target population. The PILOT agreement will have a term of 30 years, to run coterminous with the first mortgage, resulting in an annual payment of approximately \$172,000 (in the first full year of operations), which will increase slightly over the term of the PILOT. The estimated annual in-lieu payments can be found in Attachment B. The sources and uses of the project are:

Costs		Sources	
Acquisition	\$1,100,000	Conventional Loan	\$11,669,359
Residential Hard Costs	36,086,627	New Construction Program	12,825,000
Commercial Hard Costs	600,000	Tax Credit Equity (4%)	19,409,571
Contingency	1,834,331	MIHP	4,940,000
Soft Costs	5,008,622	CIF	425,000
Finance/Closing Costs	3,387,775	GRHP	175,000
Developers Fee	3,284,105	NYSERDA	150,000
		Sponsor Loan	300,000
		Deferred Developer Fee	1,397,530
TOTAL	\$51,301,460		\$51,301,460

The project has received support from the West Ridge Road Business Association, the Maplewood Neighborhood Association, and has secured funding for the Permanent Supportive Housing units from the Empire State Supportive Housing Initiative (ESSHI) Interagency Workgroup. Pathstone will adhere to the City’s MWBE Workforce and Section 3 guidelines for this development, and current

projections estimate 15-20 permanent jobs will be created (depending on the tenants of the commercial space), as well as supporting hundreds of currently employed construction jobs and creating over 125 construction jobs. Kodak offered the site as part of a revitalization plan that includes new current and new manufacturing assets, and MCC's proposed development of a new workforce development facility, scheduled to open in 2019, which will enroll 2,500 new students. Potential tenants of the new development include workers and students of the proposed Kodak park redevelopment area, as well as the surrounding neighborhood and City at large.

The developer has secured local approvals, including; the aforementioned CPC and Zoning approvals, City of Rochester PILOT Review Committee approval on November 15, 2017, and a State Environmental Quality Review Act, or SEQR, was completed and resulted in a Negative Declaration on November 14, 2017. No NEPA review is necessary. The development is currently under site plan review and the developer expects to receive HFA Board and funding approval on January 25, 2018. Closing is planned for April 1, 2018, with a construction period of 24 months.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-16

Ordinance No. 2018-31
(Int. No. 38, as amended)

Authorizing payment in lieu of taxes ~~and loan~~ agreements for the Eastman Reserve project

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) with Pathstone Housing Action Corporation or with a housing development fund corporation formed by the Corporation (collectively, the Developer) for the Eastman Reserve project (the Project) located at parcels now or formerly known as:

Address	SBL #
50 Goodwill Street	090.26-2-4.002
59 Goodwill Street	090.26-2-3.003
70 Goodwill Street	090.26-2-28
17 Woodside Street	090.26-2-5

and a portion of 1991 Lake Avenue (SBL #075.83-1-18.003/EBPK) consisting of

ALL THAT TRACT OR PARCEL OF LAND, more or less, situate in Town Lots 25 & 42, Township 1, Short Range 4, of the 20,000 Acre Tract, in the City of Rochester, County of Monroe, and State of New York, as shown on the drawing entitled "Eastman Reserve Subdivision" prepared by Magde Land Surveying, P.C., being more particularly bounded and described as follows:

1. Commencing at a point at the intersection of the east right-of-way line of Goodwill Street and the north right-of-way line of Eastman Avenue, at the southwest corner of the described lot; said point being the point of beginning;
2. Thence, continuing along the east right-of-way line of Goodwill Street having a bearing of N00°09'10"W a distance of 344.94 feet to a point;
3. Thence, turning to the right and running along a line having a bearing of S89°49'48"E a distance of 172.44 feet to a point;
4. Thence, turning to the right and running along a line having a bearing of S00°31'38"E a distance of 343.98 feet to a point;
5. Thence, turning to the right and running along a line having a bearing of S89°50'50"W a distance of 174.68 feet to a point; said point being point or place of beginning, a parcel consisting of 1.371 Acres.

The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption for 30 years, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 2. The term of the PILOT agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated in accordance with Article 11 of the NYS Private Housing Finance Law and for the purpose of providing housing for mixed-income households and for victims or survivors of domestic violence and homeless young adults.

Section 3. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the PILOT agreement.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-32

Re: Consolidated Community
Development Plan – Emergency
Solutions Grants Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the US Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) Program, including the 2017-18 Emergency Solutions Grant (ESG) program as described in the 2017-18 Consolidated Community Development Plan. This legislation will:

1. Reallocate \$5,999.42 of unspent 2015-16 ESG funds from the 2015-16 Housing Choice Fund, ESG account of the Consolidated Community Development Plan for program implementation;
2. Reallocate \$68,600.61 of unspent 2016-17 ESG funds from the 2016-17 Housing Choice Fund, ESG account of the Consolidated Community Development Plan for program implementation;
3. Appropriate \$24,311.00 of 2017-18 ESG funds from the 2017-18 Housing Choice Fund, ESG account of the Consolidated Community Development Plan for program implementation;
4. Amend three (3) agreements authorized via Ordinance No. 2017-261 by the amount of \$98,911.03, to be funded by the aforementioned sources.
 - a) Increase agreement with Coordinated Care Services, Inc. (for Coordinated Access program services) by \$18,931.00 for a total maximum compensation of \$92,794.00;
 - b) Increase agreement with Coordinated Care Services, Inc. (for Rapid Rehousing program services) by \$40,715.00 for a total maximum compensation of \$164,804.00, and;
 - c) Increase the agreement with Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (for Homelessness Prevention program services) by \$39,265.03 for a total maximum compensation of \$140,265.03. Catholic Family Center will sub-contract with The Center for Youth Services, Inc. to perform the additional Homelessness Prevention services.

The three (3) agreements are for ESG program implementation.

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

This program was last authorized by City Council on November 14, 2017, via Ordinance No. 2017-358. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities generally fall into one of four eligible categories; street outreach, shelter operations and essential services, homelessness prevention, and rapid-rehousing. Specific activities include case management, support services, service coordination, homeless shelter operations (staffing and facility operating costs), and financial support such as deposit and rental assistance. This legislation will fund coordinated access/entry, homelessness prevention, and rapid-rehousing services.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) ESG program requires the grantees (the City) to collaborate with the community of homelessness service providers. The City coordinates with the Rochester/Monroe-County Continuum of Care, and works closely with the Homeless Services Network and Monroe County Department of Human Services to address local homelessness issues. Additionally, community funding priorities are jointly determined with the Rochester/Monroe County Continuum of Care (CoC) and through gathering input from community stakeholders. On January 30, 2017, the City and County jointly released an RFP for ESG Program Services. A second RFP was issued on May 31, 2017 specifically for Homelessness Prevention Services, and a third RFP was issued on September 20, 2017.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

This legislation supports the City Housing Policy, Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-32
(Int. No. 39)

Authorizing funding and amendments to service agreements for the Emergency Solutions Grant program for the homeless

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

Section 1. Unspent funds in the amount of \$5,999.42 that were previously appropriated for the Housing Choice Fund-Emergency Solutions Grant (ESG) program of the 2015-16 Consolidated Community Development Plan are hereby re-appropriated to fund the increases in compensation that are set forth in the amendatory ESG program agreements authorized herein.

Section 2. Unspent funds in the amount of \$68,600.61 that were previously appropriated for the Housing Choice Fund-Emergency Solutions Grant (ESG) program of the 2016-17 Consolidated Community Development Plan are hereby re-appropriated to fund the increases in compensation that are set forth in the amendatory ESG program agreements authorized herein.

Section 3. The amount of \$24,311.00 in funds allocated to the ESG program of the 2017-18 Consolidated Community Development Plan are hereby appropriated to fund the increases in compensation that are set forth in the amendatory ESG program agreements authorized herein.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement with Coordinated Care Services, Inc. to provide Coordinated Access services to homeless individuals under the ESG program. Said amendatory agreement shall increase the maximum compensation under the agreement authorized in Ordinance No. 2017-261 by \$18,931 to a total of \$92,794.

Section 5. The Mayor is hereby authorized to enter into an amendatory agreement with Coordinated Care Services, Inc. to provide Rapid Rehousing services to homeless individuals under the ESG program. Said amendatory agreement shall increase the maximum compensation under the agreement authorized in Ordinance No. 2017-261 by \$40,715 to a total of \$164,804.

