

ROCHESTER CITY COUNCIL

REGULAR MEETING

November 20, 2018

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

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**

**DES:**

- \*Yolanda Arroniz-Vrooman
- \*Edward L. Kelley

**RFD:**

- \*Frederick A. Denunzio

**RPD:**

- \*William J. Danno
- \*Thomas A Motsay
- \*Donna A. Roulin

\*Did not attend

**APPROVAL OF THE MINUTES**

By Councilmember Clifford

RESOLVED, that the minutes of the Regular Meeting of October 16, 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 Mayor submits the following:

Quarterly Report Professional services agreements, Schedule of Revenues and Expenditures, and Delinquent Receivables for period ending September 30, 2018.

Quarterly Report NBD Loans & Grants for period ending September 30, 2018. -4295-18

The Council submits Disclosure of Interest Forms from Councilmember Spaul on Int. No. 402. - 4296-18

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

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REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Vice President McFadden  
November 20, 2018

To the Council:

The **FINANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 389	Authorizing the cancellation or refund of erroneous taxes and charges
Int. No. 390	Authorizing an amendatory agreement for an evaluation of the Fire Department's fire suppression deployment model
Int. No. 414	Authorizing an agreement for expert witness services for the Law Department
Int. No. 415	Authorizing an agreement and funding for 2018 Step Jam

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:

Ordinance No. 2018-351  
Re: Cancellation or Refund of  
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$7,800.

The current owner purchased and closed on the property located at 611 Bay Street on June 24, 2018 and at that time there were more than 83 open violations and the structure was scheduled for demolition. The new owner was unaware of the existing code violations. However, the structure has received extensive remodeling and has been de-converted from a three-family to a two-family dwelling. The fines will be referred to Municipal Codes Violations Bureau to initiate collection from the former owner.

If these cancellations are approved, total cancellations thus far for 2018-19 will be as follows:

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	<u>Accounts</u>	
City Council	2	\$8,977.11
Administrative	<u>29</u>	<u>\$11,580.28</u>
Total	31	\$20,557.39

These cancellations represent 0.0079% of the tax receivables as of July 1, 2018.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-178

Ordinance No. 2018-351  
(Int. No. 389)

**Authorizing the cancellation or refund of erroneous taxes and charges**

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

Section 1. The City Treasurer is hereby authorized to cancel \$7,800 in taxes and charges for the property located at 611 Bay Street. At the time the current owner purchased the property, there were more than 83 open violations and the improvements were scheduled for demolition. The new owner was unaware of the existing code violations and the improvements have been extensively remodeled and the property has been deconverted from a three-family to a two-family dwelling. The fines will be referred to the Municipal Codes Violations Bureau to initiate collection from the former owner.

S.B.L. #:	107.45-1-9
Class:	H
Address:	611 Bay Street
Tax year:	2018
Amount cancelled:	\$7,800

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.  
TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-352  
Re: Amendatory Agreement – Fitch and

November 20, 2018

Associates, LLC, Organizational  
Evaluation of the Rochester Fire  
Department Fire Suppression  
Deployment Model

Council Priority: Deficit Reduction and Long  
Term Financial Stability & Public Safety

Transmitted herewith for your approval is legislation amending the term of the agreement with Fitch and Associates, LLC (FITCH) for the organizational evaluation of the Rochester Fire Department fire suppression deployment model by extending it to April 30, 2019. The current agreement was authorized in April 2018 via ordinance 2018-108 and expires on October 31, 2018. The compensation amount and funding source for the agreement will remain unchanged.

The term extension will allow FITCH additional time to complete the data-driven analyses and return to Rochester to deliver in-person presentations to various stakeholders.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-352  
(Int. No. 390)

**Authorizing an amendatory agreement for an evaluation of the Fire Department's fire suppression deployment model**

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 Fitch & Associates, LLC to continue performing an organizational evaluation of the Rochester Fire Department fire suppression deployment model. The amendment shall extend the term until April 30, 2019.

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

Section 3. The ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2018-353  
Agreement – Expert Witness

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## Services

Transmitted herewith for your approval is legislation authorizing a professional services agreement with Crash Data Specialists LLC (CDS), to provide expert accident reconstruction services in support of the City's defense of personal injury suits. The maximum amount of this agreement shall be \$15,000, to be funded from the 2018-2019 Budget of the Law Department.

Since 2015 CDS and its principal, Jon Northrup, have provided expert services to the Law Department by reconstructing accident scenes, obtaining "black box" information from accident vehicles, and providing reports, affidavits and testimony of the same. These services are provided promptly and at the reasonable cost of \$150.00 per hour. The Law Department originally entered into a PSA with CDS for an amount not to exceed \$10,000.00 in October 2016; this amount was later increased to \$20,000 maximum compensation as authorized by Ordinance No. 2017-60.

The Law Department anticipates that it may require an additional amount of up to \$15,000 for CDS expert services for pending and future lawsuits filed during the 2018-2019 fiscal year. The term of the agreement may extend until completion of those lawsuits.

A justification for not conducting a Request for Proposal process is attached.

Respectfully submitted,  
Lovely Warren  
Mayor

Attachment No. AR-179

Ordinance No. 2018-353  
(Int. No. 414)

### **Authorizing an agreement for expert witness services for the Law Department**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Crash Data Specialists LLC in the amount of \$15,000 to provide expert witness services in conjunction with pending and future litigation. Said amount shall be funded from the 2018-19 Budget of the Law Department. The term of the agreement may extend until completion of the cases for which the expert's services are requested.

Section 2. This 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:

November 20, 2018

Ordinance No. 2018-354  
Re: Agreement – Monroe County  
Broadcasting Company, Ltd., d/b/a  
WDKX, Step Jam Event

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$12,500 as maximum compensation for an agreement with Monroe County Broadcasting Company, Ltd., d/b/a WDKX, for the December 8, 2018 Step Jam event. This agreement will be financed from the 2018-19 Budget of the Bureau of Communications.

The Step Jam has been a positive youth and community event held at the Blue Cross Arena at the War Memorial for the last decade. It is a competition for county-wide step teams that fosters school spirit, community pride, and a sense of unity and belonging for participants. The event focuses on positive dance, step and music experiences for the entire family. Parents are given a chance to see their children showcase their talents and students get to interact in a positive way with City of Rochester police officers, school sentries, and Pathways to Peace personnel.

Schools reward students with free tickets to the event for doing well in school and keeping up attendance in school. Colleges have been known to attend the event to share their step teams' experience and recruit future college-ready youth to their teams.

WDKX has been the champion of this event which continues to grow each year with more performers, spectators and community vendors. This event is also supported by the Rochester City School District. City Council approved funding in the same amount for last year's event (2017-348).

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-180

Ordinance No. 2018-354  
(Int. No. 415)

### **Authorizing an agreement and funding for 2018 Step Jam**

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

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Section 1. The Mayor is hereby authorized to enter into an agreement with Monroe County Broadcasting Company, Limited, d/b/a WDKX to present the Step Jam dance competition event to occur on or about December 8, 2018.

Section 2. The maximum compensation for the agreement shall be \$12,500 and shall be funded from the 2018-19 Budget of the Bureau of Communications.

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.

By Councilmember Patterson  
November 20, 2018

To the Council:

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- |              |  |
|--------------|--|
| Int. No. 391 | Authorizing the sale of real estate  |
| Int. No. 392 | Authorizing an amendatory loan agreement and appropriating funds for the Stadium Estates Phase II Affordable Housing Project   |
| Int. No. 393 | Authorizing the exchange of real estate with the University of Rochester   |
| Int. No. 394 | Amending Ordinance No. 2018-185 relating to appropriations for the Homebuyer Training Program  |
| Int. No. 395 | Authorizing a loan agreement for residential development within the Inner Loop East Transformation project, <b><u>as amended</u></b>                                     |
| Int. No. 396 | Authorizing an agreement for economic development services   |
| Int. No. 397 | Authorizing an agreement for business assistance services  |
| Int. No. 398 | Approving the appropriation of Rochester Urban Renewal Agency funds for public infrastructure improvements in the La Marketa North Clinton Avenue Urban Renewal District |

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Int. No. 399            Authorizing the receipt and use of funds and a management agreement for the 2019 NY Statewide Preservation Conference

Int. No. 416            Approving appointments to the City Planning Commission

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

Int. No. 400            Amending the Zoning Code by adding the Pediatric and Family Service Planned Development District No. 20

Int. No. 401            Amending the Zoning Map by changing the zoning classification of 1850-1900 South Avenue to Planned Development District No. 20 – Pediatric and Family Service

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. 2018-391  
Re:     Sale of Real Estate

Council Priority: Rebuilding and  
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of forty-two 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 thirty-six properties were sold to the respective highest bidder at a surplus auction. All purchasers will be required to rehabilitate the structures within 12 months of City Council approval.

The next property is a vacant lot sold by request for proposal to the adjacent owner. The purchaser will combine the lot with his existing lot to create a parking lot and expand his business within one year of Council approval.



The next two properties are vacant lots sold by negotiated sale to the adjacent owners. The purchasers will combine the lots with their existing properties.

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

The first year projected tax revenue for these forty-two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$58,366.

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-181

Ordinance No. 2018-355  
(Int. No. 391)

**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 sale of the following parcels of improved property by regular auction:

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Use</b>	<b>Price</b>	<b>Purchaser</b>
39 Admiral Pk	105.25-2-32	33 x113	2 Family	\$7,500	Maximo DelValle
462 Avenue D	091.79-1-42	36 x 118	2 Family	14,000	HMS Capital, LLC
12 Burbank St	091.70-3-62	43 x 97	1 Family	2,800	Anthony Forbes
‡ 14 Burbank St	091.70-3-61	34 x 97	Vacant Lot		
164-164.5 Cady St	120.59-1-43	33 x 114	2 Family	4800	HMS Capital, LLC
190 Columbia Av	120.68-2-59	33 x 100	1 Family	6,000	Hope Griner
92 Cummings St	107.37-3-63	40 x 116	1 Family	17,900	Carlos Calderon

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226 Curtis St	105.40-3-22	35 x 110	1 Family	25,500	Citta Properties LLC
96 Delamaine Dr	091.75-2-45	34 x77	1 Family	13,500	Jane Kadysch
71 Diem St	121.81-1-4.2	26 x 80	1 Family	20,000	Musliha Ahmed
87 Dr Samuel McCree Way	120.60-1-28	40 x 117	1 Family	800	Dream Team 17 Properties, LLC
297 Driving Pk Av	090.82-2-44	31 x 82	1 Family	4,500	Luis Ferrer-Heredia
195 Fourth St	106.59-2-39.1	80 x 120	1 Family	17,500	Ramon Rivera, Jr.
41 Garnet St	106.36-2-39	38 x 120	1 Family	10,600	Jane Kadysch
126 Glide St	120.31-2-35	40 x 125	1 Family	2,500	Tien Tran
235 Grand Av	107.61-2-23	40 x 128	2 Family	19,000	Musliha Ahmed
61 Harris St	106.21-1-22	40 x 119	2 Family	2,200	Joseph Raskin
645 Hudson Av	106.33-1-17	48 x 110	3 Family	5,800	HMS Capital, LLC
940 Hudson Av	091.73-3-42	45 x 100	2 Family	3,200	Corey Provenzano
118 Iceland Pk	120.67-2-45	48 x 48	1 Family	10,400	Colleen D Oakley
112-114 Jefferson Av	120.36-1-69	40 x 124	2 Family	15,500	Dondre Collins
9 Kestrel St	105.33-1-34	42 x 143	1 Family	13,600	Joseph Raskin
69 Myrtle St	105.57-4-43	50 x 98	1 Family	7,400	Jose J Perez
168 Parkway	105.59-2-74	39 x 145	2 Family	4,800	Kenneth J. Boone
348 Ravenwood Av	120.71-4-64	40 x 142	1 Family	26,000	Citta Properties LLC
267 Ravine Ave	105.34-3-22	60 x 137	2 Family	33,000	Lunar Real Estate of Rochester, LLC
74 Requa St	091.46-1-54	50 x 120	1 Family	26,000	Maximo DelValle
200 Roycroft Dr	091.82-1-65	35 x 74	1 Family	12,800	Joseph Raskin
228 Saratoga Av	105.51-3-72	32 x 100	2 Family	4,000	Luis Ferrer-Heredia
48 Second St	106.59-2-82	40 x 120	1 Family	6,000	Teresita Thompson
188-190 Sixth St	106.52-2-83	40 x 120	2 Family	17,400	Lunar Real Estate of Rochester, LLC

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170 Wilkins St	106.24-1-90	35 x 102	2 Family	5,200	Justin L. Birmingham
‡174 Wilkins St	106.24-1-89	35 x 102	Vacant Lot		
370 Wilkins St	106.25-1-15	43 x 102	1 Family	4,600	Kemar Gray
60 Wooden St	120.51-4-38	41 x 93	2 Family	6,600	Teriance Hunter
14 Woodford St	106.29-1-76	41 x 110	2 Family	1,000	Luis Ferrer-Heredia

‡ designates vacant parcels to be sold in conjunction with the preceding listed parcel.

