

Additional Proposed Legislation for the  
June 18, 2019 City Council Meeting -  
Filed in the Office of the City Clerk  
May 30 through June 5

\* \* Please Note \* \*

For questions regarding the proposed legislation,  
call the City Clerk's Office at 585-428-7421



# City of Rochester

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
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Lovely A. Warren  
Mayor

Budget

FINANCE  
INTRODUCTORY NO.  
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TO THE COUNCIL

Ladies and Gentlemen:

Re: 2019-20 Budget

Council Priority: Deficit Reduction and Long Term  
Financial Stability

Transmitted herewith for your approval is legislation related to the 2019-20 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
  - a. Street mall maintenance
  - b. Neighborhood parking lot operation
  - c. Public Market snow removal and security services
  - d. Street lighting and streetscape districts
  - e. Downtown Enhancement District
  - f. High Falls Improvement District
  - g. St. Paul Street Streetscape
  - h. South Ave. Alexander St. Streetscape
  - i. Mt. Hope Streetscape
  - j. Upper East Alexander Entertainment-Refuse
5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2019-20 proposed budget of the City submitted to City Council on May 17, 2019 are summarized below:

1. Total appropriations of \$1,483,346,075 allocated for the City and the School District

	<u>Proposed 2019-20</u>	<u>Amended 2018-19</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 552,047,000	\$ 542,255,700	\$ 9,791,300	+1.8
School	931,299,075	921,876,906	9,422,169	+1.0
Total	\$1,483,346,075	\$1,464,132,606	\$19,213,469	+1.3

Total non-tax revenue distributed between the City and the District:

	<u>Proposed 2019-20</u>	<u>Amended 2018-19</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 495,188,783	\$ 485,397,483	\$ 9,791,300	+2.0
School	817,558,575	808,136,406	9,422,169	+1.2
Total	\$1,312,747,358	\$1,293,533,889	\$19,213,469	+1.5

2. Total tax levies of \$178,637,400 for the City and City School District

	<u>Proposed 2019-20</u>	<u>Amended 2018-19</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$170,598,717	\$170,598,717	\$ 0	+ 0.00
Tax Reserve	8,038,683	8,038,683	0	+ 0.00
Tax Levy	\$178,637,400	\$178,637,400	\$ 0	+ 0.00

3. Total appropriations for the Local Works fund of \$22,393,500 and total assessments of \$20,489,000

	<u>Proposed 2019-20</u>	<u>Amended 2018-19</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Maintenance	\$ 5,474,580	\$ 4,526,837	\$ 947,743	20.9
Sidewalk Repair	3,211,155	4,399,658	-1,188,503	-27.0
Roadway Plowing	8,794,402	8,582,206	212,196	2.5
Sidewalk Plowing	3,008,863	2,611,899	396,964	15.2
Total	\$20,489,000	\$20,120,600	\$ 368,400	1.8

4. Program Assessments

On April 16, 2019, the following budgets were approved: street lighting and streetscapes; street malls; Downtown Enhancement District; security and snow removal at the Public Market; East Avenue/Alexander Street Entertainment District; High Falls Business Improvement District; and the South Avenue/Alexander Street Open Space District. The budget for the special assessment district parking lots was approved on May 21, 2019. The assessments required are as follows:

	<u>Proposed 2019-20</u>	<u>Amended 2018-19</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$ 35,411	\$31,644	3,767	11.9
Parking Lots	59,938	64,191	-4,253	-6.6
Public Market	49,687	47,049	2,638	5.6
Lighting and Streetscapes	42,261	41,944	317	0.8
Downtown Enhancement	646,900	640,000	6,900	1.1
High Falls	25,000	25,000	0	0.0
St. Paul Street Streetscape	20,649	20,649	0	0.0
South Ave Alexander Streetscape	8,900	8,900	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	20,800	20,800	0	0.0

