

ROCHESTER CITY COUNCIL

REGULAR MEETING

June 19, 2018

Present – President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson, Spaul – 9

Absent – None – 0

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

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

**Recognition Ceremony**

**Retirement:**

**ITD:**

\*Steven J. Mickle

**LIB:**

\*Linda K. Halliburton

**RFD:**

\*Thomas F. Druffner  
\*Anthony Gutilla  
\*Larry J. Guyett  
\*Joseph S. Inzinna  
\*Robert E. Lindner  
\*John C. Taillie

**RPD:**

\*Anthony M. Bongiovanni  
\*David D. Difante  
\*John V. Kompanijec

**Special Recognition:**

Father Laurence “Larry” Tracy

\*Did not attend

**APPROVAL OF THE MINUTES**

By Councilmember Gruber

RESOLVED, that the minutes of the Regular Meeting of May 15, 2018 be approved as published in the official sheets of the Proceedings.

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Adopted unanimously.

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

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

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges – June 2018 –  
Comm # 4288-18

The Council submits Disclosure of Interest Forms from Councilmember Evans on Int. No. 196 and Int. No. 199, and from Councilmember Ortiz on Int. No. 188 and Councilmember Spaull on Int. No. 203, Int. No. 219, Int. No. 220, Int. No. 225.

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

Councilmember Spaull presented 76 signatures –Healthi Kids Safe Steets – Lowering speed limit –  
Petition No. 1753

Councilmember Clifford presented 95 signatures in support of keeping the summer programs at  
School # 17 – Petition No. 1754

Councilmember Clifford presented 14 signatures in support of rezoning of Cameron St – Petition No.  
1755

**THE COUNCIL PRESIDENT --- INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS**

**REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON**

By Vice President McFadden  
June 19, 2018

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 185     Authorizing amendatory agreement with Verint Americas Inc.

- Int. No. 186 Approving certain matters and authorizing the execution and delivery of specified documents in conjunction with the 2018 Phase of the Rochester Joint Schools Construction Board Facilities Modernization Program
- Int. No. 231 Adoption of the Budget estimates for municipal purposes for the 2018-19 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees
- Int. No. 232 Adoption of the Budget estimates for school purposes for the 2018-19 fiscal year and appropriation of sums set forth therein
- Int. No. 233 Levying taxes for municipal purposes for the fiscal year commencing July 1, 2018 and expiring June 30, 2019
- Int. No. 234 Levying taxes for school purposes for the fiscal year commencing July 1, 2018 and expiring June 30, 2019
- Int. No. 235 Local Improvement Ordinance – Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2018 and expiring June 30, 2019
- Int. No. 236 Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2018 and expiring June 30, 2019, **as amended**
- Int. No. 237 Amending the Municipal Code with respect to water rates
- Int. No. 238 Amending the Municipal Code with respect to fire prevention permit fees
- Int. No. 239 Amending the Municipal Code with respect to parking fees
- Int. No. 240 Amending the Municipal Code with respect to building permit fees and elevator certifications
- Int. No. 241 Amending the Municipal Code with respect to the coastal erosion management permit fee
- Int. No. 242 Amending the Municipal Code with respect to dog control penalties and fees
- Int. No. 243 Amending the Municipal Code with respect to fees for marriage ceremonies, domestic partnerships, alarm user permits, and animal licenses
- Int. No. 244 Resolution approving the 2018-19 debt limit for general municipal purposes
- Int. No. 246 Authorizing an agreement for the CityStart 2018 Grant program

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

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-155  
Re: Amendatory Agreement- Verint  
Americas Inc., Upgrade 311 Call  
Center Lagan V8 Environment

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Verint Americas, Inc., (Dan Bodner, President) Alpharetta, GA. The original agreement for a discovery and design phase was executed in December 2016. An amendatory agreement was authorized in May 2017 (Ordinance No. 2017-121) for additional services to upgrade the 311 Call Center program environment and extend the term of the original Agreement to June 30, 2018. This amendment will extend the term to December 31, 2018 with all other terms of the Agreement remaining the same. This extension is requested to accommodate additional time needed to complete the upgrade and provide post Go Live support.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-155  
(Int. No. 185)

**Authorizing an amendatory agreement with Verint Americas Inc.**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Verint Americas Inc. for additional services to upgrade the 311 Call Center program environment. The amendatory agreement shall extend to December 31, 2018, the term of the agreement that was executed in December 2016 and then amended pursuant to Ordinance No. 2017-121.

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

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Section 3. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-156

Re: COMIDA Bonding – Phase II 2018  
Rochester Schools Modernization  
Program

Transmitted herewith for your approval is legislation authorizing the lease and leaseback of certain school parcels and buildings and other approvals necessary for the issuance of bonds by the County of Monroe Industrial Development Agency (“COMIDA”) in the maximum amount of \$250 million to finance a portion the Phase II Projects of the Rochester Schools Modernization Program (RSMP).

The Rochester Joint Schools Construction Board (RJSCB) was created by the State’s Rochester School Facilities Modernization Program Act (the “Act”) to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District, and to create and coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the RSMP.

The legislation provided for a maximum cost and bond authorization of up to \$325 Million for Phase I of the project. From 2012 to 2015, COMIDA, at the request and with the cooperation of the School District, the City and the RJSCB, issued three series of bonds totaling \$271,380,000 to finance RSMP Phases 1A, 1B and 1C.

State legislation authorizing Phase II of the RSMP at a total maximum cost of \$435 million was signed into law in December 2014. The Phase II Master Plan was completed and adopted by the School District on March 24, 2016 and by the RJSCB on April 4, 2016 and provides for 13 schools to be modernized plus provision for District Wide Technology for the schools.

On August 1, 2017, COMIDA issued its \$123,670,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2017 (the "Series 2017 Bonds"), the proceeds of which were applied to (i) finance the development and other costs of Phase II of the RSMP, the rehabilitation of the following thirteen (13) School District schools with the following names (some of which have changed since then) and addresses:

1. James Monroe High School, 164 Alexander Street;
2. East School (formerly known as East High School), 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Dr. Freddie Thomas Learning Center, 625 Scio Street;
5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Children’s School of Rochester (formerly known as Martin B. Anderson School No. 1), 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;

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9. Dag Hammarskjold School 6, 595 Upper Falls Boulevard;
10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy School No. 10, 353 Congress Avenue;
12. John Walton Spencer School No. 16, 321 Post Avenue;
13. Flower City School No. 30/54 (formerly known as The Flower City School No. 54), 36 Otis Street

and (ii) finance the payment of the principal of and a portion of the interest due on the \$32,000,000 Bond Anticipation Notes, 2017 Series I, issued by the City to provide short-term financing for Phase II of the RSMP (collectively, the "Series 2017 Project").

The School District now proposes to finance additional costs in connection with the development and other costs of Phase II. Therefore, the School District has requested COMIDA to issue its School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2018 (the "Series 2018 Bonds") in the maximum principal amount of \$250,000,000. The proceeds of these Series 2018 Bonds are also expected to fund their capitalized interest and the cost of issuance.

This ordinance will be contingent execution of an Amended and Restated Sublease by the School District and RJSCB and COMIDA's approval of the bonds and lease/leaseback arrangement. COMIDA's approval was received May 15, 2018.

Attached with this transmittal is Certified Resolution 2017-2018:180 of the Rochester Joint Schools Construction Board approving the lease/leaseback arrangement and financing. The Board of Education is scheduled to consider this matter at its meeting on May 24, 2018. Upon approval the Board's resolution will be submitted to the Rochester City Council.

All costs related to the COMIDA bonds, including issue costs and interest, as well as repayment of the bonds, will be the responsibility of the School District pursuant to a Cooperative Agreement between the City, the School District and the RJSCB for the RSMP.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-99

Ordinance No. 2018-156  
(Int. No. 186)

**Approving certain matters and authorizing the execution and delivery of specified documents in conjunction with the 2018 Phase of the Rochester Joint Schools Construction Board Facilities Modernization Program**

WHEREAS, the City of Rochester, in the County of Monroe, New York (herein called "City") has cooperated with the Rochester City School District (the "School District") and the Rochester

Joint Schools Construction Board (the "RJSCB") in furtherance of the School District's Facilities Modernization Program;

WHEREAS, the RJSCB was created by the "Rochester School Facilities Modernization Program Act" (Chapter 416 of the Laws of 2007, as amended by Chapter 533 of the Laws of 2014) (the "Act"), which authorizes the RJSCB to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District (the "Facilities Modernization Program" or "Program"), and to create and coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the Program;

WHEREAS, the RJSCB, the School District and the City have entered into a Cooperative Agreement dated as of February 22, 2010, and amended as of August 4, 2016 (the "Cooperative Agreement"), in order to clarify the agency arrangement and delegation of authority among the School District, the City and the RJSCB, as well as their respective obligations and expectations to achieve the objectives of the Act;

WHEREAS, on June 20, 2012, the County of Monroe Industrial Development Agency ("COMIDA") issued its \$124,100,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2012 (the "Series 2012 Bonds"), the proceeds of which were applied to development and other costs incurred in connection with Phase 1A of the Program, the rehabilitation of twelve (12) existing School District schools, as well as a district wide technology program (collectively, the "Series 2012 Project");

WHEREAS, on June 1, 2013, COMIDA issued its \$103,055,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2013 (the "Series 2013 Bonds"), the proceeds of which were applied to (i) development and other costs incurred in connection with Phase 1A of the Program which were not financed from the proceeds of the Series 2012 Bonds; (ii) development and other costs incurred in connection with Phase 1B of the Program; and (iii) planning and design costs incurred in connection with Phase 1C of the Program (collectively, the "Series 2013 Project");

WHEREAS, on February 5, 2015, COMIDA issued its \$44,225,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2015 (the "Series 2015 Bonds"), the proceeds of which were applied to (i) finance costs incurred in connection with Phase 1C of the Program which were not financed from the proceeds of the Series 2013 Bonds, and (ii) additional Phase I Projects or portions thereof which were eligible under the Act and which were part of the Program (collectively, the "Series 2015 Project");

WHEREAS, on August 1, 2017, COMIDA issued its \$123,670,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2017 (the "Series 2017 Bonds"), the proceeds of which were applied to (i) finance the development and other costs of Phase II of the Program, the rehabilitation of thirteen (13) existing School District schools with the following names (some of which have changed since then) and addresses:

1. James Monroe High School, 164 Alexander Street;
2. East School (formerly known as East High School), 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Dr. Freddie Thomas Learning Center, 625 Scio Street;

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5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Children's School of Rochester (formerly known as Martin B. Anderson School No. 1), 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;
9. Dag Hammarskjold School 6, 595 Upper Falls Boulevard;
10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy School No. 10, 353 Congress Avenue;
12. John Walton Spencer School No. 16, 321 Post Avenue;
13. Flower City School No. 30/54 (formerly known as The Flower City School No. 54), 36 Otis Street;

(collectively, the "Phase II Program Schools") and (ii) finance the payment of the principal of and a portion of the interest due on the \$32,000,000 Bond Anticipation Notes, 2017 Series I, which were authorized in Ordinance No. 2016-225 and issued by the City to provide short-term financing for Phase II of the Program (collectively, the "Series 2017 Project"); and

WHEREAS, the School District now proposes to finance the development and other costs of Phase II Program consisting of the rehabilitation of the 13 Phase II Program Schools listed above, to the extent that such costs were not financed from the proceeds of the Series 2017 Bonds, and, therefore, has requested COMIDA to issue its School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2018 (the "Series 2018 Bonds") in the maximum principal amount of \$250,000,000, the proceeds of which are also expected to fund capitalized interest for the Series 2018 Bonds and finance the cost of issuance of the Series 2018 Bonds.

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

Section 1. The Director of Finance is hereby authorized and directed to enter into such agreements as may be necessary and appropriate to effect issuance of the Series 2018 Bonds, all in form and substance to be approved by the City's Corporation Counsel.

Section 2. The Director of Finance and Corporation Counsel are hereby authorized and directed to comply and evidence compliance with all requirements of the Act necessary and appropriate to ensure that the Series 2018 Bonds are issued in accordance with the New York Local Finance Law and the Act and to ensure that the interest payable on the Series 2018 Bonds is the lowest possible rate obtainable under current market conditions.

Section 3. The actions authorized and directed in this ordinance shall be contingent, as evidenced by the written advice of Corporation Counsel, upon approval of the bonding by the School District and RJSCB.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.



June 19, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-157, Ordinance No. 2018-158  
Ordinance No. 2018-159, Ordinance No. 2018-160  
Local Improvement Ordinance No. 1747  
Ordinance No. 2018-161, Ordinance No. 2018-162  
Ordinance No. 2018-163, Ordinance No. 2018-164  
Ordinance No. 2018-165, Ordinance No. 2018-166  
Ordinance No. 2018-167, Ordinance No. 2018-168

Re: 2018-19 Budget

Council Priority: Deficit Reduction and Long  
Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2018-19 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 Code changes.

Details of the above actions related to the 2018-19 proposed budget of the City submitted to City Council on May 18, 2018 are summarized below:

1. Total appropriations of \$1,455,592,479 allocated for the City and the School District

	<u>Proposed 2018-19</u>	<u>Amended 2017-18</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 539,646,900	\$ 527,018,400	\$12,628,500	+2.4
School	<u>915,945,579</u>	<u>900,447,055</u>	<u>15,498,524</u>	<u>+1.7</u>
Total	\$1,455,592,479	\$1,427,465,455	\$28,127,024	+2.0

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

	<u>Proposed 2018-19</u>	<u>Amended 2017-18</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 482,788,683	\$ 474,159,723	\$ 8,628,960	+1.8
School	<u>802,205,079</u>	<u>786,706,555</u>	<u>15,498,524</u>	<u>+2.0</u>
Total	\$1,284,993,762	\$1,260,866,278	\$24,127,484	+1.9

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

	<u>Proposed 2018-19</u>	<u>Amended 2017-18</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$170,598,717	\$166,599,177	\$3,999,540	+ 2.40
Tax Reserve	<u>8,038,683</u>	<u>7,850,223</u>	<u>188,460</u>	<u>+ 2.40</u>
Tax Levy	\$178,637,400	\$174,449,400	\$4,188,000	+ 2.40

3. Total appropriations for the Local Works fund of \$22,036,300 and total assessments of \$20,120,600

	<u>Proposed 2018-19</u>	<u>Amended 2017-18</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Maintenance	\$ 4,526,837	\$ 5,398,897	\$ -872,060	-16.2
Sidewalk Repair	4,399,658	3,467,951	931,707	26.9
Roadway Plowing	8,582,206	8,580,745	1,461	-0.0
Sidewalk Plowing	<u>2,611,899</u>	<u>2,716,707</u>	<u>-104,808</u>	<u>-3.9</u>
Total	\$20,120,600	\$20,164,300	\$ -43,700	-0.2

4. Program Assessments

The budget for the East Avenue and Alexander Street Entertainment District was approved on March 20, 2018. On April 17, 2018, the following budgets were approved: street lighting and streetscapes; street malls; parking lots; Downtown Enhancement District; security and snow removal at the Public Market; High Falls Business Improvement District; and the South Avenue/Alexander Street Open Space District. The assessments required are as follows:

	<u>Proposed 2018-19</u>	<u>Amended 2017-18</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$ 31,644	\$34,241	-2,597	-7.6
Parking Lots	64,191	61,261	2,930	4.8
Public Market	47,049	47,049	0	0.0
Lighting and Streetscapes	41,944	37,967	3,977	10.5
Downtown Enhancement	640,000	604,100	35,900	5.9
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	0	8,900	100.0
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 2018-19</u>	<u>Amended 2017-18</u>	<u>\$ Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$ 630,017	\$ 525,481	\$ 104,536	19.9
Delinquent Water	5,499,052	5,987,482	-488,430	-8.2
Code Enforcement	118,915	144,338	-25,423	-17.6
Supplemental and Omitted Taxes	472,364	174,700	297,664	170.4
Local Improvements	1,798	1,919	-121	-6.3
Demolitions	1,458,599	646,424	812,175	125.6
Encroachments	4,050	3,725	325	8.7
Rehabilitation	234,375	219,271	15,104	6.9
Code Violations	1,783,318	1,863,906	-80,588	-4.3

6. Fee increases and Code changes

6A. A water rate increase to base rates is proposed to balance the Water Fund. The proposed increases are expected to result in \$240,900 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.

6B. Amend Section 54-12 (B) of the City Code to increase fire prevention permit fees resulting in approximately \$65,000 additional revenue.

6C. Increases in parking garage rates are necessary to balance the Parking Fund, resulting in approximately \$371,900 additional revenue over declining participation. Monthly general parking rates increase \$4 at Court Street, Crossroads, South Avenue, and Washington Square (including the Wadsworth Lot); \$5 for Mortimer; \$6 for East End; \$8 for Sister Cities; and \$13 for High Falls. Premium rates increase \$9 at Court Street and \$14 at Sister Cities. Increases to the reserved monthly parking rates are \$7 for High Falls and \$10 for Court Street and Washington Square. The residential rates increase \$10 at East End and \$30 at High Falls. The lost ticket fee is being changed from the maximum daily rate to a fixed \$20 amount. The hours for which payment for metered parking is required are extended from 6:00 p.m. to 8:00 p.m. resulting in approximately \$214,100 additional revenue.