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Sq. Ft.</b>	<b>Price</b>	<b>Purchaser</b>
1 LaSalle St	105.66-3-33.2	156 x 122	12,232	\$20,000	Charles Stagnitto, Jr.

Section 3. The Council hereby approves the negotiated sale of the following parcels of vacant land:

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Sq. Ft.</b>	<b>Price</b>	<b>Purchaser</b>
31 Hoeltzer St	106.39-2-15.1	51 x 82	4,286	\$425	Shamara Ferguson
65 Werner Pk	122.61-1-25	45 x 130	2,697	50	Frank Robert Koch

Section 4. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Sq. Ft.</b>	<b>Purchaser</b>
100-102 Dengler St	120.35-1-20	47 x 37	2,077	Latoya Christina Scott
127 Lark St	090.81-1-62	35 x 100	3,500	Richard J. Londue
122 Woodward St	106.74-1-4	34 x 132	4,332	Grace F. Joseph

Section 5. 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 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-356  
Re: Stadium Estates Phase II –  
Amendatory Project Loan Agreement

Council Priority: Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to funding for the Stadium Estates Phase II Affordable Rental Housing New Construction Project. This legislation will:

1. Authorize an Amendatory Project Loan Agreement with JOSANA Stadium II, LLC to increase the loan amount approved in Ordinance No. 2017-294 by \$65,000, to be funded as stated in sections 2 and 3 below, for a total of \$765,000 with a term of 30 years with annual interest-only payments of 2%, as recommended for approval by the Loan Review Committee on October 16, 2018.
2. Reappropriate to Project loan principal \$49,000 in unspent from the Improving the Housing Stock and General Property Conditions Objective, Housing Development Fund allocation (Affordable Housing Account) of the 2012-13 HOME Program identified in Section 2 of Ordinance No. 2012-293;
3. Appropriate to Project loan principal \$16,000 in HOME funds from the Affordable Housing Fund allocation of the Housing Development Fund in the Consolidated Community Development Plan / 2018-19 Annual Action Plan; and
4. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan agreement in order to conform to legal requirements for tax credits or for the project.

The City has committed \$765,000 to the development of Stadium Estates II affordable rental housing project. Of this amount, City Council appropriated \$700,000 for the project through Ordinance No. 2017-294. JOSANA Stadium II, LLC is the subsidiary that co-developers Charles Settlement House, Inc. (Scott Benjamin, President) and Rochester's Cornerstone Group (Roger Brandt, President) formed for the Project in accordance with that ordinance.

Stadium Estates Phase II involves the construction of a community center and 46 family rental housing units on clustered sites in the JOSANA neighborhood. The project received Low Income Housing Tax Credits (LIHTC) and New York State Housing Trust Funds for its construction. All 46 units will be for households with 60% or less of the area median income (AMI); twenty-eight units (28) will be affordable to 50% AMI and eighteen (18) units will be affordable at 60% AMI. All units will be made available for affordable homeownership through a lease to purchase program to be implemented at the end of the 15 year tax credit compliance period.

The project commenced construction in December 2017 and is scheduled for completion in February 2019. It will fulfill an obligation of 30% M/WBE contracts (for City and State funds) and will include workforce goals of 20% minority and 6.9% women workers. Thirty percent of new hires for the project will be Section 3 workers. The project is anticipated to support 90-100 construction jobs and two permanent jobs. The co-developers are requesting additional funding from the City to help close a gap that resulted from encountering unexpected amounts of bedrock on many parcels, previously undiscovered contamination stemming from prior demolished structures, debris/unsuitable fill material found in the former demolition backfill areas, and the resulting need to import clean soil to the 31 project sites. These impacts contributed to

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a funding gap of approximately \$677,000. The remaining portion of the gap will be funded through an application to the Federal Home Loan Bank of New York's Affordable Housing Program and/or owner equity.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-356  
(Int. No. 392)

**Authorizing an amendatory loan agreement and appropriating funds for the Stadium Estates Phase II Affordable Housing 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 amendatory agreement for the Stadium Estates Phase II Affordable Housing Project (the "Project") to amend the terms of the loan agreement with JOSANA Stadium II, LLC authorized by Ordinance No. 2017-294 by increasing the loan amount by \$65,000 to a total of \$765,000. The amendatory amount of \$65,000 shall be funded from the appropriations made in Section 2 and 3 herein.

Section 2. Section 2 of Ordinance No. 2012-293 is hereby amended to reduce by \$49,000, to a total of \$1,000, the amount appropriated from the Improving the Housing Stock and General Property Conditions Objective, Housing Development Fund allocation (Affordable Housing Account) of the 2012-13 HOME Program, and said \$49,000 is hereby reappropriated to fund a portion of the additional Project loan principal authorized in Section 1 herein.

Section 3. The sum of \$16,000 is hereby appropriated from the Affordable Housing Fund allocation of the Housing Development Fund in the Consolidated Community Development Plan/2018-19 Annual Action Plan to fund a portion of the additional Project loan principal authorized in Section 1 herein.

Section 4. The other loan terms authorized in Ordinance No. 2017-294 shall remain unchanged, including a 30-year term following the completion of construction, an annual interest rate of 2%, interest payments only due during the loan term with loan principal due at the end of the loan term, and authorizing the Mayor to adjust the loan interest rate and other terms and condition if necessary to conform to legal and other requirements of the Project or its tax credits.

Section 5. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

November 20, 2018

Ladies and Gentlemen:

Ordinance No. 2018-357  
Re: Property Exchange- University of  
Rochester-Lands near Mt. Hope  
Cemetery

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a Property Exchange Agreement with the University of Rochester ( U of R) for property located adjacent to Mt. Hope Cemetery.

The City owns three parcels of land adjacent to the University of Rochester River Campus property where the University has had underground and surface facilities for many years. One parcel is known as 490 Elmwood Avenue (SBL No.: 135.60-1-7); the second parcel is a part of 670 Joseph C. Wilson Boulevard ( Part of SBL No.: 135.36-1-1.3 and the third is part of 1133 Mt. Hope Avenue- Mt. Hope Cemetery (Part of SBL No.: 136.37-1-1

The City has a continuing need for additional plot space in Mt. Hope Cemetery and is interested in the opportunities to expand the cemetery with lands that the U of R is not utilizing. The University has agreed to transfer to the City two parcels of University owned lands. One parcel is a part of 380-600 Joseph C. Wilson Boulevard (Part of SBL No.: 136.29-1-2); the second parcel is a part of 6 Harmon Place (Part of SBL No.: 121.78-1-16.2), in exchange for the three City parcels noted above.

If approved, the City would acquire two parcels of land owned by the University totaling 2.69 acres and the University would acquire three parcels of land owned by the City totaling 2.24 acres.

An independent appraisal of the properties as prepared by Bruckner, Tillett, Rossi, Cahill & Associates as of April, 2018, has valued the parcels subject to this exchange, equally at \$130,000.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-182

Ordinance No. 2018-357  
(Int. No. 393)

**Authorizing the exchange of real estate with the University of Rochester**

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

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Section 1. The Council hereby authorizes an exchange of real estate with the University of Rochester whereby the City will convey to the University a fee interest in the City owned parcel at 490 Elmwood Avenue (SBL #135.60-1-7) that is described as Parcel 1 in the Legal Descriptions which are attached to and incorporated into this ordinance as Exhibit A, in a portion of the City owned parcel 1133 Mt. Hope Avenue (part of SBL No.136.37-1-1) described as Parcel 2, and in a portion of the City owned parcel at 670 Joseph C. Wilson Boulevard (part of SBL No. 135.36-1-1.003) described as Parcel 3, in return for the University conveying to the City a fee interest in a portion of the University owned parcel at 380-600 Joseph C. Wilson Boulevard (part of SBL No. 136.29-1-2) described herein as Parcel 4 and in a portion of the University owned parcel at 6 Harmon Place (part of SBL No. 121.78-1-16.002) described herein as Parcel 5.

Section 2. For the parcels to be acquired by the City, any taxes levied after the date of closing, while the City still owns such parcel, shall be cancelled.

Section 3. The Mayor is hereby authorized to enter into such agreements and to execute such documents as may be necessary to effectuate this real estate exchange. The agreements and/or documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

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EXHIBIT A

LEGAL DESCRIPTIONS OF LANDS  
TO BE EXCHANGED BETWEEN  
THE CITY OF ROCHESTER AND  
THE UNIVERSITY OF ROCHESTER

**Parcel 1**

490 Elmwood Avenue  
SBL No. 135.60-1-7  
City to University

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 26, formerly in the Town of Brighton, and situate on the northerly side of Elmwood Avenue and more particularly described as follows:

Beginning at the point of intersection of the northerly line of Elmwood Avenue (100' wide) with the southerly line of lands now or formerly of the City of Rochester also known as Mount Hope Cemetery (SBL No. 136.37-1-1), which point is N 86° 31' 17" E a distance of 980.13 feet from the southwest corner of Mount Hope Cemetery (SBL No. 136.37-1-1), from said point of beginning thence:

1. S 86° 31' 17" W, along the south line of lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1), a distance of 285.75 feet to a point; thence
2. S 03° 18' 09" E, along the easterly line of lands now or formerly of the University of Rochester (SBL No. 135.60-1-3), a distance of 24.75 feet to a point; thence
3. S 18° 14' 22" E, along the easterly line of lands now or formerly of the University of Rochester (SBL No. 135.60-1-3), a distance of 33.21 feet to a point in the northerly line of Elmwood Avenue; thence
4. Easterly along the northerly line of Elmwood Avenue on a curve to the right, having a radius of 2,392.16 feet, a chord bearing of N 74° 56' 04" E, and a chord length of 283.13 feet, a distance of 283.30 feet, to the point and place of beginning.

Containing 7,439 sq. ft. or 0.171 ± ac.

Intending to describe a parcel designated as "Parcel 1" as shown on a map entitled "Lands now or formerly owned by City of Rochester and University of Rochester", dated February 16, 2018, prepared by RAVI Engineering & Land Surveying. Project #20-18-022A.