Section 6. The Mayor is hereby authorized to enter into an amendatory agreement with Catholic Charities of the Diocese of Rochester dba Catholic Family Center to provide Homelessness Prevention services under the ESG. Said amendatory agreement shall increase the maximum compensation under the agreement authorized in Ordinance No. 2017-261 by \$39,265.03 to a total of \$140,265.03.

Section 7. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into amendatory agreements with organizations that are in compliance with Federal regulations.

Section 8. The Director of Finance shall record all transfers herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 9. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Patterson – 7

Nays –None -0

Councilmember Spauld abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-33

Re: Amending Ordinance
No. 2017-356

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

Transmitted herewith for your approval is legislation to amend Ordinance No. 2017-356 to increase the funding by \$151,552.90 for the Owner-Occupant Rehabilitation Program. This legislation will:

- 1) Re-appropriate \$16,431.12 from the Targeted Housing Program allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2011-12 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 2) Re-appropriate \$12,570 from the Lead Hazard Reduction allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2012-13 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 3) Re-appropriate \$100,063.05 from the Housing Repair Programs allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2013-14 Community Development Block Grant (CDBG) for the City's use to operate the program;

- 4) Appropriate \$2,167.97 from the Housing Repair Programs allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2013-14 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 5) Re-appropriate \$8,803.89 from the Housing Repair Programs allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2014-15 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 6) Re-appropriate \$5,939.66 from the Owner Occupant Roofing Program allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2015-16 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 7) Re-appropriate \$5,459.21 from the Emergency Assistance Program allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2015-16 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 8) Appropriate \$118.00 from the Targeted Housing Rehabilitation Program allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2015-16 Community Development Block Grant (CDBG) for the City's use to operate the program;
- 9) Establish \$20,000 as maximum compensation for an agreement with Environmental Testing & Consulting, Inc. to provide lead hazard evaluation services for rehabilitation programs to be funded from the appropriation made in Section 1. The term of the agreement shall be one year.
- 10) The above appropriation and re-appropriations are being proposed to increase the funding for the City's Owner-Occupant Rehabilitation Program authorized through Ordinance No. 2017-356. The program will serve eligible owner-occupants of single-family residential properties for roof replacement and lead hazard control services whose household income is at or below 80% of the area median income. The program was funded at \$400,000 to serve approximately 16 property owners. The new funding will allow the City to serve approximately 6 additional property owners.

City staff will be responsible to review and approve program applications, and provide construction management services.

It is being proposed to enter into agreement with Environmental Testing & Consulting (ETC) to provide lead hazard evaluation services for the program. The City has contracted with ETC for the past 10 years and they have performed to the City's satisfaction.

A justification for not issuing an RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-17

Ordinance No. 2018-33
(Int. No. 40)

Authorizing funding and an agreement for the Owner-Occupant Rehabilitation Program

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

Section 1. Community Development Block Grant (CDBG) funds in the amount of \$151,552.90 are hereby appropriated for use in the Owner-Occupant Rehabilitation Program authorized in Ordinance No. 2017-356 (the Program). The sources of the funds shall be as follows:

- a. \$16,431.12 re-appropriated from the Targeted Housing Program allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2011-12 CDBG;
- b. \$12,570 re-appropriated from the Lead Hazard Reduction allocation of the Housing Development Fund of the Improve the Housing Stock and General Property Conditions fund of the 2012-13 CDBG;
- c. \$100,063.05 re-appropriated from the Housing Repair Programs allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2013-14 CDBG
- d. \$2,167.97 appropriated from the Housing Repair Programs allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2013-14 CDBG;
- e. \$8,803.89 re-appropriated from the Housing Repair Programs allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2014-15 CDBG;
- f. \$5,939.66 re-appropriated from the Owner Occupant Roofing Program allocation of the Housing Development Fund allocation of the Improve the Housing Stock and General Property Conditions fund of the 2015-16 CDBG for the City's use to operate the program;
- g. \$5,459.21 re-appropriated from the Emergency Assistance Program allocation of the Housing Development Fund of the Improve the Housing Stock and General Property Conditions fund of the 2015-16 CDBG; and
- h. \$118.00 appropriated from the Targeted Housing Rehabilitation Program allocation of the Housing Development Fund of the Improve the Housing Stock and General Property Conditions fund of the 2015-16 CDBG.

February 20, 2018

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Environmental Testing & Consulting, Inc. to provide lead hazard evaluation services for Program activities. The agreement shall have a maximum compensation of \$20,000, which shall be funded from the appropriation made in Section 1. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-34

Re: InterMunicipal Agreement –
Monroe County, Lead-Based
Paint Poisoning Prevention
Inspection Services

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services in the amount of \$310,000. The term of said agreement is April 1, 2018 through March 31, 2019.

The funds associated with this agreement provide a reimbursement of expenses associated with enforcement of the City's Lead-Based Paint Poisoning Prevention Ordinance. These resources are part of the State's Lead Primary Prevention Grant dollars provided to Monroe County. The \$310,000 covers visual inspections for lead hazards in 2,950 units, 1,332 Lead Dust Wipe Sampling tests and \$30,142 for Clerical and IT support. This agreement has been in place since October 1, 2007. A chart capturing the past six years of the grant is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-18

Ordinance No. 2018-34
(Int. No. 41)

Authorizing an intermunicipal agreement with the County of Monroe to fund enforcement of the Lead-Based Paint Poisoning Prevention ordinance

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the receipt and use of New York State funding in the amount of \$310,000 for enforcement of the City's Lead-Based Paint Poisoning Prevention ordinance. The term of agreement shall be April 1, 2018 through March 31, 2019.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-35
Re: Acquisition- 835-855 West
Main Street

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

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation of 835-855 West Main Street for a cost of \$1,000,000, plus closing costs not to exceed \$10,000, to be funded from 2017-18 Cash Capital. The property is located within the Bull's Head urban renewal area boundary.

835-855 West Main Street (known as Bull's Head Plaza) consists of a ±4.2 acre commercially developed property located approximately $\frac{3}{4}$ of a mile west of downtown Rochester. The property is located at the convergence of West Main Street, Genesee Street, and Brown Street. The property is located within the block encompassed by West Main Street, Genesee Street, Clifton Street, and Churchlea Place (see attached location map).

The property includes an approximately 85,000 square foot, one and two story, masonry building (circa 1950) and 168 parking spaces. The structure is currently approximately 40% occupied with four tenants. The City will assume all existing lease agreements. Current occupancy includes the following tenants:

- Monroe County
- University of Rochester
- JP Morgan Chase
- Kicks and Caps

The current owner of the property is the Rochester Economic Development Corporation (REDCO). REDCO purchased the property on July 28, 2017 via foreclosure auction. REDCO and the City were concerned that the Plaza would otherwise be purchased by a for-profit real estate investment trust, with the intention of collecting rents while making minimal to no investments in maintenance or upgrades. Such a scenario could then lead to further deterioration and associated negative impacts of the property onto the surrounding community. Since REDCO's acquisition of the property, significant substandard building and mechanical equipment conditions were discovered.

As part of the Bull's Head revitalization initiative the City intends to prepare this property for future redevelopment. Activities for such preparation include tenant relocation, demolition, environmental testing and environmental clean-up.

A purchase price of \$1,000,000 was established by an independent appraisal prepared by Stropp Appraisal, on October 18, 2017, and an appraisal review was completed by R.K. Hite & Co., Inc. on November 11, 2017.

Bull's Head neighborhood revitalization is a high priority initiative for the City. To retain the City's eligibility for use of federal funds related to Bull's Head neighborhood revitalization, the appraisal and appraisal review were completed in compliance with requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). In addition, the City has hired R.K. Hite & Co., Inc. to provide any applicable relocation and/or moving assistance related services for the property owner and tenants, as per URA requirements. Any associated relocation and/or moving costs will be funded from 2017-18 Cash Capital.

Closing costs, not to exceed \$10,000, consist of tax and water adjustments, recording fees and a title insurance premium.