6D. Amend Section 39-221 (F) and 43A-29 of the City Code to increase building permit fees resulting in \$51,500 additional revenue. Section 39-225 (A) is also amended to establish minimum penalties for not obtaining the appropriate permits prior to commencing work. Section 50-23 is also amended to increase the filing fee required for an elevator inspection certification resulting in \$39,500 incremental revenue.

6E. Amend Sections 31-17 and 31-20 of the City Code to increase the penalties for unlicensed dog violations and fees for dog licenses resulting in additional revenue of approximately \$18,200.

6F. Amend sections of the City Code to increase fees for marriage ceremonies, domestic partnership statements, alarm user permits and other animal licenses resulting in \$53,500 additional revenue.

6G. An increase in administrative fees is proposed by the Department of Recreation and Youth Services resulting in incremental revenues of approximately \$72,100.

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6H. An increase in the administrative fee for criminal record and background checks is proposed by the Police Chief resulting in incremental revenue of approximately \$5,300.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-57  
(Int. No. 231, as amended)

**Adoption of the Budget estimates for municipal purposes for the 2018-19 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, 2018 to June 30, 2019, providing for the expenditure of \$539,646,900, 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 2018-19 are hereby authorized to be expended and the sum of \$539,646,900 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	\$1,874,700
Administration	9,156,900
Neighborhood and Business Development	11,053,300
Environmental Services	86,229,200
Finance	11,873,000
Information Technology	8,257,400
Law	2,022,200
Library	11,971,600
Recreation and Youth Services	11,830,200
Emergency Communications	14,227,200
Police	<del>90,380,200</del> <u>90,583,100</u>
Fire	51,569,200
Undistributed Expenses	<del>144,671,000</del> <u>144,759,200</u>
Contingency	<del>8,874,100</del> <u>8,583,000</u>
Cash Capital	36,457,000
Debt Service	39,199,700
Sub-total	\$539,646,900
Tax Reserve	2,679,183
Total	\$542,326,083

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 2018-19 is hereby fixed and determined at \$482,788,683 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2018-19 providing for the raising of taxation on real estate for municipal purposes of the sum of \$59,537,400 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 2018-19.

Section 6. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2018-158  
(Int. No. 232)

**Adoption of the Budget estimates for school purposes for the 2018-19 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, 2018 to June 30, 2019, providing for the expenditure of \$915,945,579, 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 2018-19 are hereby authorized to be expended and the sum of \$915,945,579 is hereby appropriated by the Board of Education for the following purposes:

Operations		\$828,897,755
Cash Capital		17,319,159
Debt Service		<u>69,728,665</u>
	Subtotal	915,945,579
Tax Reserve		<u>5,359,500</u>
	Total	\$921,305,079

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2018-19 is hereby fixed and determined at \$802,205,079 and said sum is hereby appropriated for the purposes set forth in the budget estimate.

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Section 4. The budget estimate for the fiscal year 2018-19 providing for the raising of taxation on real estate for school purposes of the sum of \$119,100,000 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2018

Passed by the following vote

Ayes – President Scott, Councilmembers Clifford, Evans, Vice President McFadden, Patterson, Spaul – 6.

Nays – Councilmembers Gruber, Lightfoot, Ortiz – 3.

Ordinance No. 2018-159  
(Int. No. 233)

**Levying taxes for municipal purposes for the fiscal year commencing July 1, 2018 and expiring June 30, 2019**

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, 2018 and expiring June 30, 2019 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, 2018 and expiring June 30, 2019.

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, 2018 and expiring June 30, 2019.

Section 3. This ordinance shall take effect on July 1, 2018.

Passed unanimously.

Ordinance No. 2018-160  
(Int. No. 234)

**Levying taxes for school purposes for the fiscal year commencing July 1, 2018 and expiring June 30, 2019**

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

June 19, 2018

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, 2018 and expiring June 30, 2019 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, 2018 and expiring June 30, 2019.

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, 2018 and expiring June 30, 2019.

Section 3. This ordinance shall take effect on July 1, 2018.

Passed unanimously.

Local Improvement Ordinance No. 1747  
(Int. No. 235)

**Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2018 and expiring June 30, 2019**

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, 2018 to June 30, 2019; (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, 2018 to June 30, 2019:

- 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.

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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 2018-19 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 2018-19 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 benefited 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, 2018 shall be \$20,120,600.00 consisting of \$4,526,837.22 for street and lot maintenance, \$4,399,658.55 for sidewalk repair, \$8,582,206.23 for roadway snow removal and \$2,611,899.00 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, 2018 and June 30, 2019, 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, 2018 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, 2018

Passed unanimously.

Ordinance No. 2018-161  
(Int. No. 236, as amended)

**Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2018 and expiring June 30, 2019**

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, 2018 and expiring June 30, 2019 are hereby in all respects confirmed:



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Street and Lot Maintenance	\$4,526,837.22
Roadway Snow Removal	8,582,206.23
Sidewalk Snow Removal	2,611,899.00
Hazardous Sidewalk Repair	4,399,657.55
Delinquent Refuse	630,017.01
Delinquent Water Charges	<del>5,499,052.36</del> <u>5,640,292.36</u>
Supplemental Taxes	472,364.49
Street Malls	31,644.00
Parking Lots	64,191.00
Code Enforcements	118,915.00
Code Violations	1,783,318.00
Downtown Enhancement	640,000.00
Public Market Plowing	5,888.07
Public Market Security	41,160.70
Encroachment Fees	4,050.00
Rehabilitation Charges	234,375.12
Wilson Blvd. Street Lights	534.08
Monroe Avenue Lights I	1,290.57
Monroe Avenue Lights and Sidewalk II	599.43
Norton Street Lights	1,327.34
Norton Street Streetscape	2,815.00
Cascade Lights	1,543.03
Cascade Streetscape	8,000.00
Lake Avenue Lights	3,895.94
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	503.29
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,800.00
East Main Street Lights	308.48
Browncroft Lighting	9,508.99
Nunda Boulevard Lighting	8,449.38
Mt. Hope Streetscape	30,000.00
South Avenue Open Space 1	4,486.85
South Avenue Open Space 2	4,413.15
Demolition	1,458,598.91
Local Improvements	1,797.93

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2018-162  
(Int. No. 237)

**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, Fees, relating to water rates, as amended, is hereby further amended by amending subsection A (2) thereof to read as follows:

(2) Base Charge.

Size of Meter (inches)	Charge per Month
5/8	<del>— \$7.97</del> <u>\$8.31</u>
3/4	<del>— \$11.95</del> <u>\$12.46</u>
1	\$37.62
1 1/2	\$55.72
2	\$74.53
3	\$186.25
4	\$372.15
6	\$557.90
8	<del>\$1,009.72</del> <u>\$1,106.46</u>
10	<del>\$1,438.15</del> <u>\$1,615.68</u>

Section 2. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2018-163  
(Int. No. 238)

**Amending the Municipal Code with respect to fire prevention permit fees**

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

Section 1. Section 54-12 of the Municipal Code, relating to fire prevention permit fees, as amended, is hereby further amended in subsections B and C to read in their entirety as follows:

B. Permits shall be required for the operation and/or maintenance of the following activities. Such permits shall be issued annually, and the annual fees for such permits shall be as follows:

(1) Tire recapping or rebuilding plant: ~~\$165~~ \$200.

(2) Automobile wrecking yard, junkyard or waste material handling plant: ~~\$165~~ \$200.

(3) Nitrate motion-picture film stored, kept or had on hand in quantities greater than 25 pounds (about 5,000 feet of thirty-five-millimeter film): ~~\$165~~ \$200.

(4) Cellulose nitrate plastics (pyroxylin) stored or handled in quantities greater than 25 pounds by jobbers, wholesalers and retailers: ~~\$165~~ \$200.

(5) Cellulose nitrate plastics (pyroxylin) manufactured into products or used in the manufacture or assembly of other articles: ~~\$165~~ \$200.

(6) Combustible fibers stored or handled in quantities exceeding 100 cubic feet: ~~\$80~~ \$95.

(7) Dry-cleaning plants:

(a) Class I system, liquids having a flash point below 100° F. (37.8° C.): prohibited.

(b) Class II system, liquids having a flash point at or above 100° F. (37.8° C.) and below 140° F. (60° C.): ~~\$165~~ \$200.

(c) Class IIIA system, liquids having a flash point at or above 140° F. (60° C.) and below 200° F. (93.4° C.): ~~\$165~~ \$200.

(d) Class IIIB system, liquids having a flash point at or above 200° F. (93.4° C.): ~~\$135~~ \$160.

(e) Class IV system, liquids classified as nonflammable: ~~\$100~~ \$120.

(8) Dust-producing operation: ~~\$135~~ \$160.

(9) Explosives or blasting agents manufactured, possessed, stored or sold or otherwise handling or disposing of these compounds: ~~\$165~~ \$200.

(a) Transportation of explosives or blasting agents, per vehicle: ~~\$80~~ \$95.

(10) "Liquid," which shall mean, for the purpose of this section, any material which has a fluidity greater than that of 300 penetration asphalt when tested in accordance with Test for Penetration for Bituminous Materials ASTM D-5-73. When not otherwise identified, the term "liquid" shall mean both flammable and combustible liquids.

(a) "Flammable liquid" shall mean a liquid having a flash point below 100° F. (37.8° C.) and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100° F. (37.8° C.) and shall be known as a "Class I liquid."

[1] Class IA shall include those having flash points below 73° F. (22.8° C.) and having a boiling point below 100° F. (37.8° C.).

[2] Class IB shall include those having flash points below 73° F. (22.8° C.) and having a boiling point at or above 100° F. (37.8° C.).

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[3] Class IC shall include those having flash points at or above (73° F.) (22.8° C.) and below 100° F. (37.8° C.).

(b) "Combustible liquid" shall mean a liquid having a flash point at or above 100° F. (37.8° C.).

[1] Class II liquids shall include those having flash points at or above 100° F. (37.8° C.) and below 140° F. (60° C.).

[2] Class IIIA liquids shall include those having flash points at or above 140° F. (60° C.) and below 200° F. (93.4° C.).

[3] Class IIIB liquids shall include those having flash points at or above 200° F. (93.4° C.).

(c) Flammable liquids and combustible liquids, Class II, stored, handled or used (not otherwise covered under Chapter 77, Oil Burners, or gasoline service stations and bulk plants):

[1] Storage in any building of more than six gallons of flammable liquid or more than 25 gallons of combustible liquid (Class II): ~~\$80~~ \$95.

[2] Storage outside of a building of more than 10 gallons of flammable liquid or more than 60 gallons of combustible liquid (Class II and Class III): ~~\$80~~ \$95.

[3] Paints, oils and varnishes stored more than 30 days: ~~\$80~~ \$95.

(d) Flammable liquids storage and combustible liquids, Class II, storage in stationary tanks, including bulk plants (not otherwise covered in gasoline service stations, and Chapter 77, Oil Burners, of the Municipal Code):

[1] First 50,000 gallons: ~~\$80~~ \$95.

[2] Second 50,000 gallons: ~~\$80~~ \$95.

[3] Third and fourth 50,000 gallons (each): ~~\$80~~ \$95.

[4] Each additional 100,000 gallons or fraction thereof: ~~\$80~~ \$95.

[5] Each dispensing unit: ~~\$35~~ \$40.

(e) Flammable liquids and combustible liquids, Class II, manufactured, processed, blended or refined: ~~\$165~~ \$200.

(f) Flammable liquids and combustible liquids, Class II, stored in drums for the purpose of manufacture, storage or sale:

[1] Maximum of 10 drums: ~~\$80~~ \$95.

[2] Exceeding 10 drums: ~~\$165~~ \$200.

- (g) Spraying or dipping operations using more than one gallon of flammable or combustible liquids in any one working day: ~~\$80~~ \$95.
- (11) Fumigation room, vault or chamber using a toxic or flammable fumigant: ~~\$135~~ \$160.
- (12) Hazardous chemical storage or handling:
- (a) More than 2,000 cubic feet of flammable compressed gas: ~~\$165~~ \$200.
  - (b) More than 6,000 cubic feet of nonflammable compressed gas: ~~\$135~~ \$160.
  - (c) More than 55 gallons of corrosive liquids: ~~\$80~~ \$95.
  - (d) More than 50 pounds of oxidizing materials: ~~\$80~~ \$95.
  - (e) More than 10 pounds of organic peroxides: ~~\$80~~ \$95.
  - (f) More than 50 pounds of nitromethane: ~~\$80~~ \$95.
  - (g) More than 1,000 pounds of ammonium nitrate, ammonium nitrate fertilizers and fertilizer mixtures: ~~\$165~~ \$200.
  - (h) Any amount of highly toxic material: ~~\$80~~ \$95.
  - (i) Any amount of poisonous gas: ~~\$80~~ \$95.
  - (j) More than 1 microcurie of radium (not contained in a sealed source): ~~\$80~~ \$95.
  - (k) More than 1 millicurie of radium or other radioactive material (in sealed source): ~~\$80~~ \$95.
  - (l) Any amount of radioactive material for which a license from the United States Nuclear Regulatory Commission is required: ~~\$80~~ \$95.
- (13) Lumber storage in excess of 100,000 board feet: ~~\$165~~ \$200.
- (14) Magnesium or similar materials being melted, cast, heat-treated, machined or ground in quantities of more than 10 pounds per working day: ~~\$165~~ \$200.
- (15) Matches:
- (a) Manufacture of: ~~\$165~~ \$200.
  - (b) Storage in excess of 25 cases: ~~\$80~~ \$95.
- (16) Each oven or kiln (industrial or commercial baking/drying) operation and/or commercial cooking system: ~~\$70~~ \$85 per location.
- (17) Combustible material storage in excess of 2,500 cubic feet gross volume: ~~\$100~~ \$120.

(18) Acetylene and other flammable gas usage in connection with welding or cutting: ~~\$80~~ \$95.

(19) Calcium carbide storage in excess of 200 pounds: ~~\$165~~ \$200.

(20) Acetylene generator with carbide capacity exceeding five pounds: ~~\$165~~ \$200.

(21) Liquified petroleum gas container(s) installed, handled or used in all buildings, structures or properties (except residential):

(a) Water capacity of 1,000 gallons or more: ~~\$120~~ \$145.

(b) Less than 1,000 gallons' water capacity: ~~\$80~~ \$95.

(22) Gasoline service stations:

(a) Each 10,000 gallons, or part thereof, of storage capacity: ~~\$80~~ \$95.

(b) Each dispensing unit: ~~\$25~~ \$30.

(23) Private plants:

(a) Each 10,000 gallons, or part thereof, of storage capacity: ~~\$80~~ \$95.

(b) Each dispensing unit: ~~\$25~~ \$30.

(24) Central stations: no fee.

(25) Places of assembly (when a City license is not also required):

(a) Capacity of 100 to 249: ~~\$25~~ \$30.

(b) Over capacity of 249: ~~\$50~~ \$60.

C. Permits shall be required for the following activities, and fees shall be as follows:

(1) Setting off or discharging explosives (per job, not to exceed one year per permit): ~~\$165~~ \$200.

(2) Delivering explosives or blasting agents to a terminal between the hours of sunset and sunrise (per delivery): ~~\$80~~ \$95.

(3) Fumigation or thermal insecticidal fogging (per building): ~~\$165~~ \$200 for commercial buildings and ~~\$35~~ \$40 for residential buildings.

(4) Bowling pin refinishing, involving use of flammable liquids or materials (per 50 pins): ~~\$80~~ \$95.

(5) Bowling alley resurfacing operations, involving use of flammable liquids or materials (per alley): ~~\$35~~ \$40.

(6) Any roof repair or replacement using any form of heat-generating equipment or process (per job): ~~\$80~~ \$95.

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(7) Setting off fireworks: ~~\$120~~ \$145.