**Parcel 2**

Part of 1133 Mt. Hope Avenue (Mount Hope Cemetery)  
Part of SBL No. 136.37-1-1  
City to University

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 26, formerly in the Town of Brighton, and situate on the northerly side of Elmwood Avenue, more particularly described as follows:

Beginning at a point being the southwest corner of Mount Hope Cemetery (SBL No. 136.37-1-1) and the southeast corner of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2); from said point of beginning, thence:

1. N 86° 31' 17" E, along the southerly line of lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1) a distance of 980.13 feet to a point on the northerly line of Elmwood Avenue (100' wide); thence
2. Easterly along the northerly line of Elmwood Avenue on a curve to the right, having a radius of 2,392.16 feet, a chord bearing of N 79° 21' 29" E, and a chord length of 86.08, a distance of 86.08 feet to a point; thence
3. N 03° 28' 43" W, through lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1) a distance of 13.02 feet to a point; thence
4. S 86° 31' 17" W, through lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1), and parallel to course No. 1, a distance of 982.50 feet to a point of curvature; thence
5. Northerly, through lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1) on a curve to the right, having a radius of 69.00 feet, a chord bearing of N 46° 00' 33" W, and a chord length of 101.70, feet a distance of 114.33 feet, to a point; thence
6. N 01° 27' 38" E, through lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1), a distance of 52.00 feet to a point; thence
7. N 10° 09' 58" E, through lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1), a distance of 63.00 feet to a point on the east line of lands now or formerly of the University of Rochester (SBL No. 135.52-1-1); thence
8. Southerly along the east line of lands now or formerly of the University of Rochester (SBL No. 135.52-1-1), on a curve to the left, having a radius of 11,509.20 feet, a chord bearing of S 26° 27' 37" W and a chord length of 42.46 feet, a distance of 42.47 feet to a point of curvature; thence
9. Southerly, along the east line of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2), on a curve to the left, having a radius of 563.33 feet, a chord bearing of S 02° 33' 06" W, and a chord length of 118.36 feet, a distance of 118.58 feet to a point; thence

10. S 03° 28' 43" E, along the east line of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2), a distance of 57.22 feet to the point and place of beginning.

Containing 28,027 sq. ft. or 0.643 ± ac.

Intending to describe a parcel designated as "Parcel 2" as shown on a map entitled "Lands now or formerly owned by City of Rochester", dated February 16, 2018, prepared by RAVI Engineering & Land Surveying. Project #20-18-022A.

**Parcel 3**

Part of 670 Joseph C. Wilson Boulevard  
Part of SBL No. 135.36-1-1.003  
City to University

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe, State of New York, more particularly described as follows:

Beginning at a point on the southerly line of Joseph C. Wilson Boulevard at the northeasterly corner of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2); thence

1. S 88° 21' 20" E, along the southerly line of Joseph C. Wilson Boulevard, a distance of 123.00 feet to a point; thence
2. S 25° 57' 32" W, along the boundary line of Joseph C. Wilson Boulevard and the westerly line of lands now or formerly of the University of Rochester (SBL No. 136.29-1-4 and SBL No. 136.29-1-3), a distance of 604.14 feet to a point; thence
3. S 42° 40' 53" W, along the westerly line of lands now or formerly of the University of Rochester (SBL No. 135.44-1-2), a distance of 200.00 feet to a point; thence
4. N 28° 31' 12" E, along the easterly line of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2), a distance of 36.28 feet to a point; thence
5. N 20° 34' 45" E, continuing along the easterly line of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2), a distance of 656.08 feet to a point; thence
6. N 31° 27' 02" E, continuing along the easterly line of lands now or formerly of the University of Rochester (SBL No. 135.51-1-2), a distance of 55.86 feet to the point and place of beginning.

Containing 62,384 sq. ft. or 1.432 ± ac.

Being and intending to describe a portion of the lands conveyed to the City of Rochester by deed recorded in Liber 6656 of Deeds at page 213.

Intending to describe a parcel designated as "Parcel 3" as shown on a map entitled "Lands now or formerly owned by City of Rochester", dated February 16, 2018, prepared by RAVI Engineering & Land Surveying. Project #20-18-022A.

**Parcel 4**

Part of 380-600 Joseph C. Wilson Boulevard  
Part of SBL No. 136.29-1-2  
University to City

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe, State of New York, being part of Great Lots 19, 20 and 21, and more particularly described as follows:

Beginning at a point in the easterly property line of lands conveyed to the University of Rochester, by deeds recorded in Liber 3687 of Deeds, page 241 and Liber 3636 of Deeds, page 535 (SBL No. 136.29-1-2) and also being the westerly line of lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1), which point is the following courses and distances from the intersection of the southerly line of McLean Street and the easterly line of Joseph C. Wilson Boulevard:

- a. Easterly along the southerly line of McLean Street a distance of 218.7 feet to a point; thence
- b. Southerly along the easterly line of lands now or formerly of the University of Rochester (SBL No. 136.29-1-2) and the westerly line of lands now or formerly of the City of Rochester (SBL No. 121.78-1-25) a distance of 322.7 feet to an iron pin; thence
- c. S 02° 32' 07" E a distance of 7.08 feet to a point; thence
- d. S 02° 32' 07" E a distance of 441.43 feet to the point and place of beginning;

From said point and place of beginning, thence:

1. S 33° 32' 43" W, along the westerly line of lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1), a distance of 545.15 feet to a point; thence
2. S 40° 23' 14" W, along the westerly line of lands now or formerly of the City of Rochester (Mount Hope Cemetery)(SBL No. 136.37-1-1) a distance of 281.61 feet to a point; thence.
3. N 31° 24' 22" E, through lands now or formerly of the University of Rochester (SBL No. 136.29-1-2), a distance of 404.14 feet to a point; thence
4. N 56° 27' 17" W, through lands now or formerly of the University of Rochester (SBL No. 136.29-1-2), a distance of 201.07 feet to a point; thence
5. N 33° 32' 43" E, through lands now or formerly of the University of Rochester (SBL No. 136.29-1-2), a distance of 199.21 feet to a point; thence
6. N 75° 53' 08" E, through lands now or formerly of the University of Rochester (SBL No. 136.29-1-2), a distance of 111.00 feet to a point; thence

7. N 90° 00' 00" E, through lands now or formerly of the University of Rochester (SBL No. 136.29-1-2), a distance of 125.00 feet to a point; thence
8. N 15° 57' 04" E, through lands now or formerly of the University of Rochester (SBL No. 136.29-1-2), a distance of 311.43 feet to a point; thence
9. S 02° 32' 07" E, along the westerly line of lands now or formerly of the City of Rochester (Mount Hope Cemetery), a distance of 280.00 feet to the point and place of beginning.

Containing 103,832 sq. ft. or 2.383 ± ac.

Intending to describe a parcel designated as "Parcel 4" as shown on a map entitled "Lands now or formerly owned by University of Rochester", dated February 16, 2018, prepared by RAVI Engineering & Land Surveying. Project #20-18-022A.

**Parcel 5**

Part of 6 Harmon Place  
Part of SBL No. 121.78-1-16.002  
University to City

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe, State of New York, being part of Great Lots 18 and 19 and more particularly described as follows:

Beginning at a point on the easterly line of Harmon Place which is S 06° 20' 56" E, a distance of 161.01 feet from the intersection of the southerly line of McLean Street and the easterly line of Harmon Place; from said point and place of beginning, thence:

1. S 06° 20' 56" E, along the easterly line of Harmon Place, a distance of 98.89 feet to a point; thence
2. N 86° 46' 41" E, along the northerly line of lands conveyed to the City of Rochester by deed recorded in Liber 10826 of Deeds at page 174 (SBL No. 121.78-1-23.001), a distance of 17.13 feet to a point; thence
3. S 03° 13' 19" E, along the northerly line of lands conveyed to the City of Rochester by deed recorded in Liber 10826 of Deeds at page 174 (SBL No. 121.78-1-23.001), a distance of 2.00 feet to a point; thence
4. N 86° 46' 41" E, along the northerly line of lands conveyed to the City of Rochester by deed recorded in Liber 10826 of Deeds at page 174 (SBL No. 121.78-1-23.001), a distance of 114.54 feet to the southwest corner of lands conveyed to the University of Rochester by deed recorded in Liber 11851 of Deeds at page 612 (SBL No. 121.78-1-22.001); thence
5. N 03° 16' 35" W, along the westerly line of said lands conveyed to the University of Rochester by deed recorded in Liber 11851 of Deeds at page 612 (SBL No. 121.78-1-22.001) and the westerly line of lands conveyed to the University of Rochester by deed recorded in Liber 11500 of Deeds at page 636 (SBL No. 121.78-1-21), a distance of 100.74 feet to a point; thence

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6. S 86° 46' 41" W, through lands conveyed to the University of Rochester by deeds recorded in Liber 6691 of Deeds at page 162 and Liber 11852 of Deeds at page 612 (SBL No. 121.78-1-16.002), a distance of 136.97 feet to the point and place of beginning.

Containing 13,492 sq. ft. or 0.310 ± ac.

Being and intending to describe a portion of the lands conveyed to the University of Rochester by deeds recorded in Liber 6691 of Deeds at page 162 and Liber 11852 of Deeds at page 612 (SBL No. 121.78-1-16.002).

Intending to describe a parcel designated as "Parcel 5" as shown on a map entitled "Lands now or formerly owned by University of Rochester", dated February 16, 2018, prepared by RAVI Engineering & Land Surveying. Project #20-18-022A.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2018-358  
Amend Ordinance 2018-185  
Home Buyer Training Program

Transmitted herewith for your approval is legislation amending Ordinance No 2018-185 to appropriate additional funds in the amount of \$5,000 from the Homebuyer Training allocation of the Homeownership Fund of the 2009-10 HOME Program for the Homebuyer Training Program. The additional funds will be added to previously authorized appropriations of \$50,000 2018-19 HOME Funds and \$40,000 of City Development Funds (CDF), for an aggregate appropriation of \$95,000.

Related agreements with four Home Buyer Training service providers, originally authorized by Ordinance No 2015-184, provide funds for pre- and post-purchase training required for all recipients of City of Rochester home purchase closing cost grants. The proposed additional appropriation will allow 10 additional households to receive services. The four organizations providing services are:

- Neighborhood Housing Services of Rochester Inc. DBA NeighborWorks Rochester. (Principal: Joanne Panarisi-Bottone)
- The Home Store at the Urban League of Rochester, NY, Inc. (Principal: William G. Clark)
- Consumer Credit Counseling Service of Rochester, Inc. (Principal: Jason Tracy)
- The Housing Council at PathStone, Inc. (Principal: Susan Boss)

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-358  
(Int. No. 394)

**Amending Ordinance No. 2018-185 relating to appropriations for the Homebuyer Training Program**

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

Section 1. Ordinance No. 2018-185, appropriating funds and authorizing amendatory agreements for the Homebuyer Training Program, is hereby amended to read in its entirety as follows:

Section 1. The following amounts are hereby appropriated for the Homebuyer Training Program (Program) from the Consolidated Community Development Plan/2018-19 Annual Action Plan (the Action Plan):

- a. \$50,000 from the HOME fund portion of the Homeownership Promotion Fund - Homebuyer Training allocation; and
- b. \$40,000 from the City Development Fund portion of the Homeownership Promotion Fund - Homebuyer Training allocation.

Both appropriations shall be contingent upon the adoption of the 2018-19 Action Plan.

Section 2. The amount of \$5,000 is hereby appropriated for the Program from the Homebuyer Training allocation of the Homeownership Fund of the 2009-10 HOME Program.