On behalf of the City of Rochester, an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) was completed on September 1, 2017 by LaBella Associates D.P.C. (LaBella) for the property. The LaBella Phase I ESA was completed in accordance with American Society for Testing and Materials (ASTM) Standard Practice E1527-13A, and identified several Recognized Environmental Conditions (RECs) associated with historical uses of both the Site and several adjacent properties. In order to further evaluate the RECs identified in the Phase I ESA report for the Site, the City retained LaBella to complete a Phase II ESA at the Site. The Phase II ESA was initiated in October 2017 and is currently in progress.

All real property taxes and water charges for the parcel shall be adjusted as of the closing date. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any City taxes or other current-year charges levied after the date of closing, while the City still owns the parcel, shall be cancelled. The property shall be conveyed to the City with no other outstanding liens or encumbrances.

February 20, 2018

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-19

Ordinance No. 2018-35
(Int. No. 42)

Authorizing the acquisition of 835-855 West Main Street

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below. The acquisition costs shall not exceed \$1,010,000, including closing costs, and shall be funded from 2017-18 Cash Capital.

Address	S.B.L.#	Lot Size	Owner
835-855 West Main Street	120.50-2-2.002	±4.22 acres	Rochester Economic Development Corporation

Section 2. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-36
Re: Amendatory Agreement –
Strategic Community
Intervention LLC, Training on
Redesigned Nuisance
Abatement Program

Council Priority: Rebuilding and
Strengthening Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement to extend the term by six months with Strategic Community Intervention LLC (William A. Johnson Jr.,

February 20, 2018

Principal) for services related to the implementation of the training program for all personnel who are engaged with Nuisance Abatement Program.

The agreement, authorized in January 2016 via Ordinance No. 2016-17, and October 2016 via Ordinance No. 2016-327 established maximum compensation of \$155,183 for a term of six months. This amendment will extend the term of agreement authorized in 2017 via Ordinance No. 2017-331 with a maximum compensation of \$ 186,875 to six months, September 30, 2018 at no additional cost.

The extension is required due to the revision of the nuisance law to allow additional time to do training. The purpose is to implement a training program for all personnel who are engaged with Nuisance Abatement Program. All will be trained under a new regimen that will be managed by a Training Coordinator, under the supervision of the Neighborhood Service Center Director.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-36
(Int. No. 56)

Authorizing an amendatory agreement with Strategic Community Intervention LLC for Nuisance Abatement Program training

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Strategic Community Intervention, LLC for Nuisance Abatement Program training. The original agreement was authorized by Ordinance No. 2016-17 and thereafter amended by Ordinance No. 2016-327. The term of that agreement is hereby authorized to be extended through September 30, 2018.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

February 20, 2018

By Councilmember Evans
February 20, 2018

To the Council:

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

- Int. No. 43 Authorizing an agreement with Stantec Consulting Services Inc. related to Campbell Street R-Center Gateway Improvements
- Int. No. 45 Appropriating funds for street improvement projects from anticipated reimbursements from the Rochester Pure Waters District
- Int. No. 46 Authorizing an agreement with Passero Associates Engineering & Architecture, PLLC related to the Thomas P. Ryan R-Center Gym Air Conditioning Project
- Int. No. 47 Authorizing an agreement with Stantec Consulting Services, Inc. authorizing resident project representation services related to Adams Street R-Center renovations
- Int. No. 48 Authorizing an agreement to develop means for Highland Reservoir to comply with the federal Long Term Enhanced Surface Treatment Rule
- Int. No. 49 Authorizing an amendatory agreement with Riverfront Medical, P.C. for the Rochester Environmental Job Training Program
- Int. No. 50 Authorizing an agreement with the New York State Energy Research and Development Authority
- Int. No. 51 Discontinuing the use of approximately 12.466 acres of land for park purposes and dedicating approximately 12.467 acres to park purposes

The PARKS & PUBLIC WORKS COMMITTEE recommends for consideration the following entitled legislation:

- Int. No. 44 Amending the Official Map dedicating a portion of School No. 43 property to right-of-way purposes

Respectfully submitted,
Malik Evans
Mitch Gruber
Elaine M. Spaul
Adam C. McFadden
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

February 20, 2018

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-37
Re: Stantec Consulting Services
Inc, Campbell Street R-Center
Gateway Improvements

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$75,000 as maximum compensation for an agreement with Stantec Consulting Services Inc, (Gord Johnston, President & Chief Executive Officer), Rochester, New York, for design services for the Campbell Street R-Center Gateway Improvements project. The agreement will be funded from 2014-15 infrastructure improvements allocation of the general community needs fund of the Community Development Block Grant as authorized in March 2017 by Ordinance No. 2017-69. The term of this agreement shall extend until three months after completion of a two-year guarantee inspection of the project.

The Campbell Street R-Center Gateway Improvements project will open community access to the R-Center by adding entry and opening site lines into the park by repurposing the unused lots and addressing the urban vacancies. An agreement with R.K. Hite & Co., Inc. for property acquisition services was authorized in July 2017 by Ordinance No. 2017-242. Improvements may include new pathways into the park with benches, bike racks, and trash receptacles, site grading and drainage, design of new parking lot, and moving the softball field from the west side of the field to the east side to further open access to the site. Public meetings will be scheduled for community input.

Design is anticipated to begin in spring 2018 with construction start in spring 2019 and completion anticipated in summer of 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-20

Ordinance No. 2018-37
(Int. No. 43)

Authorizing an agreement with Stantec Consulting Services Inc. related to Campbell Street R-Center Gateway Improvements

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Stantec Consulting Services Inc. for design services for the Campbell Street R-Center Gateway Improvements project in an amount not to exceed \$75,000.

February 20, 2018

Section 2. Said agreement shall extend until three (3) months after completion of a two-year (2) guarantee inspection of the project.

Section 3. The agreement shall be funded from the Infrastructure Improvements allocation of the General Community Needs Fund of the 2014-15 Community Development Block Grant, which was appropriated in Ordinance No. 2017-69.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-38
Re: Official Map Amendment –
Dedication of a Portion of
RCSD School #43 Property
for Right-of-Way Purposes

Council Priority: Public Safety

Transmitted herewith for your approval is legislation which will amend the Official Map by dedicating the following parcel as public rights-of-way for street purposes.

<u>Address</u>	<u>SBL#</u>	<u>Type</u>	<u>Sq.Ft.</u>
1305 Lyell Avenue	105.62-1-35	School	1931

A 2018 NYSDOT Highway Project on Mt. Read Boulevard requires additional ROW at the corner of Lyell Avenue and Maltby Street to allow for an ADA compliant handicap ramp at that location. (Unrelated to this Official Map Amendment, NYSDOT is also working with RGRTA to relocate the inbound bus stop at Lyell and Mt. Read to a location further west of the intersection to improve safety for cars, busses and riders at this location.)

The City Planning Commission, in its January 8, 2018 meeting recommended approval of this dedication by a vote of 7-0-0. Minutes of that meeting, along with the recommendation, are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-21

Ordinance No. 2018-38
(Int. No. 44)

Amending the Official Map dedicating a portion of School No. 43 property to right-of-way purposes

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by adding thereto the following described property to be dedicated as public right-of-way, subject to such additional conditions and adjustments as the City Engineer deems to be appropriate:

**LEGAL DESCRIPTION OF PROPOSED LANDS
TO BE DEDICATED AS PUBLIC RIGHT-OF -WAY
PART OF 1305 LYELL AVENUE
PART OF S.B.L # 105.62-1-35**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 84, Township 1 Short Range, west of the Genesee River also being part of Lots 10, 11, 12 and 13 of the Frances E. Maltby Subdivision, being more particularly bounded and described as follows: Beginning at a point on the southerly ROW line of Lyell Avenue (66' ROW), at the northeast corner on the easterly ROW line of Maltby Street (50' ROW), being the northwest corner of Lot 10 of the Frances E. Maltby Subdivision, as filed in the Monroe County Clerk's Office in Liber 16 of Maps, Page 29, said point being the Point of Beginning; thence

- 1) N 89° 37' 08" E, along said ROW line of Lyell Avenue, a distance of 207.89 feet to a point at its intersection with the westerly ROW line of Mt. Read Boulevard; thence
- 2) S 45° 20' 22" E, an interior angle of 134° 57' 30" along ROW line of Mount Read Boulevard, a distance of 12.72 feet to a point; thence
- 3) S 89° 37' 08" W, parallel with and 9.00 feet distance from said ROW line, a distance of 211.20 feet to a point; thence
- 4) S 38° 21' 11" W, an interior angle of 231° 15' 57", a distance of 8.97 feet to a point at its intersection with the easterly ROW line of Maltby Street; thence
- 5) N 00° 36' 48" W, an interior angle of 38° 57' 59" along ROW line of Maltby Street, a distance of 16.00 feet to the northwest corner thereof and the said ROW line of Lyell Avenue, being the Point of Beginning.