Section 2. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2018-164  
(Int. No. 239)

### **Amending the Municipal Code with respect to parking fees**

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

Section 1. Section 111-95 of the Municipal Code, Limitation of application of provisions of this chapter, is hereby amended to read in its entirety as follows:

The provisions of Article II of this chapter relating to the maximum period of parking in a parking zone and the fees for parking in a parking zone shall apply to parking in any parking zone between the hours of 8:00 a.m. and ~~6:00~~ 8:00 p.m., Monday through Friday excluding New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Section 2. 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 by amending subsections A(6)(a)-(h) thereof to read in their entirety as follows:

- (a) Court Street Garage: ~~\$91~~ \$95 for parking in the general area, ~~\$110~~ \$120 for parking in the premium area, and ~~\$141~~ \$150 for parking in the reserved area.
- (b) Genesee Crossroads Garage: ~~\$91~~ \$95.
- (c) High Falls Garage: ~~\$77~~ \$90 for parking in the general area, ~~\$118~~ \$125 for parking in the reserved area, ~~\$46~~ \$76 for reserved residential parking, and ~~\$57~~ \$70 for parking in the Kodak surface lot located at 231 State Street.
- (d) South Avenue Garage: ~~\$91~~ \$95
- (e) Sister Cities Garage: ~~\$91~~ \$99 for parking in the general area and ~~\$110~~ \$124 for parking in the premium area.
- (f) Mortimer Street Garage: ~~\$70~~ \$75 for parking in the garage ~~and in the surface lot~~. Notwithstanding the parking rates established in this subsection, the Parking Director, subject to the approval of the

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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: ~~-\$91~~ \$95 for parking in the general area of the garage, ~~\$110~~ \$120 for parking in the reserved area of the garage, and ~~-\$29~~ \$33 for parking in the Wadsworth Square Lot.
- (h) East End Garage: ~~-\$79~~ \$85 for general parking, ~~-\$59~~ \$69 for reserved residential parking, and \$43.50 for student parking.

Section 3. Section 111-120 of the Municipal Code, Lost tickets, as amended, is hereby further amended to read:

If the operator of a vehicle parked in a City garage loses his or her time-stamped ticket, the vehicle operator will be charged ~~the maximum rate allowable within the above schedule~~ \$20.

Section 4. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

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

Nays – Councilmember Spaul - 1

Ordinance No. 2018-165  
(Int. No. 240)

**Amending the Municipal Code with respect to building permit fees and elevator certifications**

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 F thereof to read in its entirety as follows:

F. Building permit fees for the following actions shall be as follows:

**Purpose**

**Fee**



Demolition <sup>1</sup> of: Any structure, the demolition of which would be a Type II action as identified in § 48-5B of Chapter 48, Environmental Review, of the Municipal Code or in 6 NYCRR 617.13, State Environmental Quality Review	\$50.00
Frame building up to 3 stories in height	\$150.00
Any other structure full 5,000 square feet of	\$300, plus \$135 for each building floor area
Installation of exterior paved area or parking lot	\$100
Installation, alteration, repair or removal of a flammable liquid storage facility	
Per tank	\$100
Per pump	\$80
Installation of other structures such as tents, amusement devices, temporary classrooms or construction trailers where it is impractical to base a fee on cost	
Deck	
< = 144 square feet	\$75
> = 144 square feet	\$100
> = 400 square feet	\$150
Wood-burning stove, solid fuel device, fireplace insert, gas fireplace	\$100
Swimming pool	\$50
Electrical inspections	
Residential	
New dwelling unit with service	<del>\$150</del> <u>\$175</u> + \$75 per each additional unit
Renovation/addition	
Less than or equal to 200 square feet	<del>\$70</del> <u>\$100</u>
Greater than 200 <u>and up to 1000</u> square feet	<del>\$100</del> <u>\$125</u>
<u>Greater than 1,000 square feet</u>	<u>\$150</u>
Commercial new construction or alteration/renovation	
Less than or equal to 1,500 square feet	<del>\$125</del> <u>\$150</u>
1,501 to 5,000 square feet	<del>\$250</del> <u>\$275</u>
Greater than 5,000 square feet	<del>\$250</del> <u>\$275</u> + \$0.05 per square foot
(All above-listed fees do not include service installation.)	
Alarm system	\$70
A/C or heat pump	\$70

Elevator/escalator	\$70
Fuel dispensing unit	\$70
New service installation or upgrade less than or equal to 200 amps each	<del>\$70</del> <u>\$100</u> + \$35 per each <u>additional</u> meter
New service installation or upgrade greater than 200 amps each	<del>\$110</del> <u>\$140</u> + \$35 per each <u>additional</u> meter
Other	\$70
Pool/hot tub wiring	\$70
Reinspection fee	\$50
Safety inspection ( <del>5</del> <u>2</u> meters or fewer)	\$70
Safety inspection (more than <del>5</del> <u>2</u> meters)	\$70 + \$10 per meter over <del>5</del> <u>2</u>
Signs	\$70
Temporary service installation	\$70
Exterior lighting	\$70
Pole lights	\$70 + \$10 per pole
Plumbing inspections: <sup>2,3</sup>	
Base fee for all plumbing permits	<del>\$55</del> <u>\$80</u>
In addition to the base fee, plumbing permit fees shall be as follows:	
Fixtures: installation, removal or capping of each fixture	\$10
Building sewers	\$45
Sump pumps:	
Residential	\$15
Single (commercial)	\$35
Duplex (commercial)	\$75
Catch basins or yard drains, each	\$50
Parking area trench drains, each	\$20
Outside conductors (residential), each	\$5
Conductors or roof drains (commercial), each	\$10
Sewer ejectors:	
Single	\$20
Double	\$35
Hot-water heaters (over 70 gallons' capacity), each	\$30
Hot-water heaters (70 gallons' capacity or less), each	\$10

Commercial and industrial establishments, including restaurants:	
Garbage disposals, each	\$35
Dishwashing machines, each	\$40
Grease interceptors, each	\$40
Ice-cube-making machines, each	\$25
Laundry-washing machines, each	\$35
Backflow prevention devices (installation):	
Size from 1/4 inch to 3/4 inch, each	\$10
1 inch to 1 1/2 inches, each	\$15
More than 1 1/2 inches, each	\$30
Water service renewal:	
Renewal of water service, less than 2 inches, without any street work, each	\$85
Water main services in property line of 3/4 inch to 2 inches, each	\$35
Water main and sewer repairs or renewal, public or private, over 2 inches	\$35 for the first 60 feet; each additional 100 feet: \$10
Cleanouts at property line, each	\$35
Manholes in property line, each	\$35
Sand interceptors, each	\$35
Oil interceptors (all types), each	\$35
Future use openings, each	\$10
All notice and order plumbing violations, each	\$10
Repair or replacement of gas supply, domestic water, Storm, sanitary or vent piping	\$10 for the first 100 feet, and \$2 per foot thereafter
Reinspection or callback when work is not ready for inspection, each	\$50

NOTES:

<sup>1</sup>For demolition work done after 5:00 p.m. on weekdays or at any time on weekends, an additional fee equal to the demolition fee shall be charged.

<sup>2</sup>For items not listed in the Fee Schedule, the permit fee shall be established by the Commissioner of Neighborhood and Business Development.

<sup>3</sup>For any inspections requested on Saturdays, Sundays, holidays or other than regular working hours, the rate shall be \$50 per hour. A minimum of four hours may be charged if the inspector was called in and/or has no other inspections during the four hours.

Section 2. Section 39-225 of the Municipal Code, Penalties for offenses, as amended, is hereby further amended by modifying subsection A thereof to read in its entirety as follows:

A. A person performing work for which a permit is required and for which no permit has been obtained shall be charged a penalty equal to the applicable permit fee, provided, however, that said penalty shall be no less than \$150 for residential work and \$300 for commercial work. The person must also pay the applicable permit fee itself.

Section 3. Section 50-23 of the Municipal Code, Fees, as amended, relating to the inspection of elevators, escalators and other conveyances, is hereby further amended in Subsection A thereof to read as follows:

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A. Each inspection certification form shall be accompanied by a filing fee of ~~\$90~~ \$110 for each conveyance.

Section 4. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2018-166  
(Int. No. 241)

**Amending the Municipal Code with respect to the coastal erosion management permit fee**

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

Section 1. Section 43A-29 of the Municipal Code, Fee Schedule, as amended, is hereby further amended to read in its entirety as follows:

§ 43A-29 Fee Schedule.

The following fees shall be charged upon application for the following actions:

<b>Action</b>	<b>Code Section</b>	<b>Fee</b>
Coastal erosion management permit	43A-6	<del>\$25</del> <u>\$100</u>
Variance	43A-18	\$100
Appeal of administrative decision	43A-17	\$50

Section 2. This ordinance shall take effect on July 1, 2018.

Passed unanimously.

Ordinance No. 2018-167  
(Int. No. 242)

**Amending the Municipal Code with respect to dog control penalties and fees**

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

Section 1. Section 31-17 of the Municipal Code, Penalties for offenses, as amended, is hereby further amended by modifying subsection A(1) to read in its entirety as follows:

A. Any person who violates or knowingly permits the violation of Article 7 of the Agriculture and Markets Law, of this chapter or of any local law or ordinance relating to the licensing, identification and control of dogs shall be subject to the following penalties:

(1) License violations (§ 31-10).	<b>Initial Penalty</b>	<b>Penalty Upon Default</b>
First offense	<del>\$ 25</del> <u>\$ 50</u>	<del>\$ 50</del> <u>\$ 75</u>
Second offense	<del>50</del> <u>100</u>	<del>100</del> <u>150</u>
Third and subsequent offense	<del>100</del> <u>200</u>	<del>200</del> <u>250</u>

Section 2. Section 31-20 of the Municipal Code, Fees for dog licenses and dog control activities, as amended, is hereby further amended by modifying subsections A(1)-(3) to read in their entirety as follows:

A. The fees for procuring a dog license in the City, which shall include the state surcharges, shall be as follows:

- (1) Spayed female dogs and neutered male dogs: ~~\$8.50~~ \$10.
- (2) Unaltered dogs: ~~\$20.50~~ \$30.
- (3) Purebred dogs: ~~\$23.50~~ \$35.

Section 3. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Ordinance No. 2018-168  
(Int. No. 243)

**Amending the Municipal Code with respect to fees for marriage ceremonies, domestic partnerships, alarm user permits, and animal licenses**

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

Section 1. Section 5-10 of the Municipal Code, Marriage officers, as amended, is hereby further amended to read in its entirety as follows:

§ 5-10. Marriage officers.

The Council may appoint the City Clerk and other members of the City Clerk's staff to serve as marriage officers pursuant to § 11-c of the Domestic Relations Law. Such marriage officers may charge a fee not to exceed ~~\$50~~ \$75 for officiating at a marriage, which fee shall be payable to the City of Rochester.

Section 2. Section 47B-3 of the Municipal Code, Fees, as amended, is hereby further amended to read in its entirety as follows:

§ 47B-3 Fees.

The City Clerk shall charge a fee of ~~\$50~~ \$75 for filing a statement of domestic partnership or a termination of domestic partnership. Payment of the fee shall entitle the payor to one certified copy of the document. The City Clerk shall charge a fee of \$10 for providing an additional certified copy of either document.

Section 3. Section 27-5 of the Municipal Code, Alarm user permits; fees, as amended, is hereby further amended in Subsection B(3) thereof to read as follows:

B. Alarm user permit application.

...

(3) Every application for an alarm user permit shall be accompanied by a fee of ~~\$20~~ \$25. No alarm user permit shall be granted unless the applicable fee is submitted with the application.

Section 4. Section 27-5 of the Municipal Code, Alarm user permits; fees, as amended, is hereby further amended in Subsection E(1) thereof to read as follows:

E. Renewal fees based on use.

(1) The annual permit renewal fee shall be based upon the number of avoidable alarms recorded for each alarm user as follows:

(a) For an alarm user with zero avoidable alarms during the preceding year, a renewal fee of ~~\$20~~ \$25 shall be charged.

(b) For an alarm user with one avoidable alarm during the preceding year, a base permit renewal fee of ~~\$20~~ \$25 shall be charged, plus an additional excessive use fee of \$5.

(c) For an alarm user with two avoidable alarms during the preceding year, a base permit renewal fee of ~~\$20~~ \$25 shall be charged, plus an additional excessive use fee of \$30.

(d) For an alarm user with three avoidable alarms during the preceding year, a base permit renewal fee of ~~\$20~~ \$25 shall be charged, plus an additional excessive use fee of \$50.

(e) For an alarm user with four avoidable alarms during the preceding year, a base permit renewal fee of ~~\$20~~ \$25 shall be charged, plus an additional excessive use fee of \$90.

(f) For an alarm user with more than four avoidable alarms during the preceding year, a base renewal fee of ~~-\$20~~ \$25, plus an additional excessive use fee of \$90 and an additional excessive use fee of \$50 for each subsequent avoidable alarm, shall be charged, except that such excessive use fees shall not be charged for systems with any combination of more than 500 pull stations, or heat, smoke, flame or fire gas detectors, or water flow sensing devices, not including sprinkler heads, until the alarm user has had more than 20 avoidable alarms during the preceding year, and such excessive use fees shall not be charged for residential child-care facilities with any combination of more than 100 pull stations, or heat, smoke, flame or fire gas detectors, or water flow sensing devices, not including sprinkler heads, until such a facility has had more than 40 avoidable alarms during the preceding year. At the time of renewal, an alarm user shall receive credit for any amounts paid during the permit year to reinstate a revoked permit.

Section 5. Section 30-16 of the Municipal Code, Fees, as amended, relating to the license fee required for keeping chickens, geese, ducks, doves or pigeons, turkeys or other animals or fowls, is hereby further amended to read in its entirety as follows:

§ 30-16. Fee.

The Chief of Police shall require the fee of ~~-\$37~~ \$75 for each year or fraction thereof for each license issued, payable before the issuance of such license. There shall be a fee of \$10 for replacement of a lost license.

Section 6. This ordinance shall take effect on July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2018-16

Re: 2018-19 Debt Limit

Council Priority: Deficit Reduction and Long  
Term Financial Stability

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2018-19 Budget.

2018-19 Debt Limit

The Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2018-19 is \$20,008,520.

Attached is the 2018-19 Debt Authorization Plan, which calls for borrowing of \$19,997,000 in tax supported funds. The Plan also includes an additional \$3,229,000 supported by the City's Water Fund.

Debt Rollover 2017-18 and 2016-17

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations which vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2017-18: The tax supported borrowing request for this year was \$17,977,000. Of that amount \$7,810,000 has been authorized, leaving a balance of \$10,167,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

2016-17: The tax supported borrowing request for this year was \$18,005,000. Of that amount \$10,999,000 has been authorized, leaving a balance of \$7,006,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

Time Limit Extensions for 2015-16, 2014-15, 2013-14, 2012-13, 2010-11, and 2009-10

Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

<u>2015-16 Project</u>	<u>Purpose</u>	<u>Amount</u>
T-2 Milling & Resurfacing	street rehabilitation	\$1,823,000
T-6 Street Lighting	lighting	1,307,000
T-1 Goodman Street	street rehabilitation	472,000
T-2 Residential Street Rehabilitation	street rehabilitation	322,000
E-6 Vacuum Oil BOA Flint Street	contaminated sites w/in city	250,000
E-6 Investigation & Remediation	contaminated sites w/in city	60,000



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E-6 Vacuum Oil BOA River Trail	contaminated sites w/in city	43,000
	<b>Total 2015-16 Extension</b>	<b>\$4,277,000</b>

<b><u>2014-15 Project</u></b>	<b><u>Purpose</u></b>	<b><u>Amount</u></b>
M-6 RPD Special Operations	Maple section office	\$245,000
S-7 Elmwood Avenue	cycle track	250,000
	<b>Total 2014-15 Extension</b>	<b>\$495,000</b>

<b><u>2013-14 Project</u></b>	<b><u>Purpose</u></b>	<b><u>Amount</u></b>
E-6 Investigation and Remediation	contaminated sites w/in city	\$505,000
E-8 Focused Investment	development	500,000
T-6 Street Lighting	lighting	325,000
E-1 Midtown Redevelopment III	street rehabilitation	<u>250,000</u>
	<b>Total 2013-14 Extension</b>	<b>\$1,580,000</b>

<b><u>2012-13 Project</u></b>	<b><u>Purpose</u></b>	<b><u>Amount</u></b>
E-6 Investigation and Remediation	contaminated sites w/in the city	<u>\$150,000</u>
	<b>Total 2012-13 Extension</b>	<b>\$150,000</b>

<b><u>2010-11 Project</u></b>	<b><u>Purpose</u></b>	<b><u>Amount</u></b>
F-2 Investigation and Remediation	contaminated sites w/in city	<u>\$240,000</u>
	<b>Total 2010-11 Extension</b>	<b>\$240,000</b>

<b><u>2009-10 Project</u></b>	<b><u>Purpose</u></b>	<b><u>Amount</u></b>
F-2 Investigation and Remediation	contaminated sites w/in city	<u>\$550,000</u>
	<b>Total 2009-10 Extension</b>	<b>\$550,000</b>

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-100

Resolution No. 2018-16  
(Int. No. 244)

**Resolution approving the 2018-19 debt limit for general municipal purposes**

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; and

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

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 2018-19 to \$19,997,000 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2016-17 and 2017-18 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 2015-16 relating to hazardous waste investigation and remediation at contaminated City sites and Vacuum Oil Brownfield Opportunity Area sites, street rehabilitation and milling and resurfacing including but not limited to Goodman Street, and street lighting improvements; 2014-15 relating to renovations to RPD Special Operations office and the cycle track on Elmwood Avenue; 2013-14 relating to street rehabilitation and milling and resurfacing including but not limited to Midtown Redevelopment III, hazardous waste investigation and remediation at contaminated City sites, street lighting, and focused investment; 2012-13 relating to hazardous waste investigation and remediation at contaminated City sites; 2010-11 relating to hazardous waste investigation and remediation at contaminated City sites; and for 2009-10 relating to hazardous waste 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 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.