5. Proposed additions to the tax roll consist of the following charges:

	<u>Proposed 2019-20</u>	<u>Amended 2018-19</u>	<u>\$ Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$ 554,801	\$ 630,017	\$ -75,216	-11.9
Delinquent Water	5,835,825	5,640,292	195,533	3.5
Code Enforcement	116,679	118,915	-2,236	-1.9
Supplemental and Omitted Taxes	631,918	472,364	159,554	33.8
Local Improvements	1,494	1,798	-304	-16.9
Demolitions	631,023	1,458,599	-827,576	-56.7
Encroachments	3,975	4,050	-75	-1.9
Rehabilitation	232,481	234,375	-1,894	-0.8
Code Violations	2,218,190	1,783,318	434,872	24.4

6. Fee increases and Charter and Code changes

6A. Amend Section 8E-1 of the City Charter to reflect changes to the management and operational focus of the Information Technology Department as proposed in the 2019-20 Budget. These changes are the result of an organizational assessment conducted by Baker Tilly Virchow Krause, LLP. The Charter will be revised to reflect the position of Chief Technology Officer as head of the Information Technology Department.

6B. A water rate increase to base rates is proposed to balance the Water Fund. The proposed increases are expected to result in \$258,400 additional revenue. Increases are proposed for the 5/8", 3/4", 8" and 10" base meter charge, however the 1" through 6" base meter charges will remain the same.

6C. A rate increase of 2% is proposed to balance the Local Works Fund. The proposed increase is expected to result in \$336,000 additional revenue.

6D. Amend Section 39-221 (A) to correct the building permit schedule to include the fee for projects between the value of \$14,001 and \$16,000. When the fees were last updated in 2003 the schedule omitted a bracket for this cost range. The permit fees were correctly programmed into the Building Information System (BIS) and customers have been charged based on the correct fee schedule since 2003.

6E. Increases in parking garage rates are necessary to balance the Parking Fund, resulting in approximately \$266,800 additional revenue over declining participation. Monthly general parking rates increase \$5 at Court Street, East End, Mortimer, South Avenue, Crossroads, and Washington Square (excluding the Wadsworth Lot); \$7 for High Falls; and \$8 for Sister Cities. Premium rates increase \$5 at Court Street and \$8 at Sister Cities. Increases to the reserved monthly parking rates are \$5 for Court Street, High Falls and Washington Square. The residential rates increase \$9 at High Falls and \$10 at East End. The rate for the Kodak surface lot at 231 State Street increases \$7. The monthly student rate for East End increases \$1.30 while the short term student rate is eliminated as it is no longer in use. The daily rate in use at Mortimer Street Garage is corrected to a \$10 maximum in alignment with the other parking garages, excluding East End.

6F. Amend Section 111-72 of the City Code to increase the fee to redeem passenger vehicles (pickup truck-ups, passenger vans, minibikes, mopeds and motorcycles) from the Auto Pound from \$130 to \$140; the fee to redeem trucks with a gross vehicle weight up to 26,000 pounds from \$195 to \$210, and the fee to redeem trucks with a gross vehicle weight over 26,000 pounds from \$270 to \$290. The daily storage rate in section 111-72G is also proposed to change from \$25 per day to \$40. The additional revenue offsets the cost of increased fees paid to the City's contracted tow companies. Subsection B of Section 108A-7 which dictates the maximum fee that private towers can charge would also be amended to increase the maximum fee from \$130 to \$140.

Respectfully submitted,



Lovely A. Warren  
Mayor

# INTRODUCTORY NO.

225

Ordinance No.

**Adoption of the Budget estimates for municipal purposes for the 2019-20 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees**

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2019 to June 30, 2020, providing for the expenditure of \$552,047,000, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2019-20 are hereby authorized to be expended and the sum of \$552,047,000 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$2,273,100
Administration	10,989,400
Neighborhood and Business Development	11,621,600
Environmental Services	89,092,600
Finance	11,800,900
Information Technology	7,426,600
Law	2,121,900
Library	12,296,300
Recreation and Youth Services	12,458,700
Emergency Communications	14,915,300
Police	98,618,600
Fire	52,175,300
Undistributed Expenses	148,042,100
Contingency	4,317,500
Cash Capital	36,361,000
Debt Service	37,536,100
Sub-total	\$552,047,000
Tax Reserve	2,679,183
Total	\$554,726,183

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2019-20 is hereby fixed and determined at \$495,188,783 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2019-20 providing for raising the sum of \$59,537,400 in taxation on real estate for municipal purposes is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2019-20.