Hereby intending to describe a parcel of land containing 0.044 ± acres, all as shown on a map entitled "Map Of Lands To Be Dedicated For Street Purposes", dated June 8, 2017, as prepared by Donald J. Angelini, L.S., Regional Land Surveyor for New York State Department Of Transportation (NYSDOT).

Being part of the premises conveyed to the City of Rochester in Liber 16 of Deeds, Page 82; Liber 705 of Deeds, Page 253; Liber 883 of Deeds, Page 57; Liber 1060 of Deeds, Page 59.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-39
Re: Appropriation – Rochester Pure
Waters District, Street
Improvement Projects

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$750,000 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) to fund eligible portions of sewer costs on street improvement projects in accordance with the agreement authorized between the City and RPWD via Ordinance No. 2010-438.

Street improvements can require ancillary repairs to the sewer system including adjustments, repairs, replacements, and improvements to the sewer system manholes and catch basins. In the agreement referenced above, RPWD assumed responsibility for these maintenance costs and agreed to reimburse the City annually for the work.

The new street improvement projects eligible for the RPWD reimbursement appropriated herein include, but are not limited to, the following projects:

- Alpha Street Rehabilitation Group Alpha Street/Braddock Street/Meridan Street/Wilder Street
- Asphalt Milling and Resurfacing (M&R) 2018 Transportation Improvement Program (TIP) Preventive Maintenance (PM) Group #1 Upper Falls Boulevard and Saint Paul Street
- Asphalt M&R 2018 TIP PM Group #2 Alexander Street and Scio Street
- Asphalt M&R City Residential 1
- Asphalt M&R City Arterial and Collectors
- Reynolds Street and Seward Street
- Elmwood Collegetown Cycle Track
- East Henrietta Road

Construction is planned to begin during the 2018 construction season. The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-39
(Int. No. 45)

Appropriating funds for street improvement projects from anticipated reimbursements from the Rochester Pure Waters District

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

Section 1. The receipt and use of the sum of an additional \$750,000 in anticipated reimbursements from the Rochester Pure Waters District that are provided pursuant to the agreement authorized by Ordinance No. 2010-438 is hereby authorized and appropriated to fund eligible portions of sewer costs incurred as part of the City's street improvement projects.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-40
Re: Agreement – Passero Associates
Engineering & Architecture, PLLC,
RPR Services for Thomas P. Ryan
R-Center Gym Air Conditioning

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with Passero Associates Engineering & Architecture, PLLC (Gary W. Passero, PE, Founding Partner and David Passero, Chief Financial Officer), Rochester, New York, for resident project representation (RPR) services, for Thomas P. Ryan R-Center Gym Air Conditioning Project. The cost of the agreement will be financed from the 2017-18 Cash Capital. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the Project.

The design and construction of the project will be funded by the 2016-17 Capital Improvement Program of the Rochester City School District. The project will include renovations to School No. 33 and to the City's adjacent Thomas P. Ryan R-Center. Thomas P. Ryan R-Center work includes, but is not limited to the installation of air conditioning for the gymnasium. RPR services under this agreement will only be for work related to the Thomas P. Ryan R-Center portion of the project.

Passero Associates was selected for RPR services through a request for proposal process, which is described in the attached summary.

February 20, 2018

It is anticipated that RPR services will begin with construction of the project in summer 2018; with scheduled completion in fall 2018. The agreement will result in the creation and/or retention of the equivalent of 0.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-22

Ordinance No. 2018-40
(Int. No. 46)

Authorizing an agreement with Passero Associates Engineering & Architecture, PLLC related to the Thomas P. Ryan R-Center Gym Air Conditioning 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 Passero Associates Engineering & Architecture, PLLC for resident project representation services for the Thomas P. Ryan R-Center Gym Air Conditioning Project in an amount not to exceed \$60,000.

Section 2. Said agreement shall extend until three (3) months after completion of a two-year (2) guarantee inspection of the project.

Section 3. The agreement shall be financed from 2017-18 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-41
Re: Agreement – Stantec Consulting
Service Inc., RPR Services for
Adams Street R-Center
Renovations

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum compensation for an agreement with Stantec Consulting Service Inc. (Gord Johnston, President &

Chief Executive Officer), Rochester, New York, for resident project representation (RPR) services, for Adams Street R-Center Renovations. The cost of the agreement will be financed from the 2017-18 Cash Capital. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the Project.

The design and construction of the project will be funded by the 2016-17 Capital Improvement Program of the Rochester City School District. The project will include renovations to School No. 3 and to the City's adjacent Adams Street R-Center. The Adams Street R-Center work includes, but is not limited to: fire alarm replacement, installation of clock, PA and security camera systems. Replacement of exterior windows and doors, and precast joint sealants. Pool equipment and lighting replacements. Installation of an ADA pool lift. Renovation of men and women Locker rooms. Replacement of flooring, cabinetry, ceilings and lighting in areas on the second floor. Asbestos abatement. Sidewalk and site drainage improvements. RPR services under this agreement will only be for work related to the Adams Street R-Center portion of the project.

Stantec Consulting Service Inc. was selected for RPR services through a request for proposal process, which is described in the attached summary.

It is anticipated that RPR services will begin with construction of the project in summer 2018; with scheduled completion in fall 2018. The agreement will result in the creation and/or retention of the equivalent of 1.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-23

Ordinance No. 2018-41
(Int. No. 47)

Authorizing an agreement with Stantec Consulting Services, Inc. authorizing resident project representation services related to Adams Street R-Center renovations

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 Stantec Consulting Services, Inc. for resident project representation services for Adams Street R-Center renovations in an amount not to exceed \$150,000.

Section 2. Said agreement shall extend until three (3) months after completion of a two-year (2) guarantee inspection of the project.

Section 3. The agreement shall be financed from 2017-18 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-42

Re: Agreement – Bergmann
Associates for Highland
Reservoir LT2 Compliance
Project – Phase 1

Transmitted herewith for your approval is legislation establishing \$370,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, CEO), 280 East Broad Street, Suite 200 Rochester, NY, for professional services required to develop concepts and evaluate options for bringing Highland Reservoir into compliance with the US Environmental Protection Agency’s Long Term Enhanced Surface Treatment Rule (LT2), and satisfying other water quality and site specific concerns. The cost of this agreement will be funded from Prior Years’ Cash Capital (Water Fund).

The agreement shall have a term of two years.

The City is obligated, through a bilateral compliance agreement with the New York State and Monroe County Health Departments to meet the requirements of LT2 by either installing a cover on or installing a treatment system at the Highland Reservoir by September 2023. Bergmann Associates will review water quality conditions, identify compliance alternatives, evaluate costs and water quality impacts for each alternative, prepare conceptual renderings and presentation materials, develop a public outreach and engagement program, investigate opportunities for funding assistance and initiate the environmental review process

Bergmann Associates was selected through a Request for Proposal process, which is described in the attached summary.

Consultant services are anticipated to begin in spring of 2018 with an anticipated completion in summer of 2019. This agreement shall have a term of two years. The agreement will result in the creation and/or retention of approximately 4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-24

Ordinance No. 2018-42
(Int. No. 48)

Authorizing an agreement to develop means for Highland Reservoir to comply with the federal Long Term Enhanced Surface Treatment Rule

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 develop and evaluate options for bringing the Highland Reservoir into compliance with the United States Environmental Protection Agency's Long Term Enhanced Surface Treatment Rule (LT2). The maximum compensation for the agreement shall be \$370,000, which shall be funded from Prior Years' Cash Capital. The agreement shall have a term of two years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-43
Re: Amendatory Agreement –
Environmental Workforce
Development & Job Training
Occupational Health Services

Council Priorities: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Riverfront Medical, P.C., 120 Erie Canal Drive (Cheryl Lewis, CFO), to provide occupational health services to applicants selected to participate in the Rochester Environmental Job (ReJob) Training Program. The amendment shall increase the maximum compensation of the original agreement, which was entered into in 2017, by \$6,010 to a total amount of \$15,930.