Adopted unanimously.

June 19, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-169

Re: Agreement – Cities for Financial  
Empowerment Fund, Inc., CityStart 2018

Council Priority: Jobs and Economic  
Development

Transmitted herewith for your approval is legislation authorizing an agreement with Cities for Financial Empowerment Fund, Inc. (CFE Fund) for the receipt and use of a \$20,000 grant for CityStart 2018 and amending the 2018-19 Budget of the Mayor’s Office by \$20,000 to reflect this grant.

The CFE Fund CityStart 2018 Grant will provide \$20,000 and nine months of intensive technical assistance to develop strategies for financial empowerment of economically disadvantaged residents. CFE Fund staff, in partnership with the Office of Community Wealth Building, will engage internal and external stakeholders to create strategies focused on four pillars: banking access, financial counseling, savings and asset building, and consumer financial protection.

The term of the agreement is nine months.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-169  
(Int. No. 246)

**Authorizing an agreement for the CityStart 2018 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 Cities for Financial Empowerment Fund, Inc. for the receipt and use of \$20,000 in funding and technical assistance for implementing a CityStart 2018 Grant program to develop strategies for financial empowerment of economically disadvantaged City residents (the “Program”).

Section 2. Upon its adoption, the 2018-19 Budget of the City of Rochester is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Mayor’s Office by \$20,000 to reflect the receipt of the funds authorized herein, which funds are hereby appropriated to implement the Program.

Section 3. The Program agreement shall have a term of nine months.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-170

Re: Amend proposed 2018-19 Budget –  
RPD Crime Prevention Officers

Council Priority: Public Safety

Transmitted herewith for your approval is legislation regarding the reinstatement of three Crime Prevention Officer positions for the Rochester Police Department. The proposed 2018-19 Budget included the assignment of these positions to Patrol instead of the Community Affairs Bureau.

Over the past few weeks Council and the Administration have heard from individuals and groups who have weighed in on the benefits that the officers occupying these positions provide to the City and the neighborhoods they serve. This legislation will amend the Proposed Budget to reinstate to the Rochester Police Department three Crime Prevention Officers for a total of 20 for the Community Affairs Bureau for the 2018-19 Fiscal Year.

These positions will be accommodated by transferring two vacant Tactical Unit Officer positions and one vacant Traffic Enforcement Unit Officer position from Special Operations to Patrol and by increasing the September recruit class size from 23 to 28.

To cover the additional expense for the above changes, the proposed 2018-19 Budget will be amended by transferring \$202,900 from Contingency to the Rochester Police Department and by transferring \$88,200 from Contingency to Undistributed Expense.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Loretta C. Scott  
City Council President

Adam C. McFadden  
Chair, Finance Committee

Willie J. Lightfoot  
Chair, Public Safety Committee

Ordinance No. 2018-170  
(Int. No. 247)

**Amending the proposed 2018-19 Budget with respect to Police Crime Prevention Officers**

WHEREAS, although there is a continued need to allocate police resources to patrol functions to combat violence, continuing an effective Crime Prevention Officer program is also desired to maintain existing relationships with the neighborhoods served by these officers. As a result, three Crime Prevention Officer positions will be restored and the next recruit class size increased to at least 28 recruits.

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

Section 1. The proposed 2018-19 Budget of the City of Rochester is hereby amended by transferring a total of \$291,100 from the Contingency allocation to the Police Department in the amount of \$202,900 and to Undistributed in the amount of \$88,200 to fund the position restorations, increased recruit class size, and associated fringe benefits.

Section 2. This ordinance shall take effect on July 1, 2018.

Passed unanimously.

By Councilmember Patterson  
June 19, 2018

To the Council:

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

- |              |  |
|--------------|--|
| Int. No. 187 | Authorizing the sale of real estate  |
| Int. No. 188 | Authorizing the acceptance real estate by donation   |
| Int. No. 194 | Appropriating funds and authorizing agreements for the Restore NY Communities Initiative Program |
| Int. No. 195 | Authorizing a loan agreement for the 49 Stone Street Redevelopment Project                       |
| Int. No. 196 | Appropriating funds and authorizing agreements for the foreclosure prevention services           |
| Int. No. 197 | Appropriating funds and authorizing an agreement for landlord/tenant services                    |

- Int. No. 198 Appropriating funds and authorizing agreements for the Buyer Assistance Program
- Int. No. 199 Appropriating funds and authorizing amendatory agreements for the Homebuyer Training Program
- Int. No. 200 Appropriating funds and authorizing agreements for the HOME Rochester Program
- Int. No. 201 Authorizing agreement for the HOME Rochester Program
- Int. No. 202 Authorizing an agreement for the 2018 Commercial Corridor Study
- Int. No. 203 Authorizing agreements and appropriating funds for the Emergency Solutions Grant Program
- Int. No. 204 Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS Program
- Int. No. 205 Appropriating funds and authorizing agreements for the Helping Elders Law Project, **as amended**
- Int. No. 206 Authorizing an agreement and appropriation for the Aging in Place Home Modification Program
- Int. No. 207 Authorizing funding for the Demolition Program
- Int. No. 208 Appropriating funds and authorizing agreements for business programs
- Int. No. 106 Local law amending the City Charter with respect to the abatement of nuisances, **as amended**
- Int. No. 135 Amending the Municipal Code with respect to the abatement of nuisances

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

- Int. No. 189 Amending the Zoning Map for 16, 20, 26, 32, and 42-48 Cameron Street, **as amended**
- Int. No. 191 Approving the Consolidated Community Development Plan/2018-19 Annual Action Plan
- Int. No. 192 Authorizing submission of the Consolidated Community Development Plan/2018-19 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development

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- Int. No. 193      Appropriation of funds for the City Development Fund
- Int. No. 93        Amending Chapter 120 of the Municipal Code, the Zoning Code, by adding the O-LH Overlay Limited-Height District
- Int. No. 94        Amending Chapter 120 of the Municipal Code, the Zoning Code, by changing zoning classification of 1092, 1098, 1108, 1116, 1118-1120, 1132-1138, 1142, 1150, 1174, 1176, 1182, 1186-1188, 1190, and 1196-1200 Mt. Hope Ave, 25 May Street, 20, 21, 24, and 25 Stewart Street and 10 Gold Street from C-1 Neighborhood Center District to C-1 Neighborhood Center/O-LH Overlay Limited Height District

The following entitled legislation is being held in committee:

- Int. No. 190      Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to official neighborhood contacts, **as amended**

Respectfully submitted,  
Michael A. Patterson  
Willie J. Lightfoot  
Jacklyn Ortiz – (Voted against Int. No. 106)  
Adam C. McFadden – (Absent)  
Loretta C. Scott  
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

Introductory No. 93 and Introductory No. 94 were introduced on March 20, 2018 and appears in its original transmittal letter on page\_\_\_ of the 2018 Council Proceedings.

Attachment No. AR-101

Ordinance No. 2018-171  
(Int. No. 93)

**Amending Chapter 120 of the Municipal Code, the Zoning Code, by adding the O-LH Overlay Limited-Height District**

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 Article XV-A for the O-LH Overlay Limited-Height District, which shall read in its entirety as follows:

Article XV-A. O-LH Overlay Limited-Height District

§ 120-118.1. Purpose.

The O-LH Overlay Limited-Height District protects City neighborhoods that are within or adjacent to the C-1 Neighborhood Center District that would be adversely impacted by taller buildings. It establishes a three-story limit on building heights for those C-1 District or adjoining areas where there is the presence or proximity of features that would be adversely affected by the aesthetic, traffic, parking demands, and other adverse impacts associated with taller buildings. Such features may include but are not limited to uses in the R-1 Low Density Residential and R-2 Medium Density Residential zoned districts, an O-S Open Space District, a Preservation District, a City-designated landmark, a property or structure listed on the State or National Register of Historic Places, a park, a critical environmental area as defined in §48-4 of the Municipal Code, or a residential area challenged by a persistent shortage of on- and off-street parking spaces. The O-LH District shall not be independently mapped on the City of Rochester Zoning Map but shall be overlaid upon an existing C-1 or R-3 District area that is found to be appropriate for such treatment.

§ 120-118.2. Permitted uses and structures.

The uses and structures permitted in the O-LH District shall be the permitted uses allowed in the underlying district.

§ 120-118.3. Special permit uses.

The uses and structures allowed as special permit uses in the O-LH District shall be the special permit uses allowed in the underlying district.

§ 120-118.4. Lot, area and yard requirements.

The lot, area and yard requirements of the O-LH District shall conform to the underlying district.

§ 120-118.5. Bulk requirements.

A. Building heights in the O-LH:

- (1) Minimum building height, principal use or structure: conforming to the underlying district.
- (2) Maximum building height, principal use or structure: three stories.
- (3) Maximum building height, detached accessory use or structure: conforming to the underlying district.

B. Square footage limitations on uses in the O-LH shall conform to the underlying district.

§ 120-118.6. Personal wireless telecommunication facilities (PWTF).

Personal wireless telecommunication facilities in the O-LH District shall be regulated as outlined in § 120-143, Personal wireless telecommunication facilities.

§ 120-118.7. Additional regulations.

The applicable City-Wide Design Guidelines and Standards (Article XIX) and Requirements Applying to All Districts (Article XX) in this chapter shall apply to all uses in the O-LH District.

Section 2. This ordinance shall take effect immediately.



Passed unanimously.

Ordinance No. 2018-172  
(Int. No. 94)

**Amending Chapter 120 of the Municipal Code, the Zoning Code, by changing zoning classification of 1092, 1098, 1108, 1116, 1118-1120, 1132-1138, 1142, 1150, 1174, 1176, 1182, 1186-1188, 1190 and 1196-1200 Mt. Hope Avenue, 25 May Street, 20, 21, 24 and 25 Stewart Street and 10 Gold Street from C-1 Neighborhood Center District to C-1 Neighborhood Center/ O-LH Overlay Limited Height District**

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code and the Zoning Map incorporated therein, as amended, is hereby further amended by changing the zoning classification of the following parcels and area from C-1 Neighborhood Center District to C-1 Neighborhood Center/ O-LH Overlay Limited Height District:

<b>Address</b>	<b>SBL #</b>
1092 Mt. Hope Avenue	136.38-1-43
1098 Mt. Hope Avenue	136.38-1-76./HOME
1108 Mt. Hope Avenue	136.38-1-76./NHOM
1116 Mt. Hope Avenue	136.38-1-75
1118-1120 Mt. Hope Avenue	136.38-1-74
1132-1138 Mt. Hope Avenue	136.46-1-1
1142 Mt. Hope Avenue	136.46-1-61
1150 Mt. Hope Avenue	136.46-1-60
1174 Mt. Hope Avenue	136.46-1-59
1176 Mt. Hope Avenue	136.46-1-58
1182 Mt. Hope Avenue	136.46-1-57
1186-1188 Mt. Hope Avenue	136.46-1-56
1190 Mt. Hope Avenue	136.46-1-55
1196-1200 Mt. Hope Avenue	136.46-1-54
25 May Street	136.38-1-44
20 Stewart Street	136.38-1-73
21 Stewart Street	136.46-1-2
24 Stewart Street	136.38-1-72
25 Stewart Street	136.46-1-3
10 Gold Street	136.46-1-24

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

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 106 was introduced on April 17, 2018 and appears in its original transmittal letter on page\_\_\_ of the 2018 Council Proceedings.

Local Law No. 4  
(Int. No. 106, as amended)

**Local law amending the City Charter with respect to the abatement of nuisances**

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 repealing Section 3-15, Abatement of nuisances.

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 adding to the end of Article X, Department of Neighborhood and Business Development, the following new section:

§ 10-12. Abatement of nuisances.

A. Declaration of legislative findings. The Council finds that public nuisances exist in the City of Rochester in the operation of certain establishments and the use of property in flagrant violation of certain Penal Law and Municipal Code provisions, which nuisances substantially and seriously interfere with the interest of the public in the quality of life and total community environment, commerce in the City, property values and the public health, safety and welfare. The Council further finds that the continued occurrence of such activities and violations is detrimental to the health, safety and welfare of the people of the City of Rochester and of the businesses thereof and the visitors thereto. It is the purpose of the Council to establish a means to remedy these public nuisances, which shall be in addition to the use of procedures and remedies available under other laws. The Council further finds that the remedies that may be implemented pursuant to this law are reasonable and necessary in order to protect the health and safety of the people of the City and to promote the general welfare. The Council finds that it is the public policy of the City of Rochester to ensure that, in an emergency, all crime victims, including victims of domestic violence, dating violence, stalking, or sexual abuse ~~in an emergency~~, are able to contact police or emergency assistance without penalty under this ordinance. The Council further finds that this law is not intended to sanction, penalize or displace victims of triggering enumerated crimes or violations that are deemed public nuisances pursuant to this City Charter Section; accordingly points, sanctions and penalties assessed hereunder shall not be applied against the premises where an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim of the enumerated crime or violation triggering the public nuisance incident.

B. Public nuisances defined. For purposes of this Section, a public nuisance shall be deemed to exist whenever through violations of any of the following provisions resulting from separate incidents at a building, erection or place, or immediately adjacent to the building, erection or place as a result of the operation of the business, 12 or more points are accumulated within a period of six months, or 18 or more points within a period of 12 months, in accordance with the following point system. Where

more than one violation occurs during a single incident, the total points for the incident shall be the highest point value assigned to any single violation. Such violations shall be proven by a preponderance of evidence, as set forth in subsection F below, before the imposition of any remedy to abate the nuisance.

(1) The following violations shall be assigned a point value of ten points:

- (a) Article 265 of the Penal Law — Firearms and Other Dangerous Weapons.
- (b) Section 47-5 of the Code of the City of Rochester — Firearms, shotguns, rifles and other dangerous weapons.
- (c) Sections and subsections 220.06(1), 220.16(1), 220.16(2), 220.16(3), 220.16(4), 220.16(5), 220.16(6), 220.16(7), 220.28, 220.31, 220.34, 220.39, 220.41, 220.43, 220.44 and 220.65 of the Penal Law — Offenses Involving the Sale or Intent to Sell Controlled Substances
- (d) Sections 221.35, 221.40, 221.45, 221.50 and 221.55 of the Penal Law — Offenses Involving the Sale of Marijuana.

(2) The following violations shall be assigned a point value of six points:

- (a) Sections and subsections 220.03, 220.06(2), (3), (4), (5), (6), (7), and (8), 220.09, 220.16(8), (9), (10), (11), (12), and (13), 220.18, 220.21, 220.25, 220.45, 220.46, 220.50, 220.55, 220.60, 220.70, 220.71, 220.72, 220.73, 220.74, 220.75 and 220.76 of the Penal Law — Controlled Substance Offenses Not Involving the Sale or Intent to Sell.
- (b) Sections ~~221.05, 221.10, 221.15~~, 221.20, 221.25 and 221.30 of the Penal Law — Marijuana Offenses Not Involving Sale.
- (c) Article 225 of the Penal Law — Gambling Offenses.
- (d) Article 230 of the Penal Law — Prostitution Offenses.
- (e) Sections and subsections 165.15(4), (6), (7), and (8), 165.40, 165.45, 165.50, 165.52, 165.54, 165.71, 165.72, and 165.73 of the Penal Law — Criminal Possession of Stolen Property.
- (f) The Alcoholic Beverage Control Law.
- (g) Sections 260.20 and 260.21 of the Penal Law — Unlawfully Dealing with a Child.
- (h) Possession, use, sale or offer for sale of any alcoholic beverage in violation of Article 18 of the Tax Law, or of any cigarette or tobacco products in violation of Article 20 of the Tax Law.
- (i) Article 178 of the Penal Law — Criminal Diversion of Prescription Medications and Prescriptions.