Section ~~23~~. Ordinance No. 2015-184, as amended by Ordinance Nos. 2015-256, 2016-149, 2017-223 is hereby further amended by adding the funds appropriated in Section 1 and 2 herein to the prior aggregate appropriations for the Program implementation agreements entered into with the following organizations for terms of one year with the option to extend for one additional year:

Neighborhood Housing Services of Rochester Inc. d/b/a NeighborWorks Rochester

The Home Store, Urban League of Rochester, N.Y., Inc.

Consumer Credit Counseling Service of Rochester, Inc.

The Housing Council at PathStone, Inc.

Section ~~34~~. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing organizations shall enter into agreements for the Program only with organizations that are in compliance with federal regulations.

Section ~~45~~. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section ~~56~~. This ordinance shall take effect immediately.

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. 2018-359

Re: Inner Loop East Site 4,  
FiveTwentyFive East Broad LLC

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

Transmitted herewith for your approval is legislation appropriating funds and authorizing a loan agreement with FiveTwentyFive East Broad LLC (the “Developer”). The Developer is an affiliate of Konar Holding Corporation, located at 75 Thruway Park Drive, West Henrietta, New York 14586 with principals Howard Konar and Rachel Guttenberg. The loan amount is One Million Five Hundred Thousand Dollars (\$1,500,000) and will provide gap funding to assist the Developer with the development of property located at 15 Manhattan Square Drive, 47 Savannah Street, and 525 East Broad Street.

This project is part of the larger development of Sites 4 and 5 of the former Inner Loop East. When completed, the Developer’s project will offer 5 buildings comprising 237 residential units and approximately 18,000 square feet of commercial space.

The loan will be financed from the Housing Revolving Loan Fund (HRLF). \$5,294.54 from 2016-2017 Cash Capital, \$719,994 from 2017-2018 Cash Capital, and \$322,852 from 2018-2019 Cash Capital will be appropriated into the HRLF, and \$451,859.46 will be financed from funds already in the HRLF. It will be used as construction and permanent financing for costs associated only with the residential component of the project. The loan term is fifteen years and the interest rate is 1%.

As a condition of the loan, seventy (70) residential units shall be rented to households with incomes at or below 80% of the Area Median Income (AMI), and an additional eight (8) units shall be rented to households with incomes at or below 60% AMI. Attachments A, B, and C show the actual rent and income level for each unit type. All units include 1 parking space per bedroom.

This project is also subject to the City’s Minority and Women-Owned Business Enterprises (MWBE) and workforce goals. The Developer anticipates the creation of four (4) full-time-equivalent (FTE) jobs and one (1) part-time job resulting from the residential component of this project in its first three years of operation. An additional thirty (30) jobs are expected to result from the project’s commercial tenants, the number of which will be FTE and which will be part-time is to be determined.

The estimated sources and uses of funds for the project are as follows:

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<b>Sources</b>		<b>Uses</b>	
M&T Bank Loan	\$28,400,000	Land Acquisition	\$1,975,365
City of Rochester Loan	1,500,000	Hard Costs	38,018,501
Developer Equity	<u>14,320,042</u>	Soft Costs: Construction	2,161,545
<b>Total</b>	<b>\$44,220,042</b>	Soft Costs: Financing	<u>2,064,631</u>
		<b>Total</b>	<b>\$44,220,042</b>

The City's Loan Review Committee approved this request for financial assistance at their October 16, 2018 meeting. In accordance with the requirements of the State Environmental Quality Review Act, a negative declaration was issued on August 14, 2017.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-183

Ordinance No. 2018-359  
(Int. No. 395, as amended)

**Authorizing a loan agreement for residential development within the Inner Loop East Transformation project**

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

Section 1. The sum of \$1,048,140.54, comprised of \$5,294.54 from 2016-17 Cash Capital, \$719,994 from 2017-18 Cash Capital, and \$322,852 from 2018-19 Cash Capital, is hereby appropriated to the Housing Revolving Loan Fund ("HRLF").

Section 2. The sum of \$1,500,000 from the HRLF, comprised of the amount appropriated to the HRLF in Section 1 herein and \$451,859.46 of existing HRLF moneys, is hereby appropriated as principal for the loan authorized in Section 3 herein.

Section 3. The Mayor is hereby authorized to enter into a loan agreement in the amount of \$1,500,000 with FiveTwentyFive East Broad LLC or an affiliated partnership or housing development fund corporation formed for the purpose (the "Developer") to finance the residential component of a mixed residential and commercial project to be developed at 15 Manhattan Square Drive, 47 Savannah Street, and 525 East Broad Street (the "Project") as part of the Inner Loop East Transformation project.

Section 4. The Project shall consist of five buildings comprising approximately 237 residential units and approximately 18,000 square feet of commercial space. Approximately ~~74~~70 residential units shall be rented to households with incomes that are less than or equal to 80% of the Area Median Income ("AMI") and an additional ~~6~~8 units shall be rented to households with incomes less than or equal to 60% AMI.



Section 5. The loan agreement shall have a term of 15 years, an interest rate of 1%, and shall be used as construction and permanent financing for costs associated only with the residential component of the Project.

Section 6. The loan 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 documents as may be necessary to effectuate the loan that is authorized herein.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes –President Scott, Councilmember Clifford, Evans, Lightfoot, McFadden, Ortiz, Patterson – 7.

Nays – Councilmember Gruber -1.

#### TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-360  
Re: Agreement – Greater Rochester  
Enterprise, Inc., Economic Development Services

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with Greater Rochester Enterprise, Inc. (GRE) (Matt Hurlbutt, CEO) to provide services related to business attraction and retention in the City of Rochester. The agreement will be financed with \$40,000 from the City's 2018 – 19 budget of Neighborhood and Business Development (NBD), and will have a term of one year.

This past year, GRE has worked with 39 organizations who considered locating and/or expanding to the city of Rochester during a shorter agreement term of eight months. Live Tiles which projects to bring up to 500 new jobs to the city of Rochester was a significant win.

GRE collaborates with NBD, government leaders, businesses, universities, and not-for-profit organizations through a team approach to economic development in the city and the Greater Rochester/Finger Lakes region and NBD has a seat on the board. GRE acts as an ambassador to promote the City, and connect businesses to City resources. List of accomplishments is attached.

The agreement include the following goals:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the city of Rochester.

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- Deliver at least 15 out-of-region business attraction opportunities that include sites located within the city of Rochester, and City's Science and Industrials parks.
- Include and actively promote the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester Finger Lakes region, including but not limited to [www.RochesterBiz.com](http://www.RochesterBiz.com), quarterly newsletters, presentations delivered to local business groups, and capstone presentations delivered to out-of-region companies.

The most recent annual agreement was authorized by City Council on October 17, 2017 via ordinance 2017-323.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-184

Ordinance No. 2018-360  
(Int. No. 396)

### **Authorizing an agreement for economic development services**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Greater Rochester Enterprise, Inc. to provide economic development services for attracting and retaining businesses in the City of Rochester for a term of one year. The maximum compensation for the agreement shall be \$40,000, which shall be funded from the 2018-19 Budget of the Department of Neighborhood and Business Development.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-361  
Re: Agreement – NextCorps Inc.,  
Economic Development Services

Council Priority: Jobs and Economic  
Development

November 20, 2018

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with NextCorps, Inc. (James S. Senall, CEO) (formerly High Tech Rochester) to provide services related to assisting businesses within the city of Rochester. The agreement will be financed from the City's 2018 – 19 budget of Neighborhood and Business Development (NBD), and will have a term of one year.

NextCorps is a non-profit organization whose mission is to be a catalyst for entrepreneurship and innovation-based economic development. This is accomplished by applying business expertise and network connections to assist in the formation and growth of business in the Greater Rochester and Finger Lakes Region. Nextcorp provides assistance through technology commercialization for early stage organizations, business incubation for high growth potential startups, and access to venture capital for high technology. Also, they provide services to existing manufacturing companies. NBD and NextCorps work closely together, and NBD has a seat on the NextCorps board. A report of specific accomplishments is attached.

The agreement will include the following expectations, among others:

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

The most recent annual agreement was authorized by City Council on October 17, 2017 via Ordinance No. 2017-324.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-185

Ordinance No. 2018-361  
(Int. No. 397)

### **Authorizing an agreement for business assistance services**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Nextcorps, Inc. to provide services relating to assisting businesses within the City of Rochester for a term of one year. The maximum compensation for the agreement shall be \$20,000, which shall be funded from the 2018-19 Budget of the Department of Neighborhood and Business Development.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-362

Re: Public Infrastructure Improvements:  
La Marketa Urban Renewal District –  
Public Plaza

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

Transmitted herewith for your approval is legislation appropriating \$276,710 in Rochester Urban Renewal Agency funds for public infrastructure improvements within the La Marketa Urban Renewal District.

The La Marketa Urban Renewal District is located along the east side of North Clinton Avenue between Sullivan Street and Hoeltzer Street. It is a vital part of the North Clinton Avenue corridor between Upper Falls Boulevard and Avenue D. It is characterized by deteriorated and vacant commercial structures resulting from years of declining neighborhood population, aging buildings, and crime and drug use. Presently, it is made up of City-owned vacant parcels in the 800 block of North Clinton Avenue and is adjacent to the planned new housing development called Pueblo Nuevo.

The funds will be used to design and develop an outdoor plaza space to support economic development on North Clinton Avenue. The plaza will be available for community use for programs and events. The plan is to develop a vibrant central plaza in the neighborhood that celebrates the Latino and mixed heritage of the residents. It is the community's desire to have a public gathering space as an important community asset that will benefit the community by ongoing programming of public and culturally relevant events and services. Additionally, it is anticipated that it would provide lower cost, entry level opportunities for small businesses to develop and thrive out of food trucks and other less permanent retail structures.

A cost estimate to complete the design and construction of the La Marketa plaza is approximately \$1.5 million. The funds will be used to pay for design services and construction of the public plaza at La Marketa. A companion RURA item is submitted with this transmittal.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-362  
(Int. No. 398)

November 20, 2018

**Approving the appropriation of Rochester Urban Renewal Agency funds for public infrastructure improvements in the La Marketa North Clinton Avenue Urban Renewal District**

WHEREAS, in 2004 (by Ordinance Nos. 2004-199 and 2004-200) the City established the La Marketa North Clinton Avenue Urban Renewal District (“District”) along the east side of North Clinton Avenue between Sullivan and Hoeltzer streets;

WHEREAS, at the same time in Ordinance No. 2004-198, the City approved an Urban Renewal Plan for the District (“Plan”) that includes as part of its purpose “to provide a major new commercial/retail facility integrated with a lively and colorful plaza to serve as a gathering place and shopping center for this mixed ethnic neighborhood”;

WHEREAS, City officials, in conjunction with neighborhood and merchants associations, residents, store owners and other District stakeholders, have developed a proposal to accomplish the purpose of the Plan by installing within the District infrastructure improvements to include a parking lot, a public open space with a performance platform, restroom facilities, benches, and site utilities required for retail, restaurant and other commercial uses (collectively, the “Project”);

WHEREAS, in October (Ordinance No. 2018-327), the Council appropriated \$317,817.36 in Community Development Block Grant funds toward a portion of the costs of the Project;

WHEREAS, Subsection 554(17) of the New York State General Municipal Law authorizes the Rochester Urban Renewal Agency to convey to the City money that the Agency holds in connection with a particular urban renewal program, subject to the prior approval of Council, upon such terms and conditions as are consistent with the purposes of the City’s urban renewal program; and

WHEREAS, the Agency is considering appropriating \$276,710.40 of its funds to the Project.