The amendatory compensation shall be funded from United States Environmental Protection Agency grant funds previously appropriated in Ordinance No. 2016-350. The term of the amended agreement shall be one year with one optional one-year extension.

Riverfront began providing occupational health services to the City for this program in 2017 under an original agreement in the amount of \$9,920. Medical testing for the first round of training was \$4,910. The balance of \$5,010 will cover the second round of testing for training in 2018. The \$6,010 will be for one year and cover the 2019 round of training. Riverfront offered us discounted prices for the initial agreement. The \$6,010 reflects a small increase in testing costs for 2019.

The REJob Training Program is a multi-partner effort designed to lead to sustainable, long-term environmental employment and intended to ensure that City residents share in the economic benefits derived from environmental site cleanup and construction. Recruitment for the REJob program will

specifically target dislocated workers; severely underemployed individuals; and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education.

An additional round of training has been approved by EPA and therefore an agreement extension and budget amendment for additional health screening will be required. The health screening is an EPA grant requirement for all participants in this program and includes asbestos exposure physical exams, chest x-rays, pulmonary function tests, 5-panel drug screens and if necessary, random 10-panel drug screens.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-43
(Int. No. 49)

Authorizing an amendatory agreement with Riverfront Medical, P.C. for the Rochester Environmental Job Training 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 professional services agreement with Riverfront Medical, P.C. to provide occupational health services to applicants selected to participate in the Rochester Environmental Job (ReJob) Training Program. The amendment shall increase the maximum compensation of the existing agreement, which was entered into in 2017, by \$6,010 to a total amount of \$15,930.

Section 2. The amended agreement shall be funded from United States Environmental Protection Agency grant funds previously appropriated in Ordinance No. 2016-350. The term of the amended agreement shall be one year with one optional one-year extension.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-44
Re: Grant Acceptance – New York
State Energy Research and
Development Authority –
Clean Energy Communities
Program

Transmitted herewith for your approval is legislation related to the implementation of Climate Action Plan-related activities for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Energy Research and Development Authority (NYSERDA); and
2. Authorize the receipt and use of \$250,000 in anticipated grant funds from NYSERDA to finance the project.

In February 2017, the City of Rochester was designated as a NYSERDA Clean Energy Community (CEC), which qualified the City to receive these grant funds. The CEC program is designed to encourage local governments to implement clean energy actions which save energy, create jobs, and address the impacts of climate change. To become a CEC, municipalities must complete at least four of ten NYSERDA CEC High Impact Actions. To gain its CEC designation, the City of Rochester completed the following four High Impact Actions: 1) adoption the New York State Unified Solar Permit, 2) conducting a local Solarize campaign, 3) becoming a New York State Department of Environmental Conservation (NYSDEC) certified Climate Smart Community, and 4) installation of electric vehicle charging stations throughout the city.

The NYSERDA CEC grant funds will be used to implement actions outlined in the City's Climate Action Plan (CAP), including management of stakeholder outreach to implement CAP energy reduction strategies, development and implementation of programs to inform and educate the public on energy efficiency, including funding and rebate programs and technical assistance to access programs that help homeowners fund energy efficiency upgrades, and installation of municipal energy efficiency upgrades. No City matching funds are required for this grant program.

Once the grant contract with NYSERDA is in place, a request for proposals will be developed for consulting services to assist in the implementation of the proposed CEC projects. It is anticipated that the projects will be completed within three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-44
(Int. No. 50)

Authorizing an agreement with the New York State Energy Research and Development Authority

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 Energy Research and Development Authority for the receipt and use of anticipated grant funds in the amount of \$250,000 to assist the City in implementing its Climate Action Plan. The term of the agreement shall be three years.

February 20, 2018

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-45

Re: Dedication of Park Lands

Transmitted herewith for your approval is legislation related to the dedication of park lands at the Police and Fire Academy located 1190 Scottsville Road, and dedication of waterfront land as park land along the Genesee River. This legislation will:

1. Officially alienate 12.466 acres of land at the Police and Fire Academy located 1190 Scottsville Road; and
2. Dedicate 12.467 acres of land along the Genesee River between South Plymouth Avenue and Ford Street.

In 1954, the City constructed a fire and police training academy at 1190 Scottsville Road. Under the agreement authorized by City Council on August 19, 1997, the City leased most of the academy site to Monroe County for renovation and expansion of the training facilities. In preparation of the original development plan, it was determined that a portion of the academy facilities were located on land that had been officially dedicated as park land.

Subsequently, on June 11, 1998, City Council authorized Resolution No. 98-19 for the purpose of a home rule message regarding state legislation discontinuing the use of training facility land as park land. Further, on July 22, 1998, the Governor signed NY AB 11183 into law which authorized the City to discontinue the park land dedication at the training facility. To complete the alienation process, the City must dedicate new park land equal to or greater than fair market value. Additionally, NY AB 11183 recognized land along the Genesee River, from South Plymouth Avenue to Ford Street as of equal or greater value to the training facility land. Therefore, this action completes the alienation and dedication process.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-25

Ordinance No. 2018-45
(Int. No. 51)

Discontinuing the use of approximately 12.466 acres of land for park purposes and dedicating approximately of 12.467 acres to park purposes

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

Section 1. In accordance with Chapter 417 of the 1998 Laws of New York, the Mayor is hereby authorized to discontinue the use as park land of approximately 12.466 acres of land located adjacent to Monroe County Police and Fire Academy on condition that, on or before such discontinuance, the City shall dedicate new waterfront park lands comprised of approximately 12.467 acres.

Section 2. The land parcel to be discontinued as park land hereunder shall consist of:

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York known and distinguished as a part of the Sixth Tract of the 3,000 acre tract and being more particularly bounded and described as follows:

Commencing at a point in the centerline of Scottsville Road and the northwest corner of property conveyed by Willie Britton and wife to James O'Neil on July 7, 1925 by deed filed in Liber 1257 of deeds at page 112 and also being 266.46 feet along said centerline from the south property line of lands owned formerly by the Pennsylvania Railroad; thence S 30° 01' 31" E along the northerly line of said O'Neil's land a distance of 574.97 feet to a point; Thence 1) S 30° 01' 31" E a distance of 112.31 feet to a point; Thence 2) Northerly and curving to the left with a radius of 935.37 feet and forming a central angle of 30° 20' 23" a chord bearing of N 2° 41' 56" E and chord distance of 489.54, a distance of 495.30 feet to a point of tangent; Thence 3) N 12° 28' 15" W a distance of 236.45 feet to the southerly line of Scottsville Road; Thence 4) N 59° 58' 29" E along the southerly line of Scottsville Road a distance of 62.93 feet to a point; Thence 5) S 12° 28' 15" E along the northerly line of lands owned formerly by the Pennsylvania Railroad a distance of 255.43 feet to a point of curvature; Thence 6) Southerly and curving to the right with a radius of 995.37 feet and forming a central angle of 23° 22' 01" a chord bearing of S 00° 47' 15" E and chord distance of 403.13 feet a distance of 405.94 feet to a point; Thence 7) Northeasterly and curving to the right with a radius of 562.5 feet and forming a central angle of 9° 38' 32" a chord bearing of N 46° 18' 11" E and a chord distance of 94.55 feet a distance of 94.66 feet to a point; Thence 8) N 51° 07' 27" E a distance of 138.73 feet to a point; Thence 9) N 51° 32' 27" E a distance of 571.24 feet to a point; Thence 10) S 39° 10' 55" E a distance of 146.35 feet to a point; Thence 11) S 51° 31' 27" W a distance of 326.00 feet to a point; Thence 12) S 50° 21' 37" W a distance of 64.01 feet to a point; Thence 13) S 49° 16' 05" W a distance of 66.05 feet to a point; Thence 14) S 53° 51' 02" W a distance of 64.05 feet to a point; Thence 15) S 55° 06' 01" W a distance 64.12 feet to a point; Thence 16) S 52° 34' 52" W a distance of 31.93 feet to the true point or PLACE OF BEGINNING;