Section 6. This ordinance shall take effect on July 1, 2019.

# INTRODUCTORY NO.

226

Ordinance No.

## Adoption of the Budget estimates for school purposes for the 2019-20 fiscal year and appropriation of sums set forth therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2019 to June 30, 2020, providing for the expenditure of \$931,299,075, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2019-20 are hereby authorized to be expended and the sum of \$931,299,075 is hereby appropriated by the Board of Education for the following purposes:

Operations	\$832,943,321
Cash Capital	13,286,521
Debt Service	<u>85,069,233</u>
Subtotal	931,299,075
Tax Reserve	<u>5,359,500</u>
Total	\$936,658,575

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2019-20 is hereby fixed and determined at \$817,558,575 and said sum is hereby appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2019-20 providing for raising the sum of \$119,100,000 in taxation on real estate for school purposes is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2019.

**INTRODUCTORY NO.**

**227**

Ordinance No.

**Levying taxes for municipal purposes for the fiscal year commencing July 1, 2019 and expiring June 30, 2020**

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

Section 1. The sum of \$59,537,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2019 and expiring June 30, 2020 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2019 and expiring June 30, 2020.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2019 and expiring June 30, 2020.

Section 3. This ordinance shall take effect on July 1, 2019.

INTRODUCTORY NO.

228

Ordinance No.

**Levying taxes for school purposes for the fiscal year commencing July 1, 2019 and expiring June 30, 2020**

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

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2019 and expiring June 30, 2020 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2019 and expiring June 30, 2020.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2019 and expiring June 30, 2020.

Section 3. This ordinance shall take effect on July 1, 2019.

# INTRODUCTORY NO.

229

Local Improvement Ordinance No.

**Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2019 and expiring June 30, 2020**

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2019 to June 30, 2020; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2019 to June 30, 2020:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.
- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2019-20 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2019-20 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefitted parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of

this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2019 shall be \$20,489,000.00 consisting of \$5,474,579.84 for street and lot maintenance, \$3,211,155.14 for sidewalk repair, \$8,794,401.72 for roadway snow removal and \$3,008,863.30 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2019 and June 30, 2020, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2019 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2019.

**INTRODUCTORY NO.****230**

Ordinance No.

**Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2019 and expiring June 30, 2020**

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2019 and expiring June 30, 2020 are hereby in all respects confirmed:

Street and Lot Maintenance	\$5,474,579.84
Roadway Snow Removal	8,794,401.72
Sidewalk Snow Removal	3,008,863.30
Hazardous Sidewalk Repair	3,211,155.14
Delinquent Refuse	554,801.40
Delinquent Water Charges	5,835,825.31
Supplemental Taxes	631,918.04
Street Malls	35,411.00
Parking Lots	59,938.00
Code Enforcements	116,679.00
Code Violations	2,218,190.00
Downtown Enhancement	646,900.00
Public Market Plowing	5,888.07
Public Market Security	43,799.37
Encroachment Fees	3,975.00
Rehabilitation Charges	232,481.35
Wilson Blvd. Street Lights	563.71
Monroe Avenue Lights I	1,265.73
Monroe Avenue Lights and Sidewalk II	627.62
Norton Street Lights	1,377.07
Norton Street Streetscape	2,815.00
Cascade Lights	1,562.58
Cascade Streetscape	8,000.00
Lake Avenue Lights	4,068.34
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	528.76
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,800.00
East Main Street Lights	325.18
Browncroft Lighting	9,508.99
Nunda Boulevard Lighting	8,449.38
Mt. Hope Streetscape	30,000.00
South Avenue Open Space 1	4,441.33
South Avenue Open Space 2	4,458.67

Demolition	631,022.98
Local Improvements	1,494.42

Section 2. This ordinance shall take effect immediately.

INTRODUCTORY NO.

231

Ordinance No.

**Amending the Municipal Code with respect to towing and storage fees**

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

Section 1. Section 108A-7 of the Municipal Code, Towing from private property without the vehicle owner's permission, as amended is hereby further amended so that the first sentence of subsection B shall read as follows:

- B. In no event shall a towing company charge a fee in excess of ~~\$130~~ \$140 for towing, without permission of the vehicle owner, of passenger vehicles, including cars, pickup trucks and passenger vans, or motorcycles or minibikes, from privately owned property in the City.