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

Section 1. The Council hereby approves the Rochester Urban Renewal Agency’s appropriation of \$276,710.40 to fund the Project in order to effectuate the Urban Renewal Plan for the La Marketa North Clinton Avenue Urban Renewal District.

Section 2. The Mayor is hereby authorized to enter into such agreements and to execute such documents as may be necessary to effectuate the conveyance and use of the Agency’s appropriation to fund the Project.

Section 3. This ordinance shall take effect immediately

Passed unanimously.

November 20, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-363  
Re: Agreement - Landmark Society of  
Western New York, Inc. - FY2014  
Recaptured Funds Certified Local  
Government (CLG) Grant

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the FY2014 Recaptured Funds Certified Local Government (CLG) Grant from New York State Parks, Recreation, and Historic Preservation (NYS OPRHP) to sponsor the 2019 NY Statewide Preservation Conference in Rochester.

This legislation will:

- 1) Authorize the receipt and use of a \$14,000 grant from the State Historic Preservation Office (SHPO);
- 2) Establish \$14,000 as maximum compensation for an agreement with the Landmark Society of Western New York, Inc. (LSWNY) to manage the grant.

The Landmark Society of Western New York, Inc., in partnership with Preservation League of New York State, (NYS OPRHP), will present the New York Statewide Preservation Conference in Rochester, New York. This conference is the only event of its kind in New York and is a multi-day gathering for anyone involved in preservation and community revitalization. The Conference will offer educational and training opportunities for CLG staff and commissioners, including a pre-Conference training. A CLG grant will support the execution of this educational event and will be critical to encouraging CLG communities to attend, as it will allow Conference organizers to provide 50 scholarships to staff and Preservation Board members from New York State CLG communities.

CLG grant support will allow Conference organizers to provide high quality educational sessions in professional settings, led by dynamic, diverse, and respected speakers. Of the \$14,000 awarded, \$4750 will assist in offsetting the rental and associated costs of the Conference venues. \$4500 will fund a Keynote Speaker and honoraria for additional speakers. Finally, the remaining \$4750 will fund 50 scholarships for CLG communities from around the state.

The City of Rochester will sub-contract with LSWNY to administer the grant funding. The lead Landmark staff person managing the project will be Conference Coordinator and Preservation Planner, Caitlin Meives. Caitlin has organized the Conference for the past nine years and has extensive experience managing grant projects and contracting with municipal officials to complete grant-funded projects.

LSWNY is uniquely qualified to oversee this work and to manage this grant, as it is one of the oldest and most active preservation organizations in the nation. LSWNY is a not-for-profit membership organization dedicated to protecting the unique architectural heritage of our region and promoting preservation and planning practices that foster healthy, livable and sustainable communities. A justification for not issuing a request for proposals is attached.

November 20, 2018

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-186

Ordinance No. 2018-363  
(Int. No. 399)

**Authorizing the receipt and use of funds and a management agreement for the 2019 NY Statewide Preservation Conference**

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

Section 1. The Council hereby authorizes the receipt and use of \$14,000 in FY2014 Recaptured Funds Certified Local Government Grant funds (the "Grant") from the State Historic Preservation Office of the New York State Office of Parks, Recreation and Historic Preservation for the City to sponsor the 2019 NY Statewide Preservation Conference ("Conference").

Section 2. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$14,000 with The Landmark Society of Western New York, Inc. to manage the Grant in support of the Conference. Said amount shall be funded from the funds authorized in Section 1 herein, which are hereby appropriated for that purpose. 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. 2018-364  
Ordinance No. 2018-365  
Re: Pediatric and Family Service  
Planned Development District #20

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map to rezone a 15.07 acre portion of Institutional Planned Development #9 – Rochester Psychiatric Center (IPD #9) to Planned Development District #20 Pediatric and Family Service (PD #20) consisting of one parcel, 1850-1900 South Avenue, owned by Al Sigl Community of Agencies (represented by Tom O'Connor). This legislation will:

November 20, 2018

- 1) Amend the Zoning Text by adding PD #20 Pediatric and Family Service Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning 1850-1900 South Avenue from IPD #9 – Rochester Psychiatric Center to PD #20 Pediatric and Family Service.

The proposed Pediatric and Family Service PD will serve to facilitate construction of a 30,500 sf, single story, Golisano Autism Center, a 37,000 sf, two story, URMC Pediatric Behavioral Health and Wellness building, and a 248 space surface parking lot. The proposed Pediatric and Family Service PD, is a campus that will provide specialized services.

The Golisano Autism Center is a one of kind collaboration of health and human serve agencies that provide a comprehensive range of services in a common location to individuals and families affected by autism spectrum disorder and those with similar needs. The services provided may include, but are not limited to, speech and occupational therapy, support and social skills groups, pre-school and school age classrooms, vocational training, life skills development, and other opportunities.

In addition, the Golisano Pediatric Behavioral Health and Wellness Center, operated by the University of Rochester Medical Center, will also be located on the campus, and will address the needs of children and families suffering from severe depression, anxiety and many other mental health concerns by providing outpatient support and treatment.

Collectively these agencies, and other health and human service organizations will provide educational, recreation and fitness, therapeutic, medical, diagnostic, and other support services, activities and programs. These services are proposed to co-exist on a secure campus that will emphasize the safety, security and privacy of those served.

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

The Planning Commission held two informational meetings. The first meeting was held on September 10, 2018. Only the applicants (6) spoke in support of the PD, and no one spoke in opposition. The Planning Commission requested revisions and additional information be presented prior to issuing a recommendation.

The second meeting was held on October 15, 2018. Eleven people spoke in support of the PD including the applicants, and no one spoke in opposition. By a vote of 6-0-0, the Commission recommended approval.

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-364  
(Int. No. 400)



**Amending the Zoning Code by adding the Pediatric and Family Service Planned Development District No. 20**

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 20 — Pediatric and Family Service and approving the text and concept plan for the district to read in its entirety as follows:

**Planned Development District No. 20  
Pediatric and Family Service District**

- A. Purpose. The purpose of Planned Development District No. 20 (PD #20), Pediatric and Family Service District, is to offer a world-class, regional destination focused on a wide-range of innovative social service agencies and educational and behavioral programs designed specifically for individuals and their families living with the daily challenges of autism spectrum disorder, mental health, and behavioral and psychiatric needs; all in one location.

By collocating agencies which specialize in the provision of such social, educational, and behavioral services, PD #20 permits the development of an internal campus environment sensitive to the mobility, sensory, and mental health needs of the children and adults it is intended to serve. PD #20 creates a defined area for the integrated development and delivery of programs and support services consistent with the vision of the Al Sigl Community of Agencies, which is a collaborative community network of organizations, to serve and support children and adults with disabilities and special needs. Agencies within PD #20 may include, but are not limited to, the following:

- (1) The Golisano Autism Center. The Center is a one-of-a-kind collaboration of health and human service agencies providing speech and occupational therapy, support and social skills groups, pre-school and school age classrooms, vocational training, life skills development, and other opportunities, services and programs.
- (2) The Golisano Pediatric Behavioral Health and Wellness Center, operated by the University of Rochester Medical Center (URMC). URMC will address the needs of individuals suffering from mild to severe depression, anxiety, psychosis, substance abuse, ADHD, PTSD, autism spectrum disorder, and other mental health, medical, emotional and behavioral conditions. URMC offers education, recreation and fitness, therapeutic, medical, diagnostic, and other support services, activities and programs.

- B. Intent. The intent of PD #20 is to establish a campus that offers access to comprehensive, high-quality support and services which meet the complex needs of the individuals who are served, during moments of crisis as well as part of a regular routine throughout their lifetime, as needs and services change. Development within PD #20 shall support the achievement of the following objectives:

- (1) Provide a unique array of services that co-exist on a secure campus, emphasizing the safety, security and privacy of all individuals served and their families.

- (2) Foster a protective environment for individuals from infant to adulthood that have been diagnosed with autism spectrum disorder, mild to severe mental health, anxiety, chemical dependency, and emotional disturbances, in a setting that offers all services on a single campus.
- (3) Establish a continuum of care that will span a lifetime and offer a full array of coordinated program options for infants, toddlers, youth, teens and adults including, behavioral and primary care support; respite; community habilitation; social skills; recreational and therapeutic services; and, a housing and employment liaison.
- (4) Design a campus which prioritizes security, privacy and accessibility to address the challenges of the populations served ranging from mobility impairment, flight risks due to unexpected stress or stimuli, and mental health and similar crisis situations.
- (5) Create a comfortable setting within a controlled environment to eliminate or mitigate anxiety triggered by interactions with unfamiliar or unpredictable external situations and settings.
- (6) Create a new Intensive Outpatient Service to provide youth with a higher level of care than traditional outpatient services, allowing them to continue receiving schooling and educational services. This new program offers an option that is an alternative to hospitalization.
- (7) Implement a design philosophy focused on creating a campus environment (building placement, internal and external building design, use of exterior spaces, and convenient parking and circulation), that addresses the needs of the users, rather than vice versa.
- (8) Preserve and protect the existing natural, gentle slope of the land from South Avenue to the low point along the district's east property line by placing the building and building parking away from the public right-of-way, and maintaining stormwater management areas and facilities at the rear of the site. The design and location of buildings and parking shall be mindful and sensitive to the needs of the population served and the desire to reduce environmental distractions from inside the building; eliminate unnecessary external stimuli once on the campus; provide safe and convenient parking proximate to building entrances; and, provide adequate circulation and drop-off areas for buses accessing the site throughout the day. An effort shall be made to maintain as much of the existing vegetation along the South Avenue frontage as possible.

C. Boundaries. PD #20 is 15.07 acres bound by the public rights-of-way on South Avenue (west) and Science Parkway (south). The northern boundary abuts land owned by the State of New York, and the eastern boundary abuts private property within the Rochester Science Parkway (PD #7). Knab Troutman Road, a private drive, acts as a natural barrier between the northern and southern portions of PD #20, as follows:

- (1) The southern 8 +/- acres of the site is bounded by South Avenue (west), Knab Troutman Road (north), private land within Science Parkway (east), and Science Parkway (south). This portion of the property includes a two-story structure that is currently occupied by a health and human services agency, which will remain. The remainder of the land area is vacant and is the location of the Golisano Autism Center and the URM C Pediatric Behavioral Health and Wellness Center.
- (2) The northern 7 +/- acres of the site is bounded by Knab Troutman Road (south and east), and

by New York State land (north and west). This portion of the property includes a vacant, multi-story structure known as the Walters Building. Development or redevelopment of this area shall also be subject to these requirements and standards set forth herein.

D. Permitted Uses. Permitted uses include the following, and similar uses:

- (1) Medical Offices and Health Care Clinics, such as doctor and dental offices and practices, outpatient services, and the like.
- (2) Schools, Educational Facilities, Training Facilities, and the like, serving individuals and their families.
- (3) Day Care Centers.
- (4) Residential Care Facilities.
- (5) Respite Care.
- (6) Community Centers.
- (7) Support services associated with and subordinate to a permitted use, such as but not limited to offices, retail, restaurant facilities, bookstores and gift shops, pharmacies, and the like.

E. Bulk, space and yard requirements.

- (1) Maximum lot coverage: 65%.
- (2) Maximum building height: 4 stories or 60 feet.
- (3) Minimum front yard requirements:
  - (a) South Avenue:
    - [1] Principal buildings: 30 feet.
  - (b) Science Parkway:
    - [2] Principal buildings: 30 feet.