Thence 1) S 47°52'57"E a distance of 211.90 feet to a point;

Thence 2) S 34°15'49"W a distance of 653.41 feet to a point;

February 20, 2018

- Thence 3) S 39°53'26"W a distance of 182.17 feet to a point;
 - Thence 4) S 49°26'57"W a distance of 237.55 feet to a point;
 - Thence 5) S 55°00'59"W a distance of 205.00 feet to a point;
 - Thence 6) S 77°24'09"W a distance of 330.00 feet to a point;
 - Thence 7) S 74°38'03"W a distance of 465.00 feet to a point;
 - Thence 8) N 18°20'13"W a distance of 122.00 feet to a point on the City line;
 - Thence 9) N 61°58'27"E along the City line a distance of 228.02 feet to a point;
 - Thence 10) N 61°57'09"E along the City line a distance of 262.00 feet to a point;
 - Thence 11) N 59°55'49"E along the City line a distance of 64.51 feet to a point;
 - Thence 12) N 60°37'24"E along the City line a distance of 68.62 feet to a point;
 - Thence 13) N 58°13'30"E along the City line a distance of 62.64 feet to a point;
 - Thence 14) N 65°12'16"E along the City line a distance of 68.04 feet to a point;
 - Thence 15) N 47°02'32"E along the City line a distance of 67.42 feet to a point;
 - Thence 16) N 43°13'56"E along the City line a distance of 69.21 feet to a point;
 - Thence 17) N 44°42'26"E along the City line a distance of 68.61 feet to a point;
 - Thence 18) N 43°08'44"E along the City line a distance of 192.35 feet to a point;
 - Thence 19) N 47°04'21"E along the City line a distance of 70.19 feet to a point;
 - Thence 20) N 42°32'35"E along the City line a distance of 389.70 feet to a point;
 - Thence 21) N 45°30'27"E along the City line a distance of 71.57 feet to a point;
 - Thence 22) N 47°27'19"E along the City line a distance of 67.58 feet to a point;
 - Thence 23) N 49°30'30"E along the City line a distance of 63.58 feet to a point;
 - Thence 24) N 55°19'46"E along the City line a distance of 67.72 feet to a point;
 - Thence 25) N 52°34'52"E along the City line a distance of 31.85 feet to the point or PLACE OF BEGINNING.
- Hereby intending to describe a parcel of land containing 12.466 Acres of land to be removed from park purposes.

Section 3. The land parcels to be dedicated as park lands hereunder shall consist of:

Hereby intending to describe parcel 1 and 2 of land cumulatively containing 12.467 Acres of land.

PARCEL 1

All that tract or parcel of land situate in the Town of Chili, County of Monroe, State of New York known and distinguished as a part of the Sixth Tract of the 3,000 acre tract and being more particularly bounded and described as follows:

Commencing at a point in the centerline of Scottsville Road and the northwest corner of property conveyed by Willie Britton and wife to James O'Neil on July 7, 1925 by deed filed in Liber 1257 of deeds at page 112 and also being 266.46 feet along said centerline from the south property line of lands owned formerly by the Pennsylvania Railroad; thence S 30° 01' 31" E along the northerly line of said O'Neil's land a distance of 574.97 feet to a point; Thence 1) S 30° 01' 31" E a distance of 112.31 feet to a point; Thence 2) Northerly and curving to the left with a radius of 935.37 feet and forming a central angle of 30° 20' 23" a chord bearing of N 2° 41' 56" E and chord distance of 489.54, a distance of 495.30 feet to a point of tangent; Thence 3) N 12° 28' 15" W a distance of 236.45 feet to the southerly line of Scottsville Road; Thence 4) N 59° 58' 29" E along the southerly line of Scottsville Road a distance of 62.93 feet to a point; Thence 5) S 12° 28' 15" E along the northerly line of lands owned formerly by the Pennsylvania Railroad a distance of 255.43 feet to a point of curvature; Thence 6) Southerly and curving to the right with a radius of 995.37 feet and forming a central angle of 23° 22' 01" a chord bearing of S 00° 47' 15" E and chord distance of 403.13 feet a distance of 405.94 feet to a point; Thence 7) Northeasterly and curving to the right with a radius of 582.5 feet and forming a central angle of 9° 36' 32" a chord bearing of N 46° 18' 11" E and a chord distance of 94.55 feet a distance of 94.66 feet to a point; Thence 8) N 51° 07' 27" E a distance of 138.73 feet to a point; Thence 9) N 51° 32' 27" E a distance of 571.24 feet to the true place or POINT OF BEGINNING;

Thence 1) N 51° 32' 27" E a distance of 881.16 feet to a point;

Thence 2) N 51° 41' 22" E a distance of 238.76 feet to a point;

Thence 3) N 72° 07' 06" E a distance of 259.92 feet to a point;

Thence 4) N 34° 58' 39" E a distance of 79.34 feet to a point;

Thence 5) N 62° 08' 59" E a distance of 19.34 feet to a point;

Thence 6) N 63° 19' 14" E a distance of 53.74 feet to a point;

Thence 7) S 55° 02' 55" E a distance of 121.35 feet to a point on the City line;

Thence 8) S 64° 52' 31" W along the City line a distance of 43.59 feet to a point;

Thence 9) S 63° 20' 51" W along the City line a distance of 65.15 feet to a point;

February 20, 2018

Thence 10) S 62° 12' 52" W along the City line a distance of 63.22 feet to a point;
Thence 11) S 57° 48' 27" W along the City line a distance of 43.48 feet to a point;
Thence 12) S 56° 30' 10" W along the City line a distance of 84.89 feet to a point;
Thence 13) S 55° 45' 50" W along the City line a distance of 65.13 feet to a point;
Thence 14) S 53° 16' 07" W along the City line a distance of 63.16 feet to a point;
Thence 15) S 50° 39' 02"W along the City line a distance of 65.55 feet to a point;
Thence 16) S 51° 31' 27"W along the City line a distance of 646.00 feet to a point;
Thence 17) S 56° 17' 16"W along the City line a distance of 76.27 feet to a point;
Thence 18) S 50° 37' 17"W along the City line a distance of 330.04 feet to a point;
Thence 19) N 39° 10' 55"W a distance of 146.35 feet to the POINT OR PLACE OF BEGINNING.

Hereby intending to describe a parcel of land containing 4.723 Acres of land to be dedicated for park purposes.

PARCEL 2

All That Tract or Parcel of land situate in the City of Rochester, County of Monroe and State of New York and being more particularly bounded and described as follows:

Commencing at a point on the southeasterly line of South Plymouth Avenue (60' wide) at its intersection with the southwesterly line of Luther Circle (50' wide); thence S 47-38-27 W along said line of South Plymouth Avenue a distance of 793.42 feet to an angle point in the said line of South Plymouth Avenue; thence S 28-02-37 W along said line of South Plymouth Avenue a distance of 30.96 feet to the POINT OF BEGINNING; said point being the southwesterly corner of lands conveyed to Spronz Incinerator Corp. by Pendell Company and Penn Central Company by deed recorded August 1, 1969 and filed in the Monroe County Clerks Office in deed Liber 4001 Page 125;

Thence, 1) N 86-02-15 E along the southerly line of Spronz Incinerator Corp. a distance of 1179.98 feet to a point;

Thence (2) N 03-57-27 W along the easterly line of Spronz Incinerator Corp a distance of 73.16 feet to a point on the northerly bounds of the former Pennsylvania Railroad; thence along the northerly bounds of the Pennsylvania Railroad the following courses (3) thru (16);

Thence, 3): N 77-19-39 E a distance of 67.25 feet to a point;