Section 2. Section 111-72 of the Municipal Code, Illegal parking and towing of vehicles, as amended is hereby further amended:

- a. in subsection B thereof to change the fee for the redemption of passenger vehicles, including pickup trucks and passenger vans, minibikes, mopeds and motorcycles from \$130 to \$140; the fee for the redemption of all trucks, single and tandem axles, with a gross vehicle weight up to 26,000 pounds from \$195 to \$210; and the fee for heavy trucks/truck tractor-trailer units, with a gross vehicle weight in excess of 26,000 pounds from \$270 to \$290; and
- b. in subsection G to change the fee for storage of vehicles from \$25 to \$40 for each twenty-four-hour period or fraction thereof, beginning after the first twenty-four-hour period.

Section 3. This ordinance shall take effect July 1, 2019.

Strikeout indicates deleted text, new text is underlined.

# INTRODUCTORY NO.

232

Ordinance No.

## Amending the Municipal Code with respect to building permit fees

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

Section 1. Section 39-221 of the Municipal Code, Fees for permits, as amended, is hereby further amended by modifying subsection A thereof to read in its entirety as follows:

A. The fee for a permit to construct, enlarge, alter, improve, relocate, convert, maintain use, establish use, legalize use or change the occupancy of a building or structure, or for the installation or replacement of a heating appliance or system, shall be based on the actual cost of such work, per the following schedule:

Actual Cost	Fee	Plus Incremental Fee
\$0 to \$2,000	\$50	None
\$2,001 to \$4,000	\$70	None
\$4,001 to \$6,000	\$90	None
\$6,001 to \$8,000	\$110	None
\$8,001 to \$10,000	\$130	None
\$10,001 to \$12,000	\$150	None
\$12,001 to \$14,000	\$170	None
<u>\$14,001 to \$16,000</u>	<u>\$190</u>	<u>None</u>
\$16,001 to \$18,000	<del>\$190</del> \$210	None
\$18,001 to \$20,000	<del>\$210</del> \$230	None
\$20,001 to \$22,000	<del>\$230</del> \$250	None
\$22,001 to \$24,000	<del>\$250</del> \$270	None
\$24,001 to \$26,000	<del>\$270</del> \$290	None
\$26,001 to \$28,000	<del>\$290</del> \$310	None
\$28,001 to \$30,000	<del>\$310</del> \$330	None
\$30,001 to \$32,000	<del>\$330</del> \$350	None
\$32,001 to \$34,000	<del>\$350</del> \$370	None
\$34,001 to \$36,000	<del>\$370</del> \$390	None
\$36,001 to \$38,000	<del>\$390</del> \$410	None
\$38,001 to \$40,000	<del>\$410</del> \$430	None
\$40,001 to \$42,000	<del>\$430</del> \$450	None
\$42,001 to \$44,000	<del>\$450</del> \$470	None
\$44,001 to \$46,000	<del>\$470</del> \$490	None
\$46,001 to \$48,000	<del>\$490</del> \$510	None
\$48,001 to \$50,000	<del>\$510</del> \$530	None
\$50,001 to \$52,000	<del>\$530</del> \$550	None
\$52,001 to \$54,000	<del>\$550</del> \$570	None
\$54,001 to \$56,000	<del>\$570</del> \$590	None
\$56,001 to \$58,000	<del>\$590</del> \$610	None
\$58,001 to \$60,000	<del>\$610</del> \$630	None
\$60,001 to \$100,000	\$150	.009 x Actual Cost
\$100,001 to \$500,000	\$375	.007 x Actual Cost
\$500,001 to \$1,000,000	\$1,475	.005 x Actual Cost

\$1,000,001 and Over

\$3,675

.003 x Actual Cost

Section 2. This ordinance shall take effect on July 1, 2019.

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# INTRODUCTORY NO.

233

Ordinance No.

## Amending the Municipal Code with respect to water rates

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

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by modifying subsection A (2) to read in its entirety as follows:

(2) Base Charge.