F. Building Characteristics. The provisions of § 120-158 City-wide design standards and of § 120-159 Nonresidential and mixed-use building standards shall not apply to PD #20. Design standards are as set forth below:

- (1) General. The following design standards apply to new construction, including additions to existing structures, and to substantial repair or rehabilitation of the exterior facade of an existing structure. In the case of repair or rehabilitation, only those standards that relate to the specific repair or rehabilitation activities conducted shall apply. It is intended that a basic design compatibility and architectural harmony will result among the buildings in the district.

- (2) Façades. The primary façade shall be along South Avenue.
  - (a) Primary building facades shall not contain blank wall areas that exceed 25 linear feet.
  - (b) Primary building facades that are 100 linear feet or more shall include an architectural pattern with two or more of the following elements: color change, texture change, material change, or a wall articulation change such as a reveal, recess, offset, or pilaster.
  - (c) Building entrances. The main entrance shall have a direct pedestrian connection to the public right-of-way.
  - (d) Building materials.
    - [1] All principal buildings shall be constructed or clad with durable, quality materials, including but not limited to brick, natural or synthetic stone, integrally colored stucco, metal panel, and hardboard siding.
    - [2] Exterior building material shall not include plain concrete block, glass block, vinyl siding, or corrugated metal.
- (3) Windows and transparency.
  - (a) All windows shall be clear or lightly tinted.
  - (b) Primary facades shall provide areas of transparency not less than 20% of the entire wall area.
  - (c) The percentage of transparency required on buildings may be reduced to 10% of the wall area if a Landscaping Improvement Plan is approved by the Manager of Zoning.
- (4) All roof-mounted and ground-mounted mechanical equipment shall be screened from view from any street. Roof screens, if necessary, shall be compatible with the building palette.
- (5) Roofs.
  - (a) Roofs may be pitched or flat.
  - (b) Green roof, blue roof, and white roof designs are permitted.
  - (c) Reflective surfaces that produce glare are prohibited, except for solar panels or white roofs, intended to radiate absorbed or nonreflected solar energy, and reduce heat transfer to the building.

G. Accessory Uses and Structures.

- (1) Accessory structures and uses are permitted in the side and rear yard, including, without limitation, storage structures, as well as decks, patios, terraces, and the like.

(2) Fences.

- (a) Chain-link fence is prohibited.
- (b) Fences not more than sixty-percent solid may be located in the front yard.
- (c) Fences shall be setback a minimum of 10 feet from the South Avenue property line.
- (d) Maximum height.

[1] Front Yard: 6 feet.

[2] Side and Rear Yards: 8 feet.

H. Dumpsters and refuse collection areas.

- (1) Dumpsters. Dumpsters must be located within an enclosure and shall be completely screened from view from any public street. The enclosure shall be at least as tall as the dumpster. This provision shall apply to all dumpsters, including those used for the collection and storage of recyclable materials.
- (2) Dumpsters are prohibited in the front yard.
- (3) Refuse collection areas shall be located so as to provide clear and convenient access to refuse collection vehicles.

I. Site Lighting. All campus lighting shall conform to the provisions of § 120-170 Lighting.

J. Off-Street Parking. The provisions of § 120-173 Off-street parking shall not apply to PD #20 except for 120-173F(3) relating to parking lot design standards. The off-street parking requirements are as set forth below:

(1) Parking Location.

- (a) Parking for uses within PD #20 may be located anywhere within the district, as well as outside the district provided that a shuttle service is provided.

(b) Minimum setback, excluding driveways and drive aisles:

[1] South Avenue: 45 feet.

[2] Science Parkway: 20 feet.

(2) Surface.

- (a) Parking areas shall be constructed in such a manner so as to provide an all-weather, durable and dustless surface. Individual stalls shall be clearly identified by markings

four to six inches in width.

- (b) Parking surfaces shall be graded and drained to dispose of all surface water accumulation in the area without shedding additional water onto an adjoining property or right-of-way.

K. Off-street Loading. The provisions of § 120-172 Off-street loading shall not apply to PD #20. Off-street loading requirements are as set forth below.

- (1) Location of required loading spaces. Loading shall only be located in the side or rear yard.
- (2) Required spaces. Loading spaces shall be provided in sufficient number and of sufficient size so that no loading and unloading operations infringe upon any dedicated street or sidewalk.
- (3) All maneuvering, loading and unloading operations shall take place wholly within the site.

L. Landscaping. The provisions of § 120-169, Landscaping, buffers and screening shall apply to PD #20.

M. Signage.

- (1) One sign per principal use shall be permitted on each façade, not to exceed 10% of the façade in question.
- (2) Signs may be located anywhere on the façade.
- (3) One detached sign shall be permitted per street frontage not to exceed 50 square feet and posted no higher than six feet in height from the finished grade of the lot.
- (4) Onsite information signs, window signs, and wayfinding signs may be installed without limit.
- (5) Internally illuminated signs are permitted.
- (6) Rooftop or roof mounted signs are prohibited.

N. Personal wireless telecommunication facilities (PWTF).

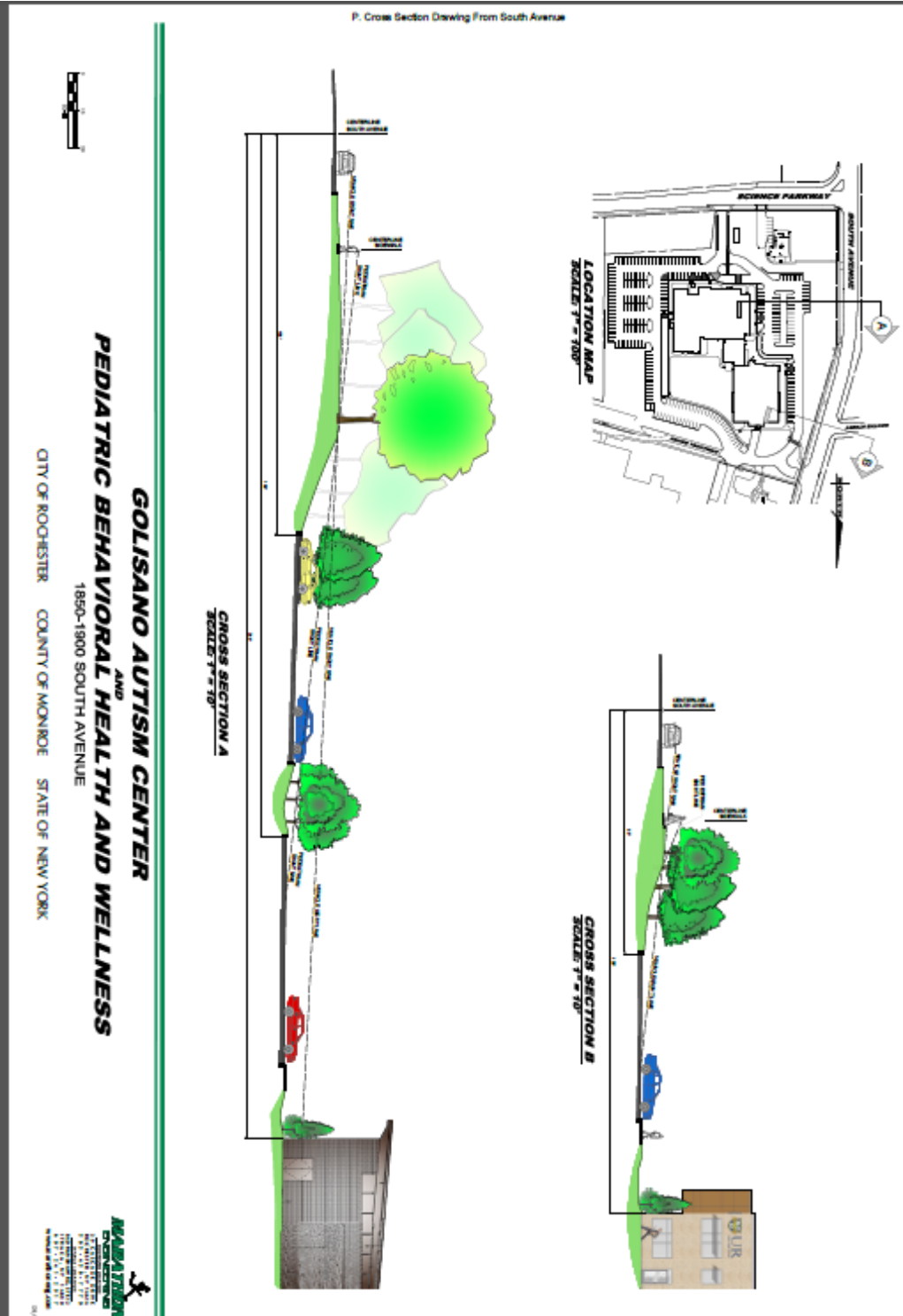
- (1) Antennas are permitted on all buildings, provided that the antennas and related support structures do not extend more than 20 feet above the roofline of such buildings.
- (2) Telecommunication towers are prohibited in this district.
- (3) FAA standards. All antennas and support structures shall comply with FAA regulations.
- (4) Other Provisions. The provisions of § 120-143 Personal wireless telecommunication facilities C(1) relating to height; D(3) relating to discontinuance of use; and F relating to exceptions and explanatory notes; shall apply to PD #20.

O. Additional Regulations.

- (1) The provisions of § 120-146 Residential care facilities shall not apply to PD #20.
- (2) Development and redevelopment in PD #20 are subject to Requirements Applying to All Districts (Article XX), except as herein modified.
- (3) The general height and yard exceptions set forth in Article XXIII shall apply to PD #20.
- (4) Planned Development District #20 is subject to the requirements set forth in Article XVII of the City Zoning Code regarding establishment, development and modification of planned development districts.

P. Cross Section Drawing From South Avenue





Q. Development Concept Plan



Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2018-365  
(Int. No. 401)

**Amending the Zoning Map by changing the zoning classification of 1850-1900 South Avenue to Planned Development District No. 20 — Pediatric and Family Service**

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following property from Institutional Planned Development #9 — Rochester Psychiatric Center to Planned Development District No. 20 — Pediatric and Family Service:

<b>Address</b>	<b>SBL #</b>
1850-1900 South Avenue	136.70-1-60

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

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2018-23  
Re: Appointments – City Planning  
Commission

Transmitted herewith for your approval is legislation confirming the appointment of three full-time members and one alternate to the City Planning Commission. The current terms expired on May 31, 2018; therefore the new, two-year terms will expire on May 31, 2020.

New full-time members:

<u>Name</u>	<u>Address</u>
Tonya Nichol Dickerson	39 Maxwell Avenue, 14619 (South)
JoeAnn A. Flagg	99 Parkdale Terrace, 14615 (NW)
Kaeri Carroll (currently an alternate)	71 Greenleaf Street, 14609 (East)

Resumes for all individuals are on file with the City Clerk.

Respectfully submitted,

November 20, 2018

Lovely A. Warren  
Mayor

Resolution No. 2018-23  
(Int. No. 416)

**Approving appointments to the City Planning Commission**

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

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following persons as regular members, each for a two-year term that shall expire May 31, 2020:

<u>Name</u>	<u>Address (City Council District)</u>
Tonya Nichol Dickerson	39 Maxwell Avenue, 14619 (South)
JoeAnn A. Flagg	99 Parkdale Terrace, 14615 (NW)
Kaeri Carroll	71 Greenleaf Street, 14609 (East)

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Evans  
November 20, 2018

To the Council:

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

Int. No. 402	Authorizing an amendatory agreement related to an interim labor arrangement for the Blue Cross Arena at the War Memorial
Int. No. 403	Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District
Int. No. 404	Authorizing an amendatory agreement for development of a Climate Adaptation Plan
Int. No. 405	Authorizing an agreement for the City of Rochester Clean Energy Communities Program

November 20, 2018

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

Int. No. 406 Authorizing changes in traffic flow on Doran Street

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

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-366  
Re: Amendatory Agreement – Rochester  
Riverside Convention Center

Transmitted herewith for your approval is legislation approving an amendatory agreement with Rochester Riverside Convention Center for professional services related to interim labor arrangements for the Blue Cross Arena/War Memorial. The original agreement established a maximum compensation of \$7,500. This amendment will increase the funding by \$7,600 for a total of \$15,100. The increased cost of this amendment will be funded through 2018-2019 operating funds of the Department of Environmental Services.