- (j) Section 147 of the Social Services Law — Food stamp program fraud.
  - (k) Section 3383 of the Public Health Law — Imitation controlled substances.
  - (l) Operating a premises without the requisite business permit in violation of § 90-33 of the City’s Municipal Code.
  - (m) Sections 240.36 and 240.37 of the Penal Law — Loitering in the First Degree and Loitering for the Purpose of Engaging in a Prostitution Offense.
  - (n) Section 2024 of Title 7 of the United States Code — Supplemental Nutrition Assistance Program.
  - (o) Suffering or permitting the premises to become disorderly, including suffering or permitting fighting.
  - (p) Chapter 75 of the City’s Municipal Code— Noise.
  - (q) Chapter 29 of the City’s Municipal Code— Amusements.
  - (r) Chapter 66 of the City’s Municipal Code — Junkyard Operators, Junk Dealers and Scrap Processors.
  - (s) Sections of the New York State Uniform Fire Prevention and Building Code and Chapter 54 of the City’s Municipal Code, as applied to places of assembly and other non-residential structures and uses, concerning occupancy requirements, capacity of means of egress and fire protection systems.
  - (t) Chapter 569, Article 7 (Service Food Establishments) and Article 8 (Food and Food Establishments) of the Laws of the County of Monroe — Sanitary Code.
- (3) It shall be the responsibility of the City department or bureau with primary enforcement responsibility for each of the above-listed violations, including but not limited to the Rochester Police Department, Rochester Fire Department, Bureau of Buildings and Zoning code enforcement officers employed in the Department of Neighborhood and Business Development, and code enforcement inspectors and Bureau of Operations supervisors employed in the Department of Environmental Services, to expeditiously notify the Administrator of the Neighborhood Service Center for that portion of the City in which the subject building, erection or place is located (hereinafter, the “NSC Administrator”) of a nuisance point violation and to provide to the NSC Administrator all supporting documentation of the violation, including copies of tickets and/or arrest paperwork.
- (4) With regard to a residential property, no points, sanctions and penalties assessed under this ordinance shall be applied against the premises where an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim of the enumerated

crime or violation triggering the public nuisance incident, including a victim of domestic violence, dating violence, stalking, or sexual abuse.

C. Notice of Nuisance Points.

(1) Written Notice of Nuisance Points.

- a. Any time one of the above-identified violations occurs, the NSC Administrator, or another City employee as may be designated by the Commissioner of Neighborhood and Business Development, shall, within ~~fifteen-calendar~~ business days from the date of the violation, send a notice of nuisance points to the owner of the building, erection or place. The notice shall be sent by first class mail with delivery confirmation, and shall identify the violation and the number of points assessed against the property.
  - i. In calculating business days, weekends shall not be counted, nor shall any of the following City holidays: New Year's Day; Martin Luther King Jr. Day; Presidents' Day; Good Friday; Memorial day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving Day; Christmas Day.
- b. The NSC Director shall adopt a standard Notice of Nuisance Points letter to be used by every Neighborhood Service Center ("NSC"). The letter shall set forth the address where the nuisance activity took place, the specific violation, the date and time of the violation, and the number of points being assessed as a result of the violation. The letter will also set forth the total points accrued against the property during the preceding 12 months, inclusive of those that are the subject of the notice. The letter shall be signed by the NSC Administrator or, in the NSC Administrator's absence, by his or her designee.
- c. If, at the time the Notice of Nuisance Points letter is sent, the total number of nuisance points then accrued is less than that which would be deemed a public nuisance under this Section, the notice letter shall include the following language: "If the conduct giving rise to this violation is not abated and recurs, your property is in jeopardy of being deemed a public nuisance pursuant to City Charter § 10-12B, which could result in the closure of your property. You are encouraged to contact the Neighborhood Service Center at [PHONE NUMBER] to arrange a meeting to discuss this violation and a means to prevent a nuisance from developing."

(2) Posting of Nuisance Points on Certain Residential Properties.

- a. Where the building, erection or place that is the subject of the nuisance points is a residential property or contains any residential units, and is not

solely owner-occupied, the NSC Administrator shall cause a Posting of Nuisance Points to be physically posted upon the building, erection or place within the same time period set forth in subsection C(1)(a) for the sending of a notice of nuisance points to the owner of the building, erection or place.

b. The NSC Director shall adopt a standard Posting of Nuisance Points form that shall prominently display the violation, date of incident giving rise to violation, number of points assigned for the violation and total number of points then pending against the property.

~~(2)~~(3) Waiver of Nuisance Points.

a. Eligibility:

- i. To be eligible for a waiver of nuisance points, no nuisance points shall have been assessed against a property during the preceding twelve months.
- ii. A property is eligible for the waiver of nuisance points no more than one time in any twelve-month period.
- iii. Points resulting from the following violations are not eligible for waiver:
  1. Article 265 of the Penal Law — Firearms and Other Dangerous Weapons.
  2. Section 47-5 of the City's Municipal Code — Firearms, shotguns, rifles and other dangerous weapons.
  3. Sections of the New York State Uniform Fire Prevention and Building Code and Chapter 54 of the City's Municipal Code concerning occupancy requirements.
  4. Sections 260.20 and 260.21 of the Penal Law — Unlawfully Dealing with a Child.

b. Waiver of Nuisance Points Letter.

- i. If a property to be assessed nuisance points is eligible for a waiver, then the NSC Administrator shall send, in the same mailing as the Notice of Nuisance Points Letter, a Waiver of Nuisance Points Letter.
  - ii. The NSC Director shall adopt a standard Waiver of Nuisance Points letter to be used by every NSC. The Waiver of Nuisance Points letter shall inform the owner that his/her property is eligible for waiver of nuisance points, and shall direct the owner to contact the NSC within ~~ten calendar days~~ business days (as defined above in subsection C(1)(a)(i)) of the date of the Waiver of Nuisance Points Letter to schedule a waiver meeting to discuss and implement an abatement plan.
- c. Abatement Plan and Waiver.
- i. If the owner timely requests and attends the waiver meeting, the owner and NSC Administrator shall negotiate in good faith to develop an appropriate written plan to abate the nuisance. If their effort succeeds, the plan shall be dated, signed by the owner and by the NSC Administrator, and shall be kept on file at the NSC. A copy of the abatement plan shall be provided to the owner.
  - ii. If the owner abides by the abatement plan and no new nuisance activity occurs within the six months following the date of the abatement plan, the points that are subject to waiver shall be cancelled as if they had never existed on the property.
- d. Records of Abatement Plans and Waivers. Each NSC shall maintain ~~for a minimum of two years~~ records of abatement plans established and waivers issued for each property in accordance with City records retention policies and applicable law.

~~(3)~~(4) Nuisance Points Advisory Board.

- a. Composition. There shall be a nine-member Nuisance Points Advisory Board (“Advisory Board”) appointed by the Mayor, comprising one resident and one business owner each from the Northeast District, East District, South District and Northwest District as such districts are defined by City Charter § 5-3, and one resident from the Center City District as that district is defined by City Zoning Code § 120-166B. The members shall not be City officers or employees at the time of their appointments. Board members shall serve a term of two years. Any member may be reappointed and, after the expiration of his or her term, each member shall hold over until a successor is

appointed, if necessary. The board may appoint a Chairperson from among its members.

b. Advisory Board Review.

i. Notice of Potential Nuisance.

1. Where a violation takes place at a building, erection or place such that assessment of points for that violation would result in the building, erection or place being deemed a public nuisance pursuant to this Section, the NSC Administrator shall give notice of the violation to the owner, the impending assessment of points, and the fact that, upon assessment of the points, the building, erection or place will be deemed a public nuisance that is subject to the imposition of abatement actions pursuant to this Section. This Notice of Potential Nuisance shall be sent to the owner within fifteen ~~calendar days~~ business days (as defined above in subsection C(1)(a)(i)) of the violation in the same manner as a Notice of Nuisance Points.

2. The NSC Director shall adopt a standard Notice of Potential Nuisance letter to be used by every NSC. The Notice of Potential Nuisance shall inform the owner that he or she may, within ten ~~calendar days~~ business days (as defined above in subsection C(1)(a)(i)) of the date of the Notice, contact the NSC to request that the Advisory Board review the most recent violation and the points to be assessed therefor.

ii. Review by Advisory Board. If a review is requested by an owner, the NSC Administrator shall submit to the Advisory Board a package containing all relevant reports upon which the potential assessment of nuisance points is based. The board shall review the package and any written submissions by the owner, and may allow the owner and any witnesses to offer oral statements, within a time limit to be set by the board, which time shall not exceed 30 minutes, as to why the points should not be assessed. An Advisory Board member shall not participate in any review proceeding with regard to any place that is located within a radius of 500 feet from the member's residence or with regard to which the member possesses an operational or ownership interest. The board shall review all submissions and explanations and submit a written recommendation to the NSC



Administrator concerning issuance of the nuisance points. A copy of this written recommendation shall be sent by the board to the owner by first class mail with delivery confirmation. The board's function shall be advisory, and its recommendations shall not be construed to be a final decision.

iii. Final Determination by NSC Administrator. The NSC Administrator shall make a final determination as to the assessment of points ~~within ten calendar days~~ business days (as defined above in subsection C(1)(a)(i)) of the receipt of the recommendation of the Nuisance Points Advisory Board. The final determination shall be sent to the owner in the same manner as a Notice of Nuisance Points. A courtesy copy of the final determination shall be produced to the Advisory Board.

c. Meetings. The Advisory Board shall meet at least once a month as long as matters are pending. A majority of the full board, of which no fewer than two are residents and two are business owners, shall constitute a quorum and shall be necessary to make a recommendation on proposed nuisance points. The board shall maintain an orderly set of records, including minutes of its meetings. The Commissioner of Neighborhood and Business Development shall provide staff support to the board, and members of the Police Department and Law Department may also advise the board and attend board meetings.

d. Bylaws. The Advisory Board shall prepare and adopt bylaws from time to time outlining meeting times and related procedures. The bylaws shall be submitted to the NSC Director for review and acceptance.

~~(4)~~(5) Notice of Abatement Meeting. Where a building, erection or place accrues points sufficient to be deemed a public nuisance pursuant to City Charter §10-12B, the NSC Administrator shall schedule a meeting with the building owner or the owner's authorized representative (hereinafter collectively "owner") to devise a plan to abate the nuisance. The owner shall be notified by letter of the date, time and location of the meeting. The owner shall also be notified that if he or she fails to attend the meeting, the City may immediately proceed with an administrative abatement proceeding or civil action to abate the nuisance. The NSC Director shall adopt a standard Notice of Abatement Meeting letter to be used by every NSC, which shall be sent to the owner in the same fashion as a Notice of Nuisance Points. The owner shall be allowed to adjourn and reschedule the abatement meeting no more than one time and to a date no more than fourteen ~~calendar days~~ business days (as defined above in subsection C(1)(a)(i)) after the original scheduled date.

~~(5)~~(6) Abatement Plan. If the owner attends the Abatement Meeting, he or she shall negotiate in good faith with the NSC Administrator to devise an abatement plan

intended to remedy the nuisance activity. If they succeed and the owner signs a commitment to perform the agreed upon abatement plan, the City will not advance with an administrative proceeding or civil action to abate the nuisance for so long as the owner abides by the plan.

D. Concurrent Adjudication by Municipal Code Violations Bureau.

- (1) Where the NSC Administrator assesses nuisance points based upon a violation of the Rochester City Code for which a Municipal Code Violations Bureau ticket is issued, the Administrator shall request in writing that the Municipal Code Violations Bureau provide to the NSC Administrator notice of the ultimate ticket disposition.
- (2) Where the Municipal Code Violations Bureau ticket disposition indicates a dismissal on the merits, the NSC Administrator shall cancel the nuisance points stemming from the underlying violation and shall notify the owner of the same.

E. Powers of the Commissioner with Respect to Public Nuisances. In addition to the enforcement procedures established elsewhere, the Commissioner of Neighborhood and Business Development, shall be authorized:

- (1) To order the closing of the building, erection or place to the extent necessary to abate the nuisance but in no event for a period longer than one year; or
- (2) To suspend for a period not to exceed six months or revoke for a period of one year a business permit issued for such premises, and to prevent the operator from obtaining a new business permit for another location for the period of suspension or revocation; or
- (3) To suspend for a period not to exceed six months or revoke for a period of one year any occupational license or permit issued by the City related to the conduct of a business or trade at the premises, which suspension or revocation may also apply to any other locations operated by the holder for which the license or permit is required; or
- (4) To suspend for a period not to exceed six months or revoke for a period of one year eligibility to secure grants or loans from the City of Rochester; or
- (5) Any combination of the above; or
- (6) Any other remedy rationally related to the nuisance to be abated and otherwise within the authority of the Commissioner.

F. Adjudication Procedure. Where a public nuisance is deemed to exist pursuant to Subsection B of this Section, and the owner of the property fails to attend the Abatement Meeting or fails to accept

and abide by an abatement plan, the Commissioner of Neighborhood and Business Development, or his or her designee, shall notify the Corporation Counsel for the City of Rochester of the nuisance activity and recommend a remedy or remedies pursuant to Subsection E of this Section to abate the nuisance. The Corporation Counsel shall decide whether to implement the remedy by means of either an administrative abatement proceeding as described below or through a civil action as authorized by City Charter § 9-21.

(1) Administrative Abatement Proceeding

- a. Notice of Abatement Hearing. The Corporation Counsel shall establish a date for a hearing at which it will be determined whether a public nuisance exists and evidence will be presented as to the remedy appropriate to abate the public nuisance. A Notice of Hearing shall be provided to the owner, lessor, lessee and mortgagee of the building, erection or place wherein the public nuisance is being conducted, maintained or permitted. The Notice of Hearing shall contain the following:
  - i. The name of the owner.
  - ii. A description of the premises, including the street address.
  - iii. A statement of each and every incident during the relevant period giving rise to nuisance points, and a description of the remedy or remedies proposed to abate the public nuisance.
  - iv. The date, time and location of the hearing.
  - v. A statement that the failure to attend the hearing may constitute a default, which could result in the closure of the building, erection or place, the suspension or revocation of the owner's relevant business or occupational licenses, and/or the suspension or revocation of City grants or loans.
  - vi. A statement that no points shall be assessed against the building, erection or place for an enumerated crime or violation for which it is demonstrated that an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim, including a victim of domestic violence, dating violence, stalking, or sexual abuse.

- b. Service of Notice. The Notice of Hearing, along with a copy of the text of this Section, shall be served upon the owner, lessee and mortgagee at least thirty calendar days before the scheduled hearing, in the following manner:
  - i. Owner: The owner shall be served in accordance with Article 3 of the Civil Practice Law and Rules or by means of first-class mail with delivery confirmation sent to the owner's address as it is maintained on record with the City Treasurer pursuant to City Charter §§ 6-118 and 6-119. If served by mail, service shall be deemed to be complete upon mailing. In no event shall it be necessary to file proof of service with the clerk of any court before the hearing.
  - ii. Lessee: Each lessee shall be served in accordance with Real Property Actions and Proceedings Law § 735, except it shall not be necessary to file proof of service with the clerk of any court before the hearing.
  - iii. Mortgagee: A mortgagee shall be served by means of first-class mail with delivery confirmation sent to the mortgagee's last known address as shown in the property records, Service shall be complete upon mailing, and there shall be no requirement to file proof of service with the clerk of any court before the hearing.
- c. Posting of Notice of Hearing: A copy of the Notice of Hearing shall be posted on the premises at least thirty calendar days before the hearing. Mutilation or removal of the posted notice of hearing shall be punishable by a fine of not more than \$250 provided that the posted notice contains therein a notice of such penalty.
- d. Hearing procedure.
  - i. The hearing shall be conducted by an independent hearing officer appointed by the Corporation Counsel. The owner and other interested parties may be represented at the hearing by counsel. The owner and other interested parties may present evidence and call witnesses on their behalf, and may cross-examine any witnesses that testify for the City. The rules of evidence prevailing in a court of record shall not be controlling in abatement hearings. The Mayor and/or the Corporation Counsel are authorized to develop and implement other rules and regulations concerning the procedures for the abatement hearing not inconsistent with the rules here stated. Any such other rules and regulations shall be reduced to writing and shall be served on all parties along with the Notice of Hearing.

- ii. For purposes of this Section, a conviction by a court of competent jurisdiction or an administrative bureau of the violation or crime that gives rise to the assessment of nuisance points shall not be required. Instead, to assess the points, the City shall be required to prove by a preponderance of the evidence that each element of the charged offense has occurred. However, a conviction as defined and applied in accordance with the provisions of Section 1.20 of the Criminal Procedure Law, in any court of competent jurisdiction, or a conviction or plea of guilty in the Municipal Code Violations Bureau, shall constitute conclusive proof of a point-assessable crime or violation under this Section.
  
- iii. Defense of Innocence. An innocent party's interest in property shall not be forfeited. The party claiming innocence shall have the burden of proving innocence by a preponderance of the evidence. Such innocence may be demonstrated by proof that the party (i) did not know of the conduct giving rise to nuisance; or (ii) upon learning of the conduct giving rise to the nuisance, did all that reasonably could be expected under the circumstances to terminate such use of the property. For the purposes of this subsection, ways in which a person may show that he or she did all that reasonably could be expected may include demonstrating that such person, to the extent permitted by law, (a) gave timely notice to an appropriate law enforcement agency of information that led the person to know that nuisance activity was occurring or would occur, and (b) in a timely fashion revoked or made a good faith attempt to revoke permission for those engaging in such nuisance activity to use the property. However, a person shall not be required by this subparagraph to take steps that the person reasonably believes would be likely to subject any person to physical danger. Even where a party with an interest in the property establishes his or her innocence in accordance with this subsection, still the City may impose any reasonable and legally permissible remedy to abate the nuisance so long as it does not infringe upon the innocent party's interest in the property.
  