- Thence, 4): N 87-36-45 E a distance of 72.01 feet to a point;
- Thence, 5): S 88-54-16 E a distance of 62.2h4 feet to a point;
- Thence, 6): N 85-30-05 E a distance of 63.37 feet to a point;
- Thence, 7): N 81-46-32 E a distance of 62.78 feet to a point;
- Thence, 8): N 79-01-28 E a distance of 59.14 feet to a point;
- Thence, 9): N 71-04-41 E a distance of 61.03 feet to a point;
- Thence, 10): N 71-38-44 E a distance of 60.81 feet to a point;
- Thence, 11): N 68-16-17 E a distance of 61.48 feet to a point;
- Thence, 12): N 66-05-56 E a distance of 67.26 feet to a point;
- Thence, 13): N 64-35-30 E a distance of 61.81 feet to a point;
- Thence, 14): N 59-10-38 E a distance of 59.94 feet to a point;
- Thence, 15): N 55-53-18 E a distance of 1.83 feet to a point;
- Thence, 16) leaving said westerly bounds and crossing the said

Pennsylvania Railroad N 79-30-16 E parallel to and 60.0 feet northerly of the south line of lands conveyed to the City of Rochester by the University of Rochester by deed recorded September 18, 1970 and filed in Liber 4079 Page 55 a distance of 840.66 feet to a non-tangent point of curve having a radius bearing of N 49-48-40 W;

Thence, 17) along a curve to the left having a radius of 612.69 feet and forming a central angle of 11-27' 46" a distance of 122.58 feet to a point of compound curvature;

Thence, 18) along a curve to the left having a radius of 2684.36 feet and forming a central angle of 7-36' 30" a distance of 356.46 feet to a point of tangency;

Thence, 19) N 21-07-04 E crossing over lands of the former Erie Railroad a distance of 910.68 feet to a point on the westerly bounds of the former Erie Railroad and the easterly bounds of the former Pennsylvania Railroad; thence northerly along the easterly bounds of the former Pennsylvania Railroad the following courses (20) thru (29);

Thence, 20) N 38-29-14 E a distance of 58.82 feet to a point;

Thence, 21) N 38-36-20 E a distance of 67.68 feet to a point;

Thence, 22) N 38-53-47 E a distance of 69.56 feet to a point;

Thence, 23) N 34-12-02 E a distance of 57.29 feet to a point;

Thence, 24) N 31-28-03 E a distance of 75.67 feet to a point;

Thence, 25) N 24-59-19 E a distance of 63.56 feet to a point;

Thence, 26) N 28-12-44 E a distance of 69.23 feet to a point;

Thence, 27) N 26-31-55 E a distance of 66.17 feet to a point;

Thence, 28) N 23-29-10 E a distance of 64.11 feet to a point;

Thence, 29) N 23-47-04 E a distance of 71.26 feet to a point at the south corner of lands conveyed to 760 Exchange Street Partnership by the City of Rochester by deed recorded October 2, 1985 and filed in Liber 6785 Page 239;

Thence, 30) N 28-47-16 E along the easterly bounds of 760 Exchange Partnership a distance of 1186.50 feet to a point 90.0 feet south of the southerly line of Ford Street;

Thence, 31) S 54-41-55 E on a line parallel to and 90.0 feet distant from the south line of Ford Street a distance of 46.20 feet to a non-tangent point of curve on the westerly bounds of land appropriated by the State of New York from The Erie Railroad by appropriation and map recorded January 23, 1917 and filed in Liber 988 Page 134; Thence, southerly along the westerly bounds of the State of New York the following courses (32) thru (38);

Thence, 32) along a non-tangent curve to the left having a radius of 1117.50 feet bearing S 54-02-42 E, and forming a central angle of 5-11'47", a distance of 101.35 feet to a point of tangency;

Thence, 33) S 30-45-31 W a distance of 589.05 feet to a point of curvature;

Thence, 34) along a tangent curve to the left having a radius of 3978.70 feet and forming a central angle of 5-44'40" a distance of 398.90 feet to a point of reverse curvature;

Thence, 35) along a tangent curve to the right having a radius of 5485.53 feet and forming a central angle of 4-08'45" a distance of 396.92 feet to a point of tangency;

Thence, 36) S 29-09-36 W a distance of 133.79 feet to a point of curvature;

Thence, 37) along a tangent curve to the left having a radius of 4309.28 feet and forming a central angle of 7-23'38" a distance of 556.10 feet to a point on the easterly bounds of the former Erie Railroad;

Thence, 38) S 29-09-36 W along said former Erie Railroad a distance of 15.26 feet to a point at the intersection of the centerline of Flint Street (60.0' wide) extended to the easterly bounds of the former Erie Railroad;

thence 39) S 44-39-48 E along the centerline of Flint Street extended a distance of 6.95 feet to a point at the northwesterly corner of lands appropriated by the State of New York from James L. Hotchkiss by appropriation and map recorded June 15, 1917 in deed Liber 988 Page 225;

Thence, southerly along the westerly bounds of the State of New York the following courses (40) thru (43);

40) S 21-07-04 W a distance of 550.64 feet to a point of curvature;
Thence, 41) along a tangent curve to the right having a radius of 2734.36 feet and forming a central angle of 7°-36' 30" a distance of 363.10 feet to a point of Compound curvature;
Thence, 42) along a tangent curve to the right having a radius of 662.69 feet and forming a central angle of 32-09' 10" a distance of 371.88 feet to a point of tangency;
Thence, 43) S 60-52-44 W a distance of 22.00 feet to a point on the easterly bounds of the former Erie Railroad;
Thence, 44) S 29-09-36 W along the easterly bounds of the Former Erie Railroad (99.0' wide) a distance of 26.12 feet to the waters edge of the Genesee River on the northerly bank thereof;
Thence, westerly along the edge of water the following courses (45) thru (48);

Thence, 45) S 63-08-29 W a distance of 29.57 feet to a point;

Thence, 46) S 65-28-56 W a distance of 13.40 feet to a point;

Thence, 47) S 83-28-35 W a distance of 46.67 feet to a point;

Thence, 48) S 77-52-41 W a distance of 48.75 feet to a point on the westerly bounds of the former Erie Railroad;
Thence, 49) N 29-09-36 E along the westerly bounds of the former Erie Railroad a distance of 169.92 feet to a point at the southeasterly corner of lands conveyed to the City of Rochester by the University of Rochester by deed recorded September 18, 1970 and filed in Liber 4079 Page 55; Thence, 50) S 79-30-16 W along the southerly bounds of lands of the City of Rochester a distance of 505.00 feet to a point on the southerly bounds of the former Pennsylvania Railroad; Thence, westerly along the southerly bounds of the former Pennsylvania Railroad the following courses (51) thru (76);

Thence, 51) S 56-24-08 W a distance of 67.24 feet to a point;

Thence, 52) S 58-42-47 W a distance of 63.56 feet to a point;

Thence, 53) S 62-09-43 W a distance of 66.43 feet to a point;

Thence, 54) S 66-01-17 W a distance of 72.44 feet to a point;

Thence, 55) S 68-15-05 W a distance of 66.36 feet to a point;

Thence, 56) S 47-30-57 W a distance of 73.45 feet to a point;

Thence, 57) S 83-20-54 W a distance of 68.63 feet to a point;

Thence, 58) S 89-08-44 W a distance of 66.40 feet to a point;

Thence, 59) S 79-34-10 W a distance of 68.88 feet to a point;

- Thence, 60) S 83-10-12 W a distance of 68.87 feet to a point;
- Thence, 61) S 85-28-00 W a distance of 61.99 feet to a point;
- Thence, 62) S 86-11-06 W a distance of 71.99 feet to a point;
- Thence, 63) S 84-00-04 W a distance of 68.03 feet to a point;
- Thence, 64) S 86-34-08 W a distance of 61.99 feet to a point;
- Thence, 65) S 86-01-44 W a distance of 65.99 feet to a point;
- Thence, 66) S 86-01-10 W a distance of 67.99 feet to a point;
- Thence, 67) S 86-42-58 W a distance of 65.99 feet to a point;
- Thence, 68) S 87-52-37 W a distance of 68.03 feet to a point;
- Thence, 69) S 84-38-00 W a distance of 62.01 feet to a point;
- Thence, 70) S 86-01-29 W a distance of 69.99 feet to a point;
- Thence, 71) S 86-28-12 W a distance of 63.99 feet to a point;
- Thence, 72) S 86-28-12 W a distance of 63.99 feet to a point;
- Thence, 73) S 86-35-44 W a distance of 50.00 feet to a point;
- Thence, 74) S 71-34-51 W a distance of 41.30 feet to a point;
- Thence, 75) S 85-05-52 W a distance of 62.00 feet to a point;
- Thence, 76) S 89-23-08 W a distance of 52.41 feet to a point at the northeast corner of lands conveyed to the City of Rochester by the University of Rochester by deed recorded on November 11, 1931 in Liber 1587 Page 260;
- Thence, 77) S 00-36-52 W along the easterly bounds of lands of the City of Rochester a distance of 34.04 feet to the waters edge on the north bank of the Genesee River; Thence, westerly along the waters edge of the Genesee River the following courses (78) thru (85);
- 78) S 74-51-51 W a distance of 83.83 feet to a point;
- Thence, 79) S 85-56-45 W a distance of 108.42 feet to a point;
- Thence, 80) S 80-15-05 W a distance of 86.50 feet to a point;
- Thence, 81) S 78-43-02 W a distance of 55.90 feet to a point
- Thence, 82) S 61-58-10 W a distance of 15.16 feet to a point;
- Thence, 83) S 82-12-50 W a distance of 15.01 feet to a point;