The increase is to pay for the necessary staffing required to maintain full operation at the Blue Cross Arena/War Memorial during the transitional time between management entities.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-366  
(Int. No. 402)

**Authorizing an amendatory agreement related to an interim labor arrangement for the Blue Cross Arena at the War Memorial**

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 Rochester Riverside Convention Center for interim labor management for the Blue Cross

Arena at the War Memorial. The amendment shall increase the maximum compensation of the existing agreement by \$7,600 to a total amount of \$15,100. The amendatory compensation amount shall be funded from the 2018-19 Budget of the Department of Environmental Services. The term of the original agreement may be extended for up to one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

**TO THE COUNCIL**

Ladies and Gentlemen:

Ordinance No. 2018-367

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:

- 2019 Preventive Maintenance Northwest Highway Group #5
- Carter Street and North Street Milling and Resurfacing
- Monroe Avenue and South Avenue Milling and Resurfacing
- Linden and Oakland Streets Rehabilitation Project
- Magee Avenue and Raines Park Improvement Project
- Residential Curb Ramps – Culver Road East to City Line
- Residential Curb Ramps – Culver Road West to North Goodman Street
- Sager Drive Reconstruction Project
- Cottage and Magnolia Streets Rehabilitation Project
- Scottsville Road and Elmwood Avenue Improvement Project

Construction is planned to begin during the 2019 construction season. The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

November 20, 2018

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-367  
(Int. No. 403)

**Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District**

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

Section 1. The Mayor is hereby authorized to accept and use reimbursement funds of \$750,000 from the Rochester Pure Waters District for sewer improvements associated with the City's street improvement program in accordance with the agreement authorized by Ordinance No. 2010-438.

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. 2018-368  
Re: Amendatory Agreement – Highland  
Planning, LLC. - Climate Adaptation  
Plan

Transmitted herewith for your approval is legislation related to additional services in support of advancing activities associated with the development of climate resiliency planning for the City of Rochester.

This legislation will authorize an amendatory agreement with Highland Planning, LLC, Rochester, NY for \$80,000 to assist in the development of a Climate Adaptation Plan for the City of Rochester.

In October 2017 City Council authorized an agreement with Highland Planning, LLC (Ordinance 2017-337) which established \$70,000 as maximum compensation for the development of a Climate Vulnerability Assessment (CVA) for the City. This project was funded from \$35,000 in New York State Department of Environmental Conservation (NYSDEC) Climate Smart Communities grant funding and \$35,000 in 2016-2017 Cash Capital.

Subsequently, the City has obtained additional NYSDEC Climate Smart Communities grant funding to prepare a Climate Adaptation Plan (CAP). Under this proposed amendatory agreement, Highland Planning, LLC will continue to work with the City's Office of Energy and Sustainability to move on to the next step in

November 20, 2018

resiliency planning by preparing a CAP that builds on key findings from the CVA. The CAP will guide decision-making supporting resiliency and climate adaptation strategies that will prepare the City and community for future climate change impacts.

The amendatory agreement will be funded from \$45,000 in NYSDEC Climate Smart Communities funding (Ordinance 2018-99) and \$35,000 in 2018-2019 Cash Capital.

It is anticipated that the Climate Adaptation Plan will be completed in January 2021, within the term of the original agreement. The original expiration was January 8, 2020 with an extension to January 8, 2021 if needed.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-368  
(Int. No. 404)

### **Authorizing an amendatory agreement for development of a Climate Adaptation Plan**

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 Highland Planning, LLC to assist in the development of a Climate Adaptation Plan. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2017-337, by \$80,000 to a total amount of \$150,000. The amendatory compensation amount shall be funded from \$45,000 in New York State Department of Environmental Conservation Climate Smart Communities grant funding authorized in Ordinance No. 2018-99 and from \$35,000 in 2018-19 Cash Capital.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-369  
Re: Professional Services Agreement –  
Greater Rochester Housing Partnership, Inc

Council Priority: Rebuilding &  
Strengthening Neighborhood Housing



November 20, 2018

Transmitted herewith for your approval is legislation related to the implementation of the City of Rochester Clean Energy Communities (CEC) Program. This legislation will authorize a professional services agreement in the amount of \$20,000 with Greater Rochester Housing Partnership, Inc. (GRHP), Rochester NY, as part of the HOME Rochester development of a model sustainable home.

In May 2017, the City applied for and was subsequently awarded grant funding through the NYSERDA Clean Energy Communities (CEC) Program. The NYSERDA CEC grant funds will be used to implement energy-efficiency related actions outlined in the City's Climate Action Plan (CAP), including development and implementation of projects to inform and educate the public on energy efficiency. No City matching funds are required for this grant program.

The City is partnering on the development of the sustainable model home with Greater Rochester Housing Partnership, Inc. (GRHP) as the administrator of the HOME Rochester program. Under this agreement, GRHP will rehabilitate a city home at 188 Jerold St. under the HOME Rochester program utilizing energy upgrades that will create a sustainable, near net-zero-energy home which meets the Energy Star 3.1 rating

These upgrades include a 4.5 Watt solar PV system, heat pump system, a heat pump hot water heater, energy efficient windows, R-70 blown-in attic insulation, and enhanced exterior and basement insulation.

This home will serve as a model for future housing rehabilitation projects and will help to educate the community on the benefits of utilizing energy efficient technology in homes. GRHP will work with the City, to educate residents on the benefits of sustainable home technologies.

The cost of the agreement will be financed from \$20,000 in New York State Energy Research and Development Authority (NYSERDA) grant funds appropriated in February 2018 via Ordinance No. 2018-44.

The agreement will have an initial term of one year with provisions for renewal for an additional one-year period based on mutual written agreement. The sustainable model home is expected to be completed by September 2019.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-188

Ordinance No. 2018-369  
(Int. No. 405)

### **Authorizing an agreement for the City of Rochester Clean Energy Communities Program**

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 Greater Rochester Housing Partnership, Inc. in the maximum amount of \$20,000 related to the implementation of the City of Rochester Clean Energy Communities Program (Program). Said amount shall be funded from \$20,000

November 20, 2018

in New York State Energy Research and Development Authority grant funds appropriated in Ordinance No. 2018-44.

Section 2. The term of the agreement shall be one year with the option to renew for one additional 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. 2018-370

Re: Authorizing a Traffic Flow Change –  
Doran Street

Transmitted herewith for your approval is legislation authorizing a change in the direction of traffic flow on Doran Street, between South Plymouth Avenue and Edith Street, from one-way eastbound traffic to one-way westbound traffic, and on Doran Street between Edith Street and Exchange Street, from one-way eastbound traffic to one-way westbound traffic, except bikes.

The Doran Street westbound one-way change is requested by the Rochester Police Department as a crime prevention technique. Reversing the direction of traffic flow will make it less convenient for illicit activity to be conducted on the street. In the short block between Edith and Exchange streets, an eastbound “contraflow” bike lane will be installed to facilitate bicycle travel on the new Bicycle Boulevard which connects the 19<sup>th</sup> Ward with the Genesee Riverway Trail. The change was requested as a public safety measure from the Rochester Police Department and, as such, no petition is required.

The change to westbound one-way traffic, and the contraflow bike lane, was reviewed and endorsed by the City’s Traffic Control Board at its September 18, 2018 meeting. A public hearing is required.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-189

Ordinance No. 2018-370  
(Int. No. 406)

**Authorizing changes in traffic flow on Doran Street**

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Doran Street between South Plymouth Avenue and Edith Street from one-way eastbound to one-way westbound traffic.

Section 2. The Council hereby approves a change in the direction of the traffic flow on Doran Street between Edith Street and Exchange Street from one-way eastbound to one-way westbound traffic, except for a bicycle lane that shall provide for eastbound bicycle traffic.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Lightfoot  
November 20, 2018

To the Council:

The **PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- |              |  |
|--------------|--|
| Int. No. 407 | Amending the Budget for the Rochester Police Locust Club interest arbitration award  |
| Int. No. 408 | Authorizing an intermunicipal agreement for the Pathways to Peace program  |
| Int. No. 409 | Authorizing an intermunicipal agreement with the School District for traffic and crowd control services                          |
| Int. No. 410 | Authorizing agreements for the 2018 Justice Assistance Grant program   |
| Int. No. 411 | Authorizing grant agreements and funding for the Rochester Police Department violence prevention and community policing programs |
| Int. No. 412 | Amending Ordinance No. 2012-351 relating to standardization of the Glock pistol for use by the Police Department                 |
| Int. No. 413 | Appropriating funds and amending the 2018-19 Budget for wire taps for long term investigations                                   |
| Int. No. 417 | Authorizing an agreement and funding for an outdoor fitness court  |

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Respectfully submitted,  
Willie J. Lightfoot  
Mitch Gruber (Absent)  
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. 2018-371  
Re: Budget Amendment – Rochester Police  
Locust Club Interest Arbitration Award

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2018-19 Budget by transferring a total of \$7,807,000 from Contingency to the following budgets to reflect the impact of an Interest Arbitration Award for the Rochester Police Locust Club:

1. \$7,252,000 to the Police Department; and
2. \$555,000 to Undistributed to cover the cost of related employee benefits.

On June 19, 2018, when the 2018-19 Budget was adopted by City Council, salary and wage rates had not yet been established for uniformed employees represented by the Rochester Police Locust Club, Inc. The collective bargaining agreement had expired June 30, 2016. After multiple negotiation sessions, the union ultimately filed for impasse in August of 2017. Attempts to settle the contract with the assistance of a Public Employee Relations Board (PERB)-appointed mediator were unsuccessful, which led to the dispute advancing to an Interest Arbitration proceeding for final resolution of the impasse.

On June 6, August 7, 8 and 23, 2018, representatives of both the City and Locust Club appeared before the Interest Arbitration Panel, which reviewed contracts, proposals, exhibits, and listened to arguments and positions advanced by both parties. The Panel also met in Executive Session on August 23, 2018. Subsequently, the Panel issued an Interest Arbitration Award covering the period from July 1, 2016 through June 30, 2019.

A Summary of Award was issued on September 10, 2018 which resulted in the following wage adjustments:

July 1, 2016	4.0%
July 1, 2017	2.0%
July 1, 2018	3.5%

In addition to base wage adjustments, an increase in shift differential of 20 cents per hour was added to incentivize personnel to work evening shifts and longevity payments were increased for personnel with more

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than 15 years of service to incentivize retention efforts. Both of these changes were effective 7/1/2018. In addition to the financial portion of the award, greater flexibility was afforded to the City in personnel assignments, transfers, and recruitment backgrounding efforts. A fully detailed Opinion and Award shall be issued at a later date which will contain contract language and the factual and analytical basis for the determinations reached by the Panel.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-371  
(Int. No. 407)

**Amending the Budget for the Rochester Police Locust Club interest arbitration award**

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

Section 1. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$7,807,000 from Contingency and transferring \$7,252,000 of that amount to the Budget of the Police Department and \$555,000 of that amount to Undistributed Expense in order to fund salary and wage increases for Police Department personnel resulting from the Locust Club interest arbitration award.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-372  
Re: Inter-Municipal Agreement - Rochester  
City School District's Utilization of  
Pathways to Peace

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the Rochester City School District (RCSD) for the receipt and use of \$10,000 and amending the 2018-19 Budget of the Department of Recreation and Youth Services (DRYS) by the funds authorized herein to provide Pathways to Peace (PTP) staff support at District athletic and special events. The term of the agreement will be from September 19, 2018 to June 30, 2019, with a maximum compensation of \$10,000.