- iv. Defense of Victims. In accordance with the public policy and findings calling for the protection of victims of crimes and violations in Subdivision A of this Section, a party shall be entitled to testify or present other evidence in support of a claim that nuisance points should not be assessed for a specified violation or crime wherein an owner, lessor, lessee, mortgagee or any other person in possession or having charge of as agent or otherwise, or having any interest in the property, real or personal was a victim of the enumerated violation or crime that triggered the assessment of nuisance points. The party claiming the victim defense shall have the burden of proving its factual elements by a

preponderance of the evidence in order to be entitled to the removal of assessed nuisance points.

- e. Hearing Officer Report and Recommendation. Within fourteen ~~calendar days~~ business days (as defined above in subsection C(1)(a)(i)) after the conclusion of the hearing, the hearing officer shall render a written report and recommendation to the Commissioner of Neighborhood and Business Development, which shall set forth factual findings based upon evidence in the record and shall state whether a public nuisance was proven by a preponderance of the evidence. In the event that a public nuisance is so proven, the hearing officer shall also render a written recommendation as to the remedy to be imposed to abate the public nuisance. The hearing officer's written recommendation shall be served upon all interested parties in the same manner as the original Notice of Hearing.
  
- f. Final Determination. Within seven ~~calendar days~~ business days (as defined above in subsection C(1)(a)(i)) days after receipt of the hearing officer's report and recommendation, the Commissioner of Neighborhood and Business Development shall issue a final determination either accepting, modifying, or rejecting the hearing officer's report and recommendation. If the Commissioner determines that there is a public nuisance, based on either the recommendation of the hearing officer or the Commissioner's own assessment of the hearing record, the final determination shall articulate the remedy to be imposed and set forth a reasonable manner in which the remedy elected is expected to abate the public nuisance. No remedy shall be imposed that goes beyond the remedy or remedies previously specified in the Notice of Hearing. The final determination shall be served on all interested parties in the same manner as the Notice of Hearing. A copy of the final determination shall also be posted at the building, erection or place where a public nuisance exists or is occurring in violation of law.
  
- g. Closure. Where the final determination orders the closure of a building, erection or place, the closure shall become effective thirty calendar days after the posting of the final determination upon the building, erection or place, and may after that time be enforced by the Rochester Police Department. The effective date shall be specified in the final determination.
  - i. In no event shall any closing ordered under this Section be for a period of more than one year from the issuance of the Commissioner's final determination.
  
  - ii. A closing directed by the Commissioner pursuant to this Section shall not be deemed to constitute an act of possession, ownership or control by the City of the closed premises.

- iii. It shall be a violation of this Section for any person to permit any other person to use or occupy any building, erection or place, or portion thereof, ordered closed by the Commissioner. Such a violation or mutilation or removal of a posted order of the Commissioner designee shall be punishable by a fine of not more than \$250 or by imprisonment not exceeding fifteen calendar days, or both, provided such posted order contains therein a notice of such penalty.

#### G. Additional Provisions

- (1) The Mayor, Commissioner of Neighborhood and Business Development (“Commissioner”) or NSC Director may promulgate rules, regulations, policies and procedures to carry out and give full effect to the provisions of this Section. Any such rules, regulations, policies and procedures shall be filed with the City Clerk.
- (2) The Commissioner or NSC Director shall implement a training program for NSC employees involved in the enforcement of this Section and for other City employees as needed.
- (3) If any provision of this Section or the application thereof to any person or circumstances is held invalid, the remainder of this Section and the application of such provisions to other persons and circumstances shall not be rendered invalid thereby.
- (4) The Commissioner shall prepare ~~an annual~~ quarterly reports to be submitted to City Council summarizing the actions taken under this Section and indicating the results of such action.

Section 3. This local law shall take effect upon the latter of either: a) its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, or b) July 1, 2018.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Evans, Lightfoot, Vice President McFadden, Patterson – 6

Nays – Councilmembers Gruber, Ortiz, Spaul – 3.

Introductory No. 135 was introduced on April 17, 2018 and appears in its original transmittal letter on page \_\_\_ of the 2018 Council Proceedings.

Ordinance No. 2018-173  
(Int. No. 135)

**Amending the Municipal Code with respect to the abatement of nuisances**

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

Section 1. Chapter 68 of the Municipal Code, Licenses – Businesses and Trades, as amended, is hereby further amended in Subsection E of Section 68-10, Revocation of licenses and permits, to read as follows:

E. In addition to the power granted to the authority issuing a license or permit either in this chapter or in other chapters of the Municipal Code, a license or permit for a business or trade issued by the City of Rochester may be revoked or suspended in accordance with the procedures established in ~~§ 3-15~~ § 10-12, Abatement of nuisances, of the City Charter.

Section 2. Chapter 90 of the Municipal Code, Property Code, Article II, Business Permits, as amended, is hereby further amended in Subsection B of Section 90-36, Issuance of business permit, to read as follows:

B. No business permit shall be issued unless the applicant and business have fully complied with the provisions of this article and have obtained all necessary licenses and permits for the operation. No business permit shall be issued to a premises while charges are pending pursuant to ~~§ 3-15~~ § 10-12 of the City Charter, or while any other nuisance abatement proceeding or action is pending against the premises.

Section 3. Chapter 90 of the Municipal Code, Property Code, Article II, Business Permits, as amended, is hereby further amended in Subsection F(14) of Section 90-37, Operation of businesses, to read as follows:

F. The owner or operator of any business shall maintain good order on and about the premises at all times when the business is open. The premises shall include the building in which the business is located, as well as accessory structures and uses, including parking lots, and the land on which the building is located. The owner or operator of any business shall be responsible to remove refuse and obstructions from the sidewalk in accordance with Municipal Code requirements, and to operate the business so that neither the business nor its patrons become a source of disruption on the sidewalks, streets or other private property in the vicinity of the business. The lack of good order shall include, but not be limited to, suffering or permitting the following:

...

(14) Any other nuisance activity listed in ~~§ 3-15~~ § 10-12 of the City Charter.

Section 4. Chapter 96 of the Municipal Code, Secondhand Dealers, as amended, is hereby further amended in Subsection D of Section 96-5, Issuance of secondhand dealer's license, to read as follows:



June 19, 2018

D. No secondhand dealer's license shall be issued unless the applicant and business have fully complied with the provisions of this chapter and have obtained all necessary licenses and permits for the operation. No secondhand dealer's license shall be issued to a premises while charges are pending pursuant to ~~§ 3-15~~ § 10-12 of the City Charter or while any other nuisance abatement proceeding or action is pending against the premises or owner or operator.

Section 5. Chapter 96 of the Municipal Code, Secondhand Dealers, as amended, is hereby further amended in Subsection F(14) of Section 96-8, General operation of secondhand dealer's businesses, to read as follows:

F. Secondhand dealers shall maintain good order on and about the premises at all times when the business is open. The premises shall include the building in which the business is located, as well as accessory structures and uses, including parking lots and the land on which the building is located. The owner or operator of any secondhand dealer's business shall be responsible to remove refuse and obstructions from the sidewalk in accordance with Municipal Code requirements and to operate the business so that neither the business nor its patrons become a source of disruption on the sidewalks, streets or other private property in the vicinity of the business. The lack of good order shall include, but not be limited to, suffering or permitting the following:

...

(14) Any other nuisance activity listed in ~~§ 3-15~~ § 10-12 of the City Charter.

Section 6. Chapter 99 of the Municipal Code, Shooting Ranges, as amended, is hereby further amended in Subsection D of Section 99-7, Issuance of shooting range license, to read as follows:

D. No shooting range license shall be issued unless the applicant and business have fully complied with the provisions of this chapter and have obtained all necessary licenses and permits for the operation. No shooting range license shall be issued to a premises while charges are pending pursuant to ~~§ 3-15~~ § 10-12 of the City Charter or while any other nuisance abatement proceeding or action is pending against the premises or owner or operator.

Section 7. This ordinance shall take effect on the effective date of an accompanying local law amending the City Charter with respect to the abatement of nuisances.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-174

Re: Sale of Real Estate

Council Priority: Rebuilding and  
Strengthening Neighborhood Housing

June 19, 2018

Transmitted herewith for your approval is legislation approving the sale of five 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. (See the attached list and excel spreadsheet for exception).

The first two properties are being purchased by Barakah Muslim Charities, Inc. Both lots will be used as green space as they perform additional charitable services for the community. They currently provide a food pantry and the extra space will be beneficial for the service.

The third property is being purchased by Rochester Refugee Resettlement Services, Inc. to develop as an adult education and training space.

The next property is a vacant lot sold by negotiated sale to the adjacent owner. The purchaser will combine the lot with his existing lot and utilize it as green space.

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

The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,640.

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-102

Ordinance No. 2018-174  
(Int. No. 187)

**Authorizing the sale of real estate**

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

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

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Use</b>	<b>Price</b>	<b>Purchaser</b>
146 Bartlett St	120.68-1-59.1	59 x 141	Vacant Lot	\$500	Barakah Muslim Charity, Inc.
600 Jefferson Av	120.68-1-13	35 x 107	Vacant Lot	\$1,000	Barakah Muslim Charity, Inc.

June 19, 2018

393						Rochester Refugee Resettlement Services, Inc.
Lexington Av	105.25-3-5.2	39 x 94	Education/training	\$10,000		

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

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Sq. Ft.</b>	<b>Price</b>	<b>Purchaser</b>
156 Peck St	106.59-3-53	40 x 120	4,800	\$4,425	Richard Marciszewski

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

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
68 Lincoln St	106.41-3-14.2	40 x 95	3,800	Josie Whitfield

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-175  
Re: Real Estate Donations

Council Priority: Rebuilding and  
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real properties from the owner, Rochester Land Bank Corporation (RLBC). The RLBC acquired the properties by purchase at the City Tax Foreclosure Auction in November 2017. Council authorization is needed to accept the following parcels:

June 19, 2018

<u>Address</u>	<u>Purpose</u>
403 Caroline Street	Demolition
150 Campbell Park	Demolition
70 Parsells Avenue	Demolition

Accepting these donations will allow the City to remove blight in neighborhoods where redevelopment plans are in place and/or other investment of public dollars have been made through prior demolitions and/or rehabilitations. The Rochester Land Bank Board approved the transfer of the properties to the City at its April, 2018 Board Meeting.

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-103

Ordinance No. 2018-175  
(Int. No. 188)

#### **Authorizing the acceptance of real estate by donation**

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

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

<b>Address</b>	<b>SBL No.</b>	<b>Purpose</b>
403 Caroline Street	121.81-1-39	Demolition
150 Campbell Park	105.71-1-38	Demolition
70 Parsells Avenue	107.53-3-62	Demolition

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

Section 3. This ordinance shall take effect immediately.

Passed the following vote.

Ayes – President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, Vice President McFadden, Patterson, Spaul -8

Nays – None – 0

June 19, 2018

Councilmember Ortiz abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-176  
Re: Zoning Map Amendment – 16, 20, 26,  
32, and 42-48 Cameron Street

Transmitted herewith for your consideration is legislation amending the Zoning Map of the City of Rochester by rezoning 16, 20, 26, 32, and 42-48 Cameron Street from R-1 Low Density Residential District to C-1 Neighborhood Center District for the possible future expansion of Cameron Community Ministries located at 42-48 Cameron Street.

The City Planning Commission held an informational meeting on the proposed map amendment on Monday, April 2, 2018. Two people spoke in support of the rezoning, and two people spoke in opposition. Written and oral testimony at the informational meeting emphasized the desire to ensure that the residential quality of life is not impacted by the further intrusion of commercial uses into the neighborhood. The City Planning Commission commended Cameron Community Ministries for all of their accomplishments and enduring presence in the neighborhood. However, after a lengthy discussion and much deliberation where the members weighed all of these factors, the Planning Commission recommended denial by a vote of 0-6.

Although the Planning Commission issued a negative recommendation, the applicant would still like to pursue the rezoning request to City Council.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-104  
Ordinance No. 2018-176  
(Int. No. 189, as amended)

**Amending the Zoning Map for 16, 20, 26, 32 and 42-48 Cameron Street**

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 modifying the Zoning Map incorporated in Section 120-5 to change from R-1 Low Density Residential to ~~C-1 Neighborhood Center~~ R-3 High-Density Residential the zoning district classification of the following property parcels:

June 19, 2018

<b>Address</b>	<b>SBL #</b>
16 Cameron Street	105.66-1-25
20 Cameron Street	105.66-1-26
26 Cameron Street	105.66-1-27
32 Cameron Street	105.66-1-28
42-48 Cameron Street	10005.66-1-31.2

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

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2018-177  
Ordinance No. 2018-178  
Ordinance No. 2018-179  
2018-19 Annual Action Plan,  
Consolidated Community  
Development Plan

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

Transmitted herewith for your approval is legislation relating to the 2018-19 Annual Action Plan.  
The legislation will:

1. Approve the 2018-19 Annual Action Plan, Consolidated Community Development Plan.
2. Authorize the submission of the plan to the U.S. Department of Housing and Urban Development (HUD).
3. Authorize agreements with HUD for the receipt and use of grants to fund the Plan.
4. Appropriate \$300,000 in Urban Development Action Grant principal and interest repayments projected to be received during the 2018-19 program year for the City Development Fund.
5. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

The Consolidated Community Development Plan consists of a strategic plan and annual action plans. The plan addresses the U.S. Department of Housing and Urban Development's planning and application requirements for their formula grant programs, which include: the Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grants Program, and Housing Opportunities for Persons with AIDS. HUD requires jurisdictions to prepare multi-year strategies and one year action plans for use of federal funds. The annual action plan covers the period July 1, 2018 through June 30, 2019.

The annual action plan describes specific projects and activities that will be undertaken in the coming year with federal funds to address priority needs. Community input was solicited at public meetings held on March 14, 2018.

The total of funds available for 2018-19 is \$13,757,758 from the following sources:

CDBG	\$8,084,177
HOME	2,570,413
Emergency Solutions Grant	674,005
HOPWA	890,163
CDF	300,000
CDBG Program Income	1,089,000
HOME Program Income	<u>150,000</u>
Total	\$13,757,758

The amount of federal allocations, program income, and City Development funds available will be used for the following purposes: Promote Economic Stability, Improve the Housing Stock, General Community Needs, and Other.

Significant allocation highlights include:

- \$1,064,989 for Housing Repair/Rehab Program
- \$398,000 for the Buyer Assistance Program
- \$350,000 for Job Creation and Youth Development

Approval by the City Council of the Annual Action Plan is required by HUD. Approval of the City Development Fund is required by Resolution 83-26 (adopted May 24, 1983).

A public hearing on the 2018-19 Annual Action Plan is required.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-105

Ordinance No. 2018-177  
(Int. No. 191)

June 19, 2018

**Approving the Consolidated Community Development Plan/2018-19 Annual Action Plan**

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Plan/2018-19 Annual Action Plan (the Plan) to be financed with \$13,757,758 available to the City of Rochester from the federal Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, Housing Opportunities for Persons with AIDS Program, City Development Fund, Urban Development Action Grant loan and interest repayments, and other program income;

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

WHEREAS, notice of the Plan was published in the legal notices section of the Democrat and Chronicle on February 14, 2018;

WHEREAS, the Plan was the subject of a general public hearing on March 14, 2018, as specified in the February 14<sup>th</sup> newspaper notice;

WHEREAS, in another notice published in the legal notices section of the Democrat and Chronicle on May 12, 2018, citizens, public agencies and other interested parties were invited to submit comments by June 14, 2018, either in writing or at public hearing scheduled for June 14, 2018;

WHEREAS, on June 14, 2018, the City Council conducted a public hearing on the Plan and on the needs, strategies, proposed actions and annual performance report;

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

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

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

Section 1. The Council hereby adopts the Draft Consolidated Community Development Plan/2018-19 Annual Action Plan.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2018-178  
(Int. No. 192)



June 19, 2018

**Authorizing submission of the Consolidated Community Development Plan/2018-19 Annual Action Plan and execution of grant agreements with the United States Department of Housing and Urban Development**

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

Section 1. The Mayor is hereby authorized to submit the Consolidated Community Development Plan/2018-19 Annual Action Plan to the United States Department of Housing and Urban Development.

Section 2. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2018.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2018-179  
(Int. No. 193)

**Appropriation of funds for the City Development Fund**

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

Section 1. As part of the Consolidated Community Development Plan/2018-19 Annual Action Plan, the Council hereby appropriates the sum of \$300,000 in anticipated Urban Development Action Grant loan repayment funds and reversionary interest payments and interest, to be utilized as capital for the City Development Fund.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of programs funded by the appropriation made herein.

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

Section 4. The Director of Finance shall record all transfers herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-180  
Re: Restore NY Communities  
Initiative - Round 5

Council Priorities: Rebuilding and  
Strengthening Neighborhood Housing; Jobs  
and Economic Development; Creating and  
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation appropriating the funds of a grant received from Empire State Development (ESD) awarded through its Restore NY Communities Initiative Program, Round 5 (Restore NY 5), and authorizing agreements with the developers or their subsidiaries for the use of those funds. This legislation will:

1. Appropriate \$5,000,000 in grant funds received from ESD through Restore NY Round 5; and,
2. Authorize the Mayor to enter into agreements with the property owners/developers of the properties included in the City's Restore NY Round 5 application. The agreements will obligate the City to pay an aggregate amount not to exceed \$5,000,000 with the maximum amount for each agreement as listed below and to be funded from the appropriation above. The term for each agreement shall be five (5) years.

<u>Developer/Principal</u>	<u>Project Address</u>	<u>Grant Amount</u>
East Main Realty Holdings LLC/ Robert Bartosiewicz	176-182 East Main St.	\$250,000
Ren Square, LLC/ Patrick, Luke & Gary Dutton	186 East Main St.	\$265,000
Ren Square, LLC/ Patrick, Luke & Gary Dutton	190-194 East Main St.	\$1,300,000
Hopwood LLC / Scott Hopwood	220-222 East Main St.	\$345,000
Hopwood LLC / Scott Hopwood	224-226 East Main St.	\$365,000
Sibley Redevelopment Limited Partnership (see attached structure)	250 East Main St., Condo #100	\$1,190,000
35 State Property, LLC / Carmen Coleman	35 State Street	\$1,000,000
Scott Hopwood	79 State Street	\$285,000

Restore NY provides grants to municipalities for the demolition, deconstruction, rehabilitation, and/or reconstruction of vacant, abandoned, condemned, and surplus residential and/or commercial buildings. Authorization for the application for the grant and agreement with ESD were previously received from City Council in November 2017 through Ordinance No. 2017-349.

The City's Restore NY Round 5 projects are located on highly visible corridors that have been significantly blighted in past decades. When completed, approximately 145 new housing units will be created and approximately 64,572 square feet of commercial space will have been renovated. The city will have experienced a direct investment of over \$50,000,000 upon the completion of the Restore NY Round 5 projects.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-106

Ordinance No. 2018-180  
(Int. No. 194)

**Appropriating funds and authorizing agreements for the Restore NY Communities Initiative Program**

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

Section 1. Grant funds from the Empire State Development Corporation (ESDC) awarded through Round 5 of its Restore NY Communities Initiative in the amount of \$5,000,000 are hereby appropriated for the Restore NY Round 5 projects.

Section 2. The Mayor is hereby authorized to enter into agreements with the following property owners or developers, for the Restore NY Round 5 projects. The agreements shall obligate the City to pay an aggregate amount not to exceed \$5,000,000 with the maximum amount of each agreement as set forth below to be funded from the appropriation in Section 1 herein. Each agreement shall for a term of five years.

<b>Developer/Principal</b>	<b>Project Address</b>	<b>Grant Amount</b>
East Main Realty Holdings LLC	176-182 East Main St.	\$250,000
Ren Square, LLC	186 East Main St.	\$265,000
Ren Square, LLC	190-194 East Main St.	\$1,300,000
Hopwood LLC	220-222 East Main St.	\$345,000
Hopwood LLC	224-226 East Main St.	\$365,000
Sibley Redevelopment Limited Partnership	250 East Main St., Condo #100	\$1,190,000
35 State Property, LLC	35 State Street	\$1,000,000
Scott Hopwood	79 State Street	\$285,000
	<b>Total</b>	<b>\$5,000,000</b>

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. 2018-181  
Re: 49 Stone Street Redevelopment Project

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

Transmitted herewith for your approval is legislation authorizing a loan agreement with 49 Stone Street LLC or an entity to be formed by Hudson Partners Development LLC, located at 525 Union Street Suite 101, Schenectady, New York and with managing members Christopher Maddalone and Seth Meltzer (Developer). The loan amount is Four Hundred Thousand Dollars (\$400,000) and will provide gap funding to assist the Developer with the redevelopment of the property located at 49 Stone Street in Center City. This legislation will:

1. Appropriate \$400,000 in Cash Capital to the Housing Revolving Loan Fund as follows: \$22,852 from Prior Years Cash Capital, \$257,676.30 from 2016-17 Cash Capital – NBD Land Acquisition, and \$119,471.70 from 2017-18 Cash Capital – NBD Land Acquisition.
2. Authorize a loan agreement to the Developer in the amount of \$400,000. The loan is to be funded from the appropriation above.

The project will redevelop a 30,441 gross square foot commercial building into mixed-use. When completed, the four-story building will offer approximately 5,141 gross square feet of office space on the first floor and approximately 21 residential rental apartments distributed amongst all of the floors. The Developer anticipates the creation of up to 15 full-time-equivalent (FTE) jobs resulting from this project in its first three years of operation. One FTE job will result from the residential component and the remaining 14 FTE jobs are expected to result from the project’s commercial tenants. The Developer projects eight of the FTE jobs to be filled by city of Rochester residents.

The loan will be used as permanent financing for costs associated only with the residential component of the project. The loan term is six years and the interest rate is 3%. Ten percent (10%) shall be rented to households with incomes under 120% of the Median Family Income (MFI) and 10% shall be rented to households with incomes under 80% MFI. This project is also subject to the City’s Minority and Women-Owned Business Enterprises (MWBE) and workforce goals.

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

<b>Sources</b>		<b>Uses</b>	
Bank Loan	\$2,713,170	Land Acquisition	\$585,000
City of Rochester Loan	400,000	Hard Costs	3,118,380
Developer Equity	<u>1,672,299</u>	Soft Costs	549,581
<b>Total</b>	<b>\$4,785,469</b>	Contingency	279,592
		Financing	<u>252,916</u>
		<b>Total</b>	<b>\$4,785,469</b>

The City’s Loan Review Committee, comprised of the Deputy Mayor, Corporation Council, Budget Director, Finance Director, Deputy Director of Finance, City Treasurer and the Commissioner of Neighborhood and Business Development, approved this request for financial assistance at their April 27, 2018 meeting. In accordance with the requirements of the State Environmental Quality Review Act, this project was determined to be a Type II Action on December 6, 2017.

Respectfully submitted,

June 19, 2018

Lovely A. Warren  
Mayor

Attachment No. AR-107

Ordinance No. 2018-181  
(Int. No. 195)

**Authorizing a loan agreement for the 49 Stone Street Redevelopment Project**

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

Section 1. The sum of \$400,000 from the following sources is hereby appropriated to the Housing Revolving Loan Fund to finance the redevelopment of the property located at 49 Stone Street in the Center City (the Project): \$22,852 from Prior Years' Cash Capital, \$257,676.30 from 2016-17 Cash Capital, and \$119,471.70 from 2017-18 Cash Capital.

Section 2. The Mayor is hereby authorized to enter into a loan agreement with 49 Stone Street LLC, or an entity to be formed by Hudson Partners Development LLC, in the amount of \$400,000 to fund a portion of the Project costs. The loan shall be funded from the amounts appropriated in Section 1 herein, have a term of 6 years, and have an annual interest rate of 3%.

Section 3. The loan agreement authorized herein 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 agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-182  
Re: Agreements - The Housing Council at  
PathStone, Inc. and Empire Justice  
Center, 2018-19 Consolidated  
Community Development Plan,  
Foreclosure Prevention Program

Council Priority: Rebuilding and  
Strengthening Neighborhood Housing

June 19, 2018

Transmitted herewith for your approval is legislation related to the 2018-19 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Foreclosure Prevention Program, contingent upon adoption of the Con Plan. This legislation will:

1. Appropriate a total of \$180,000 from the 2018-19 Homeownership Fund-Foreclosure Prevention allocation of the Community Development Block Grant (CDBG) of the Con Plan for implementation of the Foreclosure Prevention Program.
2. Establish \$157,700 and \$22,300 as maximum compensation for The Housing Council at PathStone, Inc. (Principal: Susan Boss) and Empire Justice Center (Principal: Anne Erickson), respectively, to provide foreclosure prevention services. The term of these agreements will be one year and the cost will be financed from the funds appropriated herein.

These two organizations are uniquely qualified. The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include the review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services. The Empire Justice Center will provide legal advice and litigation services when required by analysis of clients' circumstances.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-108

Ordinance No. 2018-182  
(Int. No. 196)

### **Appropriating funds and authorizing agreements for the foreclosure prevention services**

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

Section 1. The sum of \$180,000 is hereby appropriated from the Homeownership Fund-Foreclosure Prevention allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan (the Plan) for the provision of foreclosure prevention services, contingent upon adoption of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with The Housing Council at PathStone, Inc. in a maximum amount of \$157,700 to provide foreclosure prevention services.

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Section 3. The Mayor is hereby authorized to enter into an agreement with Empire Justice Center in a maximum amount of \$22,300 to provide foreclosure prevention services.

Section 4. The amounts of said agreements, or so much thereof as may be necessary, shall be funded from the sum appropriated in Section 1. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 5. The agreements shall be for a term of one year.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and providers shall enter into agreements for these services only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-183  
Re: Agreement – The Legal Aid Society of  
Rochester, New York, 2018-19  
Consolidated Community Development  
Plan, Landlord Tenant Services  
Program

Council Priority: Rebuilding and  
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2018-19 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Landlord Tenant Services Program, contingent upon adoption of the Con Plan. This legislation will:

1. Appropriate \$95,000 from the Rental Market Fund-Landlord Tenant Services allocation of the 2018-19 Con Plan for implementation of the Landlord Tenant Services Program; and
2. Establish \$95,000 as maximum compensation for an agreement with The Legal Aid Society of Rochester, New York, (Principal: Carla Palumbo) to provide housing stabilization services to tenants and landlords. The term of the agreement will be one year and the cost will be financed from the appropriation herein.

The Legal Aid Society of Rochester New York, will serve as lead agency in partnership with Legal Assistance of Western New York Inc. (Principal: C. Ken Perry) and The Housing Council at PathStone, Inc. (Principal: Susan Boss). Services for both landlords and tenants include:

- Training for landlords on operating rental property as a business, and compliance with fair

housing quality standards; and

- Eviction prevention services for tenants to re-establish or maintain stable housing situations.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-109

Ordinance No. 2018-183  
(Int. No. 197)

### **Appropriating funds and authorizing an agreement for landlord/tenant services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Legal Aid Society of Rochester, New York in a maximum amount of \$95,000 to provide housing stabilization services to tenants and landlords. The term of the agreement shall be one year. The agreement shall be funded by \$95,000 from the Rental Market Fund- Landlord/Tenant Services allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan, contingent upon approval thereof, which amount is hereby appropriated for the program. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and provider shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2018-184  
Buyer Assistance Program, 2018-19  
Consolidated Community Development  
Plan

Council Priority: Rebuilding and



June 19, 2018

Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Buyer Assistance Program of the 2018-19 Annual Action Plan of the Consolidated Community Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate \$398,000 from the Buyer Assistance allocation of the Homeownership Promotion Fund - HOME funds, of the 2018-19 Con Plan;
2. Appropriate \$57,000 from the Buyer Assistance allocation of the Homeownership Promotion Fund - City Development Fund (CDF) of the 2018-19 Con Plan;
3. Authorize agreements with the recipients of Buyer Assistance Funds for up to \$8,000 to purchase houses through the City's housing initiatives; and
4. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

The Buyer Assistance Program provides financial assistance up to \$8,000 to eligible homebuyers who purchase houses through the City's housing initiatives, as described in the Con Plan. The financial assistance provided by the Buyer Assistance Program is for closing costs and down payment.

Homebuyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds in the amount of a minimum of \$1,500 towards the purchase of the home. Each buyer must complete a pre-purchase education class before closing and attend post-purchase classes as well.

The 2018-19 HOME allocation will serve up to 100 eligible homebuyers with incomes of no more than 80% median family income (MFI). The \$57,000 CDF allocation will serve up to 19 homebuyers with incomes above 120% MFI participating in our Employer Assisted Housing Initiative program.

The Homeownership Promotion Fund supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-184  
(Int. No. 198)

**Appropriating funds and authorizing agreements for the Buyer Assistance Program**

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

Section 1. The following amounts are hereby appropriated for the Buyer Assistance Program as described in the Consolidated Community Development Plan/2018-19 Annual Action Plan (the

June 19, 2018

Plan); \$398,000 from the HOME funds within the Homeownership Promotion Fund - Buyer Assistance allocation of the Plan; and \$57,000 from City Development Fund portion of the Homeownership Promotion Fund - Buyer Assistance allocation of the Plan. Both appropriations shall be contingent upon adoption of the Plan.

Section 2. The Mayor is hereby authorized to enter into such agreements with recipients of Buyer Assistance funds as may be necessary to implement the Program, with each having a maximum amount of \$8,000 to be funded from the amounts appropriated herein.

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

Section 4. The Director of Finance is hereby authorized to record all transfers herein and to make adjustments to the amounts set forth herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-185  
Re: Homebuyer Training Program,  
2018-19 Consolidated Community  
Development Plan

Council Priority: Rebuilding and Strengthening  
Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Training Program of the 2018-19 Annual Action Plan of the Consolidated Community Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate \$50,000 of HOME funds from the Homebuyer Training allocation of the Homeownership Promotion Fund of the 2018-19 Con Plan;
2. Appropriate \$40,000 of the City Development Fund (CDF) from the Homebuyer Training allocation of the Homeownership Promotion Fund of the 2018-19 Con Plan;
3. Amend agreements with the following organizations by increasing aggregate funding by the amounts appropriated herein to continue providing Homebuyer training for a one-year term of July 1, 2018 to June 30, 2019, with the option to extend for one more year:
  - Neighborhood Housing Services of Rochester Inc. DBA NeighborWorks Rochester. (Principal: Joanne Panarisi-Bottone)

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- 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)

These four organizations were first engaged via Ordinance No. 2015-184, which was amended by Ordinance Nos. 2015-256, 2016-149, and 2017-223 to provide additional funds to continue to provide pre- and post-purchase training to all recipients of City closing cost grants. The proposed amendatory agreements will allow at least 180 households to receive the training described above.

These providers were selected through a request for proposals process in spring 2015. The City enters into agreements with organizations that are in compliance with federal regulations.

The Homeownership Promotion Fund supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-185  
(Int. No. 199)

**Appropriating funds and authorizing amendatory agreements for the Homebuyer Training Program**

BE IT ORDAINED, by the Council of the City of Rochester 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. 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 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

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

Consumer Credit Counseling Service of Rochester, Inc.

The Housing Council at PathStone, Inc.

Section 3. 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 4. 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 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-186  
Re: Agreement – Rochester Housing  
Development Fund Corporation,  
HOME Rochester Program

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the continuation of the HOME Rochester Program. This legislation will:

1. Appropriate a total of \$839,562 from the Housing Development Fund allocation of the 2018-19 Annual Action Plan of the Consolidated Community Development Plan as follows:

Amount	Source	Purpose
\$174,000	2018-19 Housing Development Fund: Housing Development Support [Community Development Block Grant (CDBG)]	Program Operation
\$385,562	2018-19 Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies – incomes no more than 80% of Area Median Income (AMI)
\$280,000	2018-19 Housing Development Fund: HOME Rochester (HOME funds)	Development subsidies – incomes no more than 80% of AMI

2. Establish \$174,000 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC; Principal Theodora Finn) for operation of the HOME Rochester program. The cost of the agreement will be financed from the CDBG funds appropriated herein.
3. Authorize an agreement with the RHDFC, a qualified CHDO, for the administration of development subsidies totaling \$385,562 for families whose incomes are no more than 80% of AMI. The cost of the agreement will be financed from the HOME funds appropriated herein.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet U.S. Department of Housing and Urban Development (HUD) requirements pertaining to CHDOs.

4. Authorize an agreement with RHDFC for the administration of development subsidies totaling \$280,000 for families whose incomes are no more than 80% of Area Median Income. These subsidies will be financed from the HOME funds appropriated herein.

The HOME Rochester Program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible households. RHDFC operates the HOME Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP; Principal Theodora Finn), and neighborhood based, non-profit developers. RHDFC buys vacant homes and oversees home rehabilitation for sale to first-time homebuyers. Since its inception in 2001, 752 properties have been rehabilitated and sold to first-time homebuyers. Rehabilitation includes efforts to provide and improve 'green' and energy efficiency activities to promote sustainability as well as cost savings for the low-moderate income households who reside in the home.

The total of \$665,562 proposed for development subsidies will provide an average of \$45,000 each for the acquisition and rehabilitation of approximately 16 vacant structures.

Participating agencies serving as construction managers for the properties developed through the HOME Rochester Program include: Ibero-American Development Corporation Inc. (Principal: Eugenio Marlin); Isla Housing and Development Corporation (Principal: Sonja Nunez); Marketview Heights Association Inc. (Principal: Francisco Rivera); NCS Community Development Corporation (Principal: Linda Gonzalez); North East Area Development Inc. and Group 14621 Community Association (Principal: George Moses); PathStone Corporation Inc. (Principal: Stuart Mitchell); South Wedge Planning Committee Inc. (Principal: John Page).

Properties rehabilitated through HOME Rochester will be marketed to families with incomes not exceeding 120% of AMI and the subsidy funds authorized herein will be used to support buyers with incomes at or below 80% of AMI (annual income of less than \$54,900 for a household of 4). All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

These programs support the Housing Development Fund objective of the City Housing Policy.

Agreement terms will be for two years, with an option to extend for an additional year if funds remain in the original appropriation.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-186  
(Int. No. 200)

**Appropriating funds and authorizing agreements for the HOME Rochester Program**

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

Section 1. A total of \$839,562 is hereby appropriated from various Housing Development Fund projects of the Consolidated Community Development Plan/2018-19 Annual Action Plan, contingent upon the adoption of said Action Plan, as follows:

<b>Amount</b>	<b>Source</b>	<b>Purpose</b>
\$174,000	2018-19 Housing Development Fund: Housing Development Support	HOME Rochester Program Operation
\$385,562	2018-19 Housing Development Fund: Community Housing Development Organization (CHDO)	Development subsidies – incomes no more than 80% of the Area Median Income (AMI)
\$280,000	2018-19 Housing Development Fund: HOME Rochester	Development subsidies – incomes no more than 80% of AMI

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Housing Development Fund Corporation (RHDFC) in a maximum amount of \$174,000 to administer the HOME Rochester Program. The agreement shall be funded from the Housing Development Support funds appropriated in Section 1.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC, a qualified CHDO, for the administration of housing development subsidies totaling \$385,562 for families whose incomes are no more than 80% of AMI. The agreement shall be funded from the CHDO funds appropriated in Section 1.

Section 4. The Mayor is hereby authorized to enter into an agreement with RHDFC for the administration of housing development subsidies totaling \$280,000 for families whose incomes are no more than 80% of AMI. The agreement shall be funded from the HOME Rochester funds appropriated in Section 1.

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Section 5. The agreements authorized herein shall be for a term of up to two years, with an option to extend for up to one additional year if funds remain in the original appropriation.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and RFDFC shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-187

Re: Agreement - Rochester Housing  
Development Fund Corporation,  
HOME Rochester Program

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum compensation for an agreement with the Rochester Housing Development Fund Corporation (Principal: Theodora Finn) for development subsidies to serve HOME Rochester homebuyers with incomes up to 120% of area median income (AMI). The agreement will be funded from 2018-19 Cash Capital and the term will be for one year with the option to extend for an additional year if funds remain in the original appropriation.

These funds will provide subsidies averaging \$45,000 for the acquisition and rehabilitation of approximately four vacant, single-family houses that will be sold to income-eligible households through the HOME Rochester program. Rehabilitation includes efforts to provide and improve 'green' and energy efficiency activities to promote sustainability as well as cost savings for the low-moderate income households who reside in the home. The funds allocated through this agreement will allow the program to continue to market properties to buyers with incomes up to and including 120% of AMI.

Participating agencies in HOME Rochester include: Ibero-American Development Corporation (Principal: Eugenio Marlin); Isla Housing and Development Corporation (Principal: Sonja Nunez); Marketview Heights Association Inc. (Principal: Francisco Rivera); NCS Community Development Corporation (Principal: Linda Gonzalez); North East Area Development Inc. and Group 14621 Community Association (Principal: George Moses); PathStone Corporation Inc. (Principal: Stuart Mitchell); South Wedge Planning Committee Inc. (Principal: John Page).

Prior to 2010, HOME Rochester properties were available only to buyers who earned less than 80% of AMI. In 2010, the program secured financing sources that enabled it to expand service to buyers with incomes up to 120% of AMI. Since 2010, 49 HOME Rochester properties have been purchased by buyers with incomes between 80% and 120% of AMI. All purchasers are required to attend pre-

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and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

This legislation supports the City's Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-187  
(Int. No. 201)

**Authorizing agreement for the HOME Rochester Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Housing Development Fund Corporation (RHDFC) for the administration of the HOME Rochester Program to provide housing development subsidies totaling \$150,000 for homebuyers whose household incomes are no more than 120% of the Area Median Income. The agreement shall be funded from 2018-19 Cash Capital, contingent upon approval.

Section 2. The agreement shall be for a term of one year, with an option to extend for up to one additional year if funds remain in the original appropriation.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and RHDFC shall enter into agreements for this Program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-188

Re: Agreement – 2018 Commercial Corridor  
Study

Council Priority: Business Development/  
Rebuilding and Strengthening Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$50,000 in funds from New York State Department of Economic Development and the New York State Urban Development Corporation, collectively d/b/a the Empire State Development Corporation (ESD)



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(Howard Zemsky, CEO) and appropriating that amount to fund a portion of the 2018 Commercial Corridor Study. The Council previously authorized the City to apply for and enter into a funding agreement with ESD for the receipt of those funds in Ordinance No. 2017-227. This legislation also seeks authorization for \$40,000 in the 2018 – 2019 Budget of Neighborhood and Business Development funds and for authorization for \$90,000 to execute a professional services agreement with Place Dynamics LLC, of New Berlin, Wisconsin (Principle: Michael Stumpf, AICP, CEcD) to conduct the 2018 Commercial Corridor Study. The term of the agreement will be for one year from the date of contract execution, with the option of one six-month extension.

The goal of the Commercial Corridor Study is to provide a market driven, place based understanding of the trends, challenges and opportunities of Rochester's commercial districts in CDBG eligible areas, as well as to identify the best methods, approaches, indicators, and strategies that can help the City to support business opportunities and improve commercial corridor conditions. The Commercial Corridor Study will be integrated into the City's Comprehensive Plan. As such, it will directly inform the Comprehensive Plan's economic development analysis of commercial zoning, land use and economic development strategies accordingly.

The City issued a request for proposals (RFP) on March 19, 2018 and received six proposals. Place Dynamics LLC was selected as described in the RFP summary form attached. Since 2006, Place Dynamics LLC has produced a large number of market analysis for communities throughout the country. They are a Veteran-Owned firm that will be working with a Woman-Owned firm to conduct Rochester's study.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No AR-110

Ordinance No. 2018-188  
(Int. No. 202)

### **Authorizing an agreement for the 2018 Commercial Corridor Study**

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 Place Dynamics LLC to conduct the 2018 Commercial Corridor Study. The term of the agreement shall be for one year, with the option for one six-month extension. The maximum compensation for the agreement shall be \$90,000 and said amount, or so much thereof as may be necessary, shall be funded from \$40,000 from the 2018-19 Budget of the Department of Neighborhood and Business Development, contingent upon its approval, and \$50,000 from the funds appropriated in Section 2.

Section 2. The sum of \$50,000 is hereby appropriated for the Study from grant funds received from the New York State Department of Economic Development and the New York State Urban Development Corporation, collectively d/b/a the Empire State Development Corporation (ESD) authorized in Ordinance No. 2017-227.

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

Section 4. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-189  
Re: 2018-19 Consolidated Community  
Development Plan - Emergency  
Solutions Grants Program

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation related to authorizing twelve (12) agreements with twelve (12) not-for-profit providers of services for homeless individuals and families for Emergency Solutions Grant Program (ESG) services; and establishing \$623,455 as the maximum compensation for the agreements to be funded from the Housing Choice Fund of the 2018-19 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program as follows, contingent upon adoption of the 2018-19 Consolidated Community Development Plan (Con Plan):

<b>Organization</b>	<b>Principal</b>	<b>Award</b>
Catholic Charities of the Diocese of Rochester, operating as the Catholic Family Center	Marlene Bessette	\$61,872
Spiritus Christi Prison Outreach Inc.	Jim Smith	35,000
Dimitri House, Inc.	Laurie Jones-Prizel	19,885
The Salvation Army	Major Douglas Hart	47,985
The Center for Youth Services, Inc.	Elaine Spaul	23,735
Volunteers of America of Western New York, Inc.	Kim Brumber	37,054
Rochester Area Interfaith Hospitality Network, Inc.	Kim Hunt-Uzelac	45,430
Providence Housing Development Corp.	Mark Greisberger	90,000
Coordinated Care Services, Inc.	Anne Wilder	159,117
Willow Domestic Violence Center of Greater Rochester, Inc.	Marisol Ramos-Lopez	28,914
The YWCA of Rochester and Monroe County, N.Y.	Jean Carroll	49,463
Veterans Outreach Center, Inc.	Laura Stradley	25,000
<b>Total</b>		<b>\$623,455</b>

This program was last authorized by City Council on November 14, 2017 via Ordinance No. 2017-358. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid re-housing. The appropriation will fund street outreach, essential services and shelter operations, homelessness prevention, and rapid rehousing.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Emergency Solution Grants Program require that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC). 2018-19 providers were selected through a Request for Proposal (RFP) process. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued February 15, 2018.

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

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-111

Ordinance No. 2018-189  
(Int. No. 203)

**Authorizing agreements and appropriating funds for the Emergency Solutions Grant Program**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following twelve providers for services to homeless individuals and families under the Emergency Solutions Grant program. The agreements shall obligate the City to pay an aggregate amount not to exceed \$623,455 with the maximum amount for each agreement being as follows:

<b>Organization</b>	<b>Amount</b>
Catholic Charities of the Diocese of Rochester, operating as the Catholic Family Center	\$ 61,872
Spiritus Christi Prison Outreach, Inc.	35,000

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Dimitri House, Inc.	19,885
The Salvation Army	47,985
The Center for Youth Services, Inc.	23,735
Volunteers of America of Western New York, Inc.	37,054
Rochester Area Interfaith Hospitality Network, Inc.	45,430
Providence Housing Development Corp.	90,000
Coordinated Care Services, Inc.	159,117
Willow Domestic Violence Center of Greater Rochester, Inc.	28,914
The YWCA of Rochester and Monroe County, N.Y.	49,463
Veterans Outreach Center, Inc.	25,000
<b>Total:</b>	<b>\$ 623,455</b>

Section 2. The sum of \$623,455, or so much thereof as may be necessary, is hereby appropriated to fund the agreements from the Housing Choice Fund-Emergency Solutions Grants project in the Consolidated Community Development Plan/2018-19 Annual Action Plan, contingent upon the adoption thereof.

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

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

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein if fund sources are different, not available or less than anticipated.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote.

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

Nays – None-0

Councilmember Spauld abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-190  
Re: 2018-19 Consolidated Community  
Development Plan Housing  
Opportunities for Persons with AIDS

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2018-19 Housing Opportunities for Persons with AIDS (HOPWA) program as described in the 2018-19 Consolidated Community Development Plan (Con Plan), contingent upon the adoption of the plan. This legislation will:

1. Appropriate a total of the estimated \$863,459.00 from the 2018-19 Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan for program implementation.
2. Establish maximum compensation for agreements with the agencies below for program implementation. The cost of these agreements will be financed from the funds appropriated herein.

Trillium Health, Inc. (Andrea DeMeo, CEO)	\$518,075.00
Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services (Lori VanAuken, Executive Director)	<u>345,384.00</u>
	\$863,459.00

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

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Both providers maximize HOPWA assistance through the coordination of other funding sources and service providers. The HOPWA grant from HUD is awarded to the City to serve Livingston, Monroe, Ontario, Orleans, and Wayne counties. Trillium Health, Inc. provides service to the five-county area, Catholic Charities Community Services serves the City and Monroe County.

These two organizations are uniquely qualified for this special needs population. Both receive additional State and Federal HIV/AIDS- targeted funds, which provide for additional case management, housing placement, and other critical services. Both are active within the Rochester Area Task Force on AIDS that involves medical and support service providers and have a long-standing, close working relationship with each other.

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

The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations.

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HOPWA related legislation was last authorized on December 19, 2017 via Ordinance No. 2017-391. This legislation supports Section 4 of the City of Rochester Housing Policy: *Promote Housing Choice*. A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-112

Ordinance No. 2018-190  
(Int. No. 204)

**Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS Program**

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

Section 1. The amount of \$863,459 is hereby appropriated from the Housing Choice Fund-Housing Opportunities for Persons with AIDS (HOPWA) project of the Consolidated Community Development Plan/2018-19 Annual Action Plan for HOPWA program implementation, contingent upon the adoption of said Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations for the specified maximum compensation amounts to implement the HOPWA program:

<b>Organization</b>	<b>Amount</b>
Trillium Health, Inc.	\$518,075
Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services	\$345,384

Section 3. The agreements' compensation in an aggregate amount not to exceed \$863,459 shall be funded from the amount appropriated in Section 1 herein.

Section 4. The agreements' term shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing contractors shall enter into agreements for the HOPWA program only with organizations that are in compliance with federal regulations.

June 19, 2018

Section 6. 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 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-191  
Re: 2018-19 Consolidated Community  
Development Plan/CDBG, Seniors  
Program/Legal Services

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Consolidated Community Development Plan 2018-19 Annual Action Plan for the Seniors Program/Legal Services, CDBG funds. This legislation will:

1. Appropriate \$20,000 from the Seniors Program/Legal Services allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan for program implementation.
2. Establish \$20,000 maximum compensation for an agreement with the Volunteer Legal Services Project of Monroe County, Inc. (Tina M. Foster, Executive Director) to administer and manage the Helping Elders Law Project (HELP Project) utilizing pro bono services of local attorneys. Attorneys will deliver services to elderly low-income city residents on-site at Rochester Housing Authority developments and other senior-centered meeting spaces in order to create wills, healthcare proxies / living wills, powers of attorney and funerary plans. The cost of the agreement will be financed from the appropriation herein.

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

Seniors Program/Legal Services related legislation was last authorized on July 19, 2017 via Ordinance No. 2017-210. A Justification Statement for not issuing a request for proposal is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-113

Ordinance No. 2018-191  
(Int. No. 205, as amended)

**Appropriating funds and authorizing agreements for the Helping Elders Law Project**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Volunteer Legal Services Project of Monroe County, Inc. to implement and manage the Helping Elders Law Project (the Project) for a maximum compensation of ~~\$20,000~~ \$20,666.11.

Section 2. The sum of ~~\$20,000~~ \$20,666.11, or so much thereof as may be necessary, is hereby appropriated to fund the agreement from the Seniors Program - Legal Services allocations in the amounts of \$666.11 from the Consolidated Community Development Plan/2018-19-2016-17 Annual Action Plan (the Plan) and \$20,000 from the Consolidated Community Development Plan/2018-19 Annual Action Plan, to fund the agreement, contingent upon the adoption of the latter Plan.

Section 3. The agreement shall have a term of one year, with the option to extend for an additional year if funds remain in the original appropriation.

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

Section 5. The City and provider shall enter into agreements for the Project only with organizations that are in compliance with federal regulations.

Section 6. 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 7. This ordinance shall be effective immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2018-192  
Agreement and Appropriation for the  
Aging in Place Home Modification  
Program - 2018-19 Consolidated  
Community Development Plan –  
Housing Development Fund



June 19, 2018

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation for the Aging in Place Home Modification Program. This legislation will:

1. Appropriate \$30,000 from the Housing Development Fund, Aging In Place Program allocation of the 2018-19 Consolidated Community Development Plan (Con Plan), contingent upon adoption of the plan, to address home safety modifications for income-eligible owner occupants, and
2. Establish maximum compensation for the agreement with Lifespan of Greater Rochester, Inc. (Anne Marie Cook, President / CEO) in the amount of \$30,000.

The Steering Committee for Aging in Place in Rochester identified home modification as a key and economical method for helping older residents with changing needs to remain independent and safe at home in 2006. Elderly City homeowners at 80% or less than the median area income as established and updated by HUD are eligible for the program.

The Aging in Place Home Modification Program conducts residential safety evaluations to identify adaptations needed to support continued residence in a safe and comfortable environment. Further, the program provides selected home modifications and/or repairs which directly increase livability options in one's own home.

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

Aging in Place Home Modification Program related legislation was last authorized on July 19, 2017 via Ordinance No. 2017-211. A Justification Statement for not issuing a request for proposal is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-114

Ordinance No. 2018-192  
(Int. No. 206)

**Authorizing an agreement and appropriation for the Aging in Place Home Modification Program**

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

June 19, 2018

Section 1. The Mayor is hereby authorized to enter into an agreement with Lifespan of Greater Rochester, Inc. to implement the Aging in Place Home Modification Program (the Program).

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$30,000, and said amount, or so much thereof as may be necessary, is hereby appropriated for that purpose from the Housing Development Fund-Aging in Place project of the Consolidated Community Development Plan/2018-19 Annual Action Plan, contingent on adoption of the Action Plan. The term of the agreement shall be one year, with the option to extend the term for up to one additional year if funds remain in the original appropriation.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for the Program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-193

Re: Demolition Program

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

Transmitted herewith for your approval is legislation related to the continuation of the City's Demolition Program. This legislation will appropriate \