Size of Meter (inches)	Charge per Month
5/8	<del>\$8.31</del> 8.66
3/4	<del>\$12.46</del> 13.00
1	\$37.62
1 1/2	\$55.72
2	\$74.53
3	\$186.25
4	\$372.15
6	\$557.90
8	<del>\$1,106.46</del> 1,213.07
10	<del>\$1,615.68</del> 1,819.61

Section 2. This ordinance shall take effect on July 1, 2019.

Strikeout indicates deleted text, new text is underlined

**Local Law amending the City Charter relating to the Information Technology Department**

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 8E-1, Information Technology Department, to read as follows:

§ 8E-1 Information and Technology Department.

The head of the Information Technology Department shall be the Chief Technology Officer. The Chief Technology Officer shall be responsible for directing and managing the development, deployment, and support of information technology services provided to City Departments. He or she shall maintain effective communication between the City's information technology service groups so as to maximize operating efficiencies and provide highly effective information technology services. The Chief Technology Officer shall be the appointing authority for employees of the Information Technology Department.

Section 2. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 2-18 Code of Ethics as follows:

- A. In Subsection B(8), definition of Senior Management, delete the phrase "Chief Information Officer" and insert in its place "Chief Technology Officer"; and
- B. In Subsection G(1), which specifies the City officers and employees who are required to file annual financial disclosure statements, delete the following positions: "Chief Information Officer, IT Relationship Manager, Technical Infrastructure Service Manager, Business Process Services Manager, Application Services Manager"; and insert in their place the following positions: "Chief Technology Officer, Director of IT Operations, Application & Systems Manager, Infrastructure & Operations Manager, Security & Networking Manager, Systems Architect, Director of Project Management (Mayor's Office)".

Section 3. This local law shall take effect immediately the latter of July 1, 2019 or upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

INTRODUCTORY NO.

235

Resolution No.

**Resolution approving the 2019-20 debt limit for general municipal purposes with an exception for certain Roc the Riverway capital projects**

WHEREAS, an important component of the City's expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations;

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service; and

WHEREAS, pursuant to the Debt Authorization Policy adopted by Council in Resolution No. 81-4, exceptions to the debt limit policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2019-20 to \$19,031,000 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2017-18 and 2018-19 shall continue to be available, but no authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried-over and included in the limit for this fiscal year. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for 2016-17 relating to environmental investigation and remediation at contaminated City sites and the Vacuum Oil Brownfield Opportunity Area sites, street rehabilitation and improvements including but not limited to Scottsville Road and Elmwood Avenue, and municipal facility improvements; 2015-16 relating to environmental investigation and remediation at contaminated City sites and the Vacuum Oil Brownfield Opportunity Area sites, street rehabilitation and resurfacing, including but not limited to the Residential Street Rehabilitation; 2013-14 relating to environmental investigation and remediation at contaminated City sites, focused development investment, and street lighting; 2012-13 relating to environmental investigation and remediation at contaminated City sites; and 2010-11 relating to environmental investigation and remediation at contaminated City sites.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not

approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that the sum of \$3,900,000 is hereby approved as an exception to the 2019-20 debt limit of the City established herein in order to fund the a portion of the costs of the Riverway Main to Andrews – West Side project and the extension of the Sister Cities Bridge project and that this action is being taken to allow the City to leverage approximately \$16 million in New York State Roc the Riverway funds that could be lost without the City's contribution to the funding of the two aforementioned projects.

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution shall take effect immediately.

# INTRODUCTORY NO.

236

Ordinance No.

## Amending the Municipal Code with respect to parking fees

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

Section 1. Subsection A(1) of Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended in subsection A(1) to read in its entirety as follows:

- (1) Short-term rates, which shall apply from 6:00 a.m. or 6:30 a.m. to garage closing, depending upon the garage schedule: \$2 for the first two hours, and \$2 for each hour thereafter, or any part thereof, up to the daily maximum. ~~There shall be a student rate of \$1 per hour in the East End Garage, up to the daily maximum.~~

Section 2. Subsection A(4) of Section 111-119 of the Municipal Code is hereby further amended to read in its entirety as follows:

- (4) Maximum daily charge. The maximum amount chargeable per entry to a garage for parking during any weekday parking shall be as follows:
  - (a) High Falls Garage, Court Street Garage, Midtown Garage, Genesee Crossroads Garage, Sister Cities Garage, South Avenue Garage, and Washington Square Garage, and Mortimer Street Garage: \$10.00.
  - ~~(b) Mortimer Street Garage: \$7~~
  - ~~(c) (b) East End Garage: \$8~~

Section 3. Subsection A(6)(a)-(h) of Section 111-119 of the Municipal Code is hereby further amended to read in its entirety as follows:

- (a) Court Street Garage: ~~\$95~~ \$100 for parking in the general area, ~~\$120~~ \$125 for parking in the ~~premium reserved~~ area, and ~~\$150~~ \$155 for parking in the ~~reserved premium~~ area.
- (b) Genesee Crossroads Garage: ~~\$95~~ \$100.
- (c) High Falls Garage ~~\$90~~ \$97 for parking in the general area, ~~\$125~~ \$130 for parking in the reserved area, ~~\$76~~ \$85 for reserved residential parking, and ~~\$70~~ \$77 for parking in the Kodak surface lot located at 231 State Street.
- (d) South Avenue Garage: ~~\$95~~ \$100
- (e) Sister Cities Garage: ~~\$99~~ \$107 for parking in the general area and ~~\$124~~ \$132 for parking in the premium area.

- (f) Mortimer Street Garage: ~~\$75~~ \$80 for parking in the garage. Notwithstanding the parking rates established in this subsection, the Parking Director, subject to the approval of the Mayor, is authorized to establish a program allowing a parking discount reducing the monthly rate to \$25 in the Mortimer Street Garage for up to 50 members of the High Tech Rochester program.
- (g) Washington Square Garage: ~~\$95~~ \$100 for parking in the general area of the garage, ~~\$120~~ \$125 for parking in the reserved area of the garage, and \$33 for parking in the Wadsworth Square Lot.
- (h) East End Garage: ~~\$85~~ \$90 for general parking, ~~\$69~~ \$79 for residential parking, and ~~\$43.50~~ \$44.80 for student parking.

Section 2. This ordinance shall take effect on July 1, 2019.

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## City of Rochester

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

## PARKS & PUBLIC WORKS INTRODUCTORY NO.

237

58  
Lovely A. Warren  
Mayor

LAW



June 5, 2019

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Municipal Code Changes Related to Public  
Electric Scooter Share System

Council Priority: Creating and Sustaining a Culture of  
Vibrancy

Transmitted herewith for your approval is legislation amending the Municipal Code to support the regulation of the proposed public electric scooter share system.

The State Legislature is currently considering legislation to allow the operation of electric scooters under the State Vehicle and Traffic Law and is expected to vote on the legislation prior to the end of its regular session this month. In May, Council authorized (in Ordinance No. 2019-138) an amendatory agreement with Zagster for the establishment of a public electric scooter share system if and when the State legalizes the use of electric scooters on public roads.

This legislation will amend the Municipal Code to regulate the use of electric scooters similar to that of bicycles; require bike and electric scooter riders use bike lanes when available and safe; and prohibit vehicle parking in bike lanes to ensure public safety with the introduction of the electric scooter share system in the City of Rochester. The Traffic Control Board was notified of these changes on June 5, 2019. Additional safety, maintenance, and usage measures related to the electric scooter share system will be established through the amendatory agreement with Zagster.

Respectfully submitted,

Lovely A. Warren  
Mayor



INTRODUCTORY NO.

237

Ordinance No.

**Amending the Municipal Code with respect to electric scooter requirements**

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

Section 1. Chapter 34 of the Municipal Code, Bicycles, as amended, is hereby further amended to:

- a. Revise the title of Chapter 34 to read as follows:

Bicycles and Electric Scooters

- b. Add to Section 34-1, Definitions, definitions of bike lane, Central Traffic District, cycle track and electric scooter to read as follows:

BIKE LANE

The portion of a roadway that has been delineated and marked for the use of bicycles, not including any lane specifically marked for the shared use of bicycles and motor vehicles.

CENTRAL TRAFFIC DISTRICT

The area bounded by the Inner Loop, North Union Street, South Union Street, Howell Street and Interstate 490, but shall exclude the Inner Loop, Interstate 490 and their respective frontages.