Under this agreement, the District will reimburse the City for PTP staff expenses for the following services:

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1. Emergencies Before or After Athletic Event – at the District’s request, PTP will respond to emergency situations to assist in preventing and mitigating the risk of violence among students and conduct ongoing outreach with the schools to identify and address risks.
2. School District Special Events - At the District’s request, PTP will monitor entry points at special events and activities and will identify potentially violent individuals. PTP will monitor actions of youth at the events, work with District staff and, if applicable, the Rochester Police Department to intervene and prevent violence.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-372  
(Int. No. 408)

**Authorizing an intermunicipal agreement for the Pathways to Peace program**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement for the receipt and use of \$10,000 from the Rochester City School District (RCSD) in return for providing Department of Recreation and Youth Services’ Pathways to Peace staff support at RCSD athletic and special events. The term of the agreement shall be from September 19, 2018 through June 30, 2019.

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

Section 3. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Youth Services by the sum of \$10,000, which amount is hereby appropriated from funds to be received under the agreement and for the purpose authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-373  
Re: Agreement – Rochester City School  
District, Traffic and Crowd Control Services

Council Priority: Public Safety

November 20, 2018

Transmitted herewith for your approval is legislation authorizing an Inter-municipal Agreement with the Rochester City School District (RCSD) for the receipt and use of \$50,000 for reimbursement of the cost of traffic and crowd control services provided by the Rochester Police Department, and amending the 2018-19 Budget of the Police Department by \$25,700 to reflect a portion of these funds.

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or an event sponsored in part or in full by RCSD, such as football games, basketball games, graduation ceremonies, proms, and school dances. The agreement will provide for reimbursement by RCSD of the cost of these services, up to a maximum of \$50,000 during fiscal year 2018-19.

The term of the agreement is July 1, 2018 through June 30, 2019.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-373  
(Int. No. 409)

**Authorizing an intermunicipal agreement with the School District for traffic and crowd control 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 intermunicipal agreement with the Rochester City School District ("RCSD") in the maximum amount of \$50,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from July 1, 2018 through June 30, 2019. The anticipated reimbursements under the agreement are hereby appropriated for the costs of providing such traffic and crowd control purposes.

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

Section 3. Ordinance No. 2018-157, the 2018-19 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 \$25,700 to reflect the receipt of a portion of the reimbursement funds appropriated in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-374

Re: Agreement – US Department of Justice,  
2018 Justice Assistance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2018 Justice Assistance Grant. This legislation will:

1. Authorize an agreement with the US Department of Justice for the receipt and use of the 2018 Justice Assistance Grant in the amount of \$164,213; and
2. Authorize an agreement with the County of Monroe for the distribution and use of \$71,679 of the grant for support of the “Operation Nightwatch” program. The term of this agreement is October 1, 2017 through September 30, 2021.

The County intends to use its share of this grant to support “Operation Nightwatch,” a program of the Probation Department which follows up on probationers’ evening curfews.

The City’s share (\$92,534) will be used to fund salaries (\$61,597) and fringe (\$25,906) for two part-time Counseling Specialists in the Police Department’s Family and Victims Services Section. These funds were anticipated and included in the 2018-19 Budget of the Police Department. Additionally, funds in the amount of \$5,031 are allocated toward reaching compliance in crime reporting to standards established by the National Incident-Based Reporting System (NIBRS); this is a requirement in this year’s award process.

The term of this grant is October 1, 2017 through September 30, 2021. No matching funds are required.

RPD has received this grant for over 10 years.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-374  
(Int. No. 410)

**Authorizing agreements for the 2018 Justice Assistance Grant program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for the receipt and use of funding from the 2018 Justice Assistance Grant program in the amount of \$164,213, and said amount is hereby appropriated for this purpose. The term of the agreement shall be October 1, 2017 through September 30, 2021.



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Section 2. The Mayor is hereby further authorized to enter into an intermunicipal agreement with the County of Monroe in the maximum amount of \$71,679 to fund the Monroe County Probation Department's Operation Nightwatch program. Said amount shall be funded from the amount appropriated in Section 1 herein. The term of the agreement shall be October 1, 2017 through September 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-375

Re: Grant Agreements – New York State  
Division of Criminal Justice Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two grants described below, and amending the 2018-19 Budget of the Police Department by \$20,000 to reflect these grants.

New York State Senate Grant/Funke, January 1, 2019 – December 31, 2019

This \$5,000 grant, facilitated by Senator Rich Funke, will be used for police overtime details to intensify investigations in the Goodman Section to decrease the incidence of violence in that area. Fringe benefits, in the amount of \$1,644, are not included in this grant.

New York State Senate Grant/Ranzenhofer, October 1, 2018 – September 30, 2019

This award, not to exceed \$15,000, was secured by Senator Michael H. Ranzenhofer to provide overtime for police operational activities including walking beats, bike patrols, anti-violence operations, and community policing in the Genesee Section to address and decrease the incidence of violence. Fringe benefits, in the amount of \$4,932, are not included in this grant.

No match is required for these grants. The City has received these grants since 2015.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-375  
(Int. No. 411)

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

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (DCJS) for receipt and use of funds in the amount of \$5,000 to intensify the Rochester Police Department's investigations in the City's Goodman Section in order to decrease the incidence of violence in that area. The term of the agreement shall be January 1, 2019 through December 31, 2019.

Section 2. The Mayor is hereby authorized to enter into an agreement with the DCJS for receipt and use of funds in the amount of \$15,000 for Police Department operational activities to address and decrease violence in the City's Genesee Section. The term of the agreement shall be October 1, 2018 through September 30, 2019.

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

Section 4. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Rochester Police Department by the sum of \$20,000, which amount is hereby appropriated from funds to be received under the grant agreements and for the purposes authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-376  
Re: Amendment – Ordinance No. 2012-351

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Ordinance No. 2012-351, Standardization of the Glock Pistol for use by the Rochester Police Department.

In August, 2012 RPD standardized the Glock 21-4 for patrol officers and either the Glock 21-4 or the compact Glock 30SF for plain clothes officers and administrative staff due to the reliability, trigger system, ease of cleaning, magazine size, parts and accessory availability, training, and proven dependability. RPD is amending the Ordinance to include other models of Glock handguns due to the periodic upgrades in technology.

Therefore, Ordinance 2012-351 is hereby amended as follows:

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- “WHEREAS, as a result of said evaluation, the City wishes to standardize the ~~Glock 21-4 and Glock 21, 30SF, and 17, or any other Glock models in the future that the Rochester Chief of Police determines will best meet the needs of the department,~~ as the firearms for use by the Rochester Police Department.”
- Section 1 is amended to “Based on information submitted by the Mayor and Rochester Police Department, the Council standardizes ~~the Glock 21-4 and Glock 21, 30SF, and 17, or any other Glock models in the future that the Rochester Chief of Police determines will best meet the needs of the department,~~ as the firearms for use by the Rochester Police Department for the following reasons:...”
- Section 2 is amended to “For reasons of safety, efficiency, economy and performance, the Council hereby standardizes upon and directs the purchase of the Glock 21-4 and 30SF firearms manufactured by Glock Ges.m.b.H. as the firearms for use by the Rochester Police Department.”

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-376  
(Int. No. 412)

**Amending Ordinance No. 2012-351 relating to standardization of the Glock pistol for use by the Police Department**

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

Section 1. The third prefatory clause and Sections 1 and 2 of Ordinance No. 2012-351, standardization of the Glock pistol for use by the Rochester Police Department, are hereby amended to read in their entirety as follows:

WHEREAS, as a result of said evaluation, the City wishes to standardize the ~~Glock 21-4 and Glock 21, 30SF, and 17, or any other Glock models in the future that the Rochester Chief of Police determines will best meet the needs of the Department,~~ as the firearms for use by the Rochester Police Department.

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

Section 1. Based on information submitted by the Mayor and Rochester Police Department, the Council standardizes ~~Glock 21-4 and Glock 21, 30SF, and 17, or any other Glock models in the future that the Rochester Chief of Police determines will best meet the needs of the Department~~ as the firearms for use by the Rochester Police Department for the following reasons:

- Reliability – The Glocks did not malfunction during testing while the other firearms did. The Glocks are reliable in all types of weather, including the cold and rain.

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- Trigger System – The Glocks have a Double Action Only trigger system making it easier for officers to get accustomed to them. The Beretta has a Double Action/Single Action trigger system causing some issues in training.
- Ease of Cleaning – The Glocks are quick and easy to disassemble, clean, lubricate and reassemble.
- Magazine – The magazines of the Glocks hold more rounds than the comparable Berettas.
- Parts/Accessory availability – Due to the popularity of the Glocks, replacement parts and accessories are easily obtained.
- Training – Training accessories, such as simunition conversion kits and training rounds, exist for the Glocks that are not available for the Beretta, offering a more thorough and cost effective training option.
- Proven Dependability - Seventy percent (70%) of agencies throughout the Country use the Glocks.

Section 2. For reasons of safety, efficiency, economy and performance, the Council hereby standardizes upon and directs the purchase of ~~the Glock 21-4 and 30SF~~ firearms manufactured by Glock Ges.m.b.H as the firearms for use by the Rochester Police Department.

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. 2018-377  
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$20,000 from federal forfeiture funds generated by the Rochester Police Department and amending the 2018-19 Budget of the Police Department by this amount.

These funds will be used to pay for electronic wire taps for long term investigations. These investigations are usually associated with major drug cases, many of which include homicides.

This appropriation will result in a balance of approximately \$949,280 in the federal forfeiture Justice fund.

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Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-377  
(Int. No. 413)

**Appropriating funds and amending the 2018-19 Budget for wire taps for long term investigations**

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

Section 1. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$20,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund electronic wire taps for long term investigations.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-378  
Re: Grant Agreement, Fitness Court

Transmitted herewith for your approval is legislation related to the acquisition and installation of an outdoor Fitness Court. This legislation will:

1. Authorize the receipt and use of a \$100,000 grant from MVP Health Care for the acquisition and installation of the Fitness Court;
2. Amend the 2018-19 Cash Capital Budget of the Department of Recreation and Youth Services to reflect the grant award.

The National Fitness Campaign, LLC has selected the City of Rochester as a “2019 Healthy City” which allows for the acquisition of the Fitness Court at a reduced rate with the additional MVP grant funds. The Fitness Court is a 32 foot by 35 foot outdoor bodyweight circuit training system with the capacity for up to 28 users at one time. The Fitness Court will be free and open to the public, and is anticipated to be installed in Spring 2019 at a location along the Genesee River waterfront to be determined.

See attached design rendering.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-190

Ordinance No. 2018-378  
(Int. No. 417)

**Authorizing an agreement and funding for an outdoor fitness court**

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 MVP Health Care, Inc. for the receipt and use of funds in the amount of \$100,000 for the acquisition and installation of a public outdoor fitness court. The term of the agreement shall be one year.

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

Section 3. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of Cash Capital by the sum of \$100,000, which is hereby appropriated from the funds to be received under the agreement and for the purpose authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:56 p.m.

HAZEL L. WASHINGTON  
City Clerk