February 20, 2018

Thence, 84) S 70-54-39 W a distance of 8.51 feet to a point;

Thence, 85) S 75-49-28 W a distance of 56.59 feet to a point;

Thence, 86) N 29-36-12 W a distance of 29.16 feet to an angle point in the southeasterly line of South Plymouth Avenue;

Thence, 87) N 28-02-37 E along the southeasterly line of South Plymouth Avenue a distance of 104.69 feet to the POINT OR PLACE OF BEGINNING; containing within said bounds 7.744 Acres of land more or less.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Lightfoot
February 20, 2018

To the Council:

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

- Int. No. 52 Authorizing an agreement with Town and Country Travel, Inc. for a tour of Historically Black Colleges and Universities for City youth
- Int. No. 53 Amending Ordinance No. 2017-279 relating to a grant agreement for Police Department violence prevention and community policing programs
- Int. No. 54 Authorizing acceptance of a PetSmart Charities 2018 Spay/Neuter Grant
- Int. No. 55 Authorizing an agreement with the New York State Division of Criminal Justice Services

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Jacklyn Ortiz
Adam C. McFadden
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.
TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-46
Re: Agreement – Town and Country
Travel, Tour of Historically Black

Colleges and Universities

Council Priority: Support the Creation
of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$36,000 as maximum compensation for an agreement with Town and Country Travel, Inc. (owned and operated by Teresa Johnson, Pittsford, New York) to conduct a tour of Historically Black Colleges and Universities for city youth. The cost of this agreement, which includes all transportation, hotel, food and fees, will be funded from the 2017-18 Budget of the Department of Recreation and Youth Services (DRYS).

The term of the agreement shall extend until June 30, 2018.

The purpose of the college tour is to expose city youth to college life outside of the city limits and to reinforce the importance of school attendance, good grades and planning for the future. It will also reinforce the connection between education and careers. Approximately 40 youth ages 14-18 who participate in DRYS programs will go on the tour, planned for April 2 – April 5, 2018. They will visit three or four colleges/universities in the Washington, D.C. and Maryland area and nearby historical sites.

The funding is from the remaining 2017 Summer of Opportunity grant from the New York State Department of Labor (NYSDOL) (Ordinance No. 2017-107). The NYSDOL requires that the City expend 30% of the grant funds through utilizing certified M/WBE businesses. Town and Country Travel was selected to provide the student tour service based on being the only local certified M/WBE travel agencies.

A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-26

Ordinance No. 2018-46
(Int. No. 52)

Authorizing an agreement with Town and Country Travel, Inc. for a tour of Historically Black Colleges and Universities for City youth

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 Town and Country Travel, Inc. for a tour of Historically Black Colleges and Universities in an amount not to exceed \$36,000 for City youth who participate in Department of Recreation and Youth Services (DRYS) programs. Said amount shall be funded from the 2017-18 Budget of DRYS.

Section 2. Said agreement shall extend until June 30, 2018.

February 20, 2018

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-47

Re: Amendment - Ordinance
No. 2017-279

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-279, which authorized grant agreements and funding for Rochester Police Department violence prevention and community policing programs.

RPD recently received the grant agreement document from the New York State Division of Criminal Justice Services for the Senator Richard Funke grant with an agreement term of January 1, 2018 through December 31, 2018. Therefore, Section 1 of Ordinance No. 2017-279 is amended from "The term of the agreement shall be October 1, 2017 through September 30, 2018" to "The term of the agreement shall be January 1, 2018 through December 31, 2018."

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-47
(Int. No. 53)

Amending Ordinance No. 2017-279 relating to a grant agreement for Police Department violence prevention and community policing programs

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

Section 1. Section 1 of Ordinance No. 2017-279 is hereby amended to read as follows:

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

February 20, 2018

~~1, 2017 through September 30, 2018~~ January 1, 2018 through December 31, 2018.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-48

Re: Grant Agreement – PetSmart
Charities, Inc., 2018 Spay/Neuter
Grant

Transmitted herewith for your approval is legislation related to a PetSmart Charities, Inc. grant.
This legislation will:

- 1) Authorize an agreement with PetSmart Charities, Inc. for the receipt and use of a Spay/Neuter Grant in an amount of up to \$42,100. The term of this agreement shall be through December 31, 2018.
- 2) Amend the 2017-18 Budget of the Police Department by \$42,100 to reflect the addition of this grant.
- 3) Establish \$35,125 as maximum compensation for an agreement with Animal Hospital of Pittsford, P.C. (Principal: Todd Wihlen), 2816 Monroe Avenue, Rochester, 14618, to provide spay/neuter services for Rochester Animal Services. The term of the agreement will be through December 31, 2018.

PetSmart Charities, Inc. is providing this grant to support the no-cost spay/neuter initiative for Animal Services. Animal Services provides vouchers to pet owners in underserved neighborhoods throughout the City. The vouchers can be redeemed for pet sterilization surgeries at Animal Hospital of Pittsford, P.C. The grant funds will be used to pay for the redeemed vouchers, and medical supplies and surgical expenses for additional spay/neuter surgeries at Rochester Animal Services.

The previous grant received from the PetSmart Charities was for \$41,756 (Ord. No. 2017-311), for shelter veterinary supplies and cages to improve health and wellness of animals in the City's care. That grant is still in progress.

A justification for not issuing an RFP is attached.

Respectfully submitted,

Lovely A. Warren

Mayor

Attachment No. AR-26

Ordinance No. 2018-48
(Int. No. 54)

Authorizing acceptance of a PetSmart Charities 2018 Spay/Neuter Grant

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

Section 1. The Mayor is hereby authorized to enter into an agreement with PetSmart Charities, Inc. for receipt and use of a 2018 Spay/Neuter Grant in the amount of \$42,100 to fund spay and neuter services for pet owners in underserved City neighborhoods. The term of the agreement shall be through December 31, 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 Police Department by the sum of \$42,100, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Animal Hospital of Pittsford, P.C. to provide spay and neuter services for the pets of those who have received spay/neuter program vouchers funded by the 2018 Spay/Neuter Grant authorized herein. The term of the agreement shall be through December 31, 2018. The maximum compensation for the agreement shall be \$35,125, and that amount, or so much thereof as may be necessary, shall be funded from the 2017-18 Budget of the Police Department.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-49
Re: Agreement –New York State
Division of Criminal Justice
Services, Video Recording of
Statements Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$24,300 for the New York State Video Recording of Statements Grant.

February 20, 2018

This award will provide up to \$24,300 for eleven video recorders for use in the Police Department's interview rooms at the Public Safety Building. This funding also includes the cost of installation, associated technology, and protective Plexiglas boxes for the recorders. This grant is part of an initiative started by the state in 2016 to increase the number of video recorded interviews during crime investigations.

The previous Video Recording of Statements Grant was authorized by City Council in December 2016 (Ordinance No. 2016-413). The term of this agreement is January 1, 2018 through December 31, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-49
(Int. No. 55)

Authorizing an agreement with the New York State Division of Criminal Justice Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for the receipt and use of anticipated grant funds in the amount of \$24,300 for interview video recording equipment, including installation and associated equipment. The term of the agreement shall be January 1, 2018 through December 31, 2018.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:00 p.m.

HAZEL L. WASHINGTON
City Clerk