CYCLE TRACK

A pathway in the public right-of-way that is physically separate from motor vehicle traffic and distinct from the sidewalk and that is marked for the use of bicycles. A cycle track may be configured for one-way or two-way traffic.

ELECTRIC SCOOTER

A wheeled device that has handlebars and a floorboard that is designed to be stood upon while riding, is powered by an electric motor, and qualifies to be operated on public roadways as an "electric scooter" as defined and regulated in the New York State Vehicle and Traffic Law.

- c. Revise Section 34-6, Regulations, to read as follows:

A. (Reserved)

B. Bicycles and electric scooters shall not be ridden two or more abreast.

C. Unless accompanied by a person over 18 years of age, children under 12 years of age or under shall ride bicycles, velocipedes or tricycles, other lightweight wheeled devices propelled by the rider or electric scooters only on the sidewalk and must walk velocipedes or tricycles such devices across all streets. Children under 12 years of age shall ride bicycles only on the sidewalk unless accompanied by a person over 18 years of age. Bicycle and electric scooter riding by children 12 years of age and under is forbidden in the Central Traffic District, unless accompanied by a person over 18 years of age. Outside of the Central Traffic District, persons over 12 years of age may ride bicycles or electric scooters upon any multi-use trail or sidewalk but may not ride bicycles or electric scooters on any plot in the roadway planted with grass, flowers or shrubs or on any ornamental parkway in any roadway. Within the Central Traffic District, riding a bicycle or electric scooter on the sidewalk is prohibited except where the sidewalk is identified as part of the Genesee River-Riverway Trail or other multi-use trail system. Both within and outside of the Central Traffic District, bicycle and electric scooter riders over 12 years of age shall ride in the bike lane or cycle track rather than the sidewalk when a bike lane or cycle track and sidewalk run parallel to and adjacent to each other, except when reasonably necessary to avoid conditions that would make it unsafe to continue along said bike lane or cycle track. Conditions to be taken into consideration as potentially unsafe include, but are not limited to, fixed or moving objects, motor vehicles, in-line skates, pedestrians, animals or surface hazards present within the lane or track. The rider of a bicycle or electric scooter on the sidewalk shall yield the right-of-way to pedestrians. The prohibition against riding bicycles or electric scooters upon sidewalks in the Central Traffic District shall not apply to police officers in the performance of their duties.

D. Bicycle and electric scooter riders shall not pull or tow a sled, wagon or another person on skates.

E. Bicycle riders must keep at least one hand on handlebars and both feet on pedals. Electric scooter riders must keep at least one hand on handlebars and both feet on the floorboard, except that the rider may take one foot off the floorboard to assist in propelling the electric scooter.

F. No person shall operate a bicycle or electric scooter equipped with handlebars so raised that the rider must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.

~~G. Bicycle riding by children under 12 years of age is forbidden in the Central Traffic District, unless accompanied by a person over 18 years of age.~~

~~H. When riding a bicycle on the sidewalk, bicycle riders shall yield the right of way to pedestrians.~~

The amendments set forth in this section shall be contingent upon the enactment of amendments to the New York State Vehicle and Traffic Law that define, allow and regulate how electric scooters may be operated on public roadways.

Section 2. Chapter 111 of the Municipal Code, Vehicle and Traffic, as amended, is hereby further amended in Section 111-37, Use of coasters and similar devices restricted, to read as follows:

No person riding in or by means of any coaster, sled, non-motorized scooter, toy vehicle or similar device shall go upon any roadway, except while crossing the street upon a crosswalk. Such devices may be used upon a sidewalk, but shall not be used so as to interfere with pedestrian traffic.

Section 3. Chapter 111 of the Municipal Code, Vehicle and Traffic, as amended, is hereby further amended to add a new subsection to Section 111-24, Standing or parking prohibited in specified places, to read as follows:

E. Within a bike lane, a cycle track, or a trail designated for bicycles or mixed uses.

Section 4. This ordinance shall take effect immediately; provided, however, that Section 1 shall not take effect unless and until the effective date of amendments to the New York State Vehicle and Traffic Law that are enacted to define, allow and regulate how electric scooters may be operated on public roadways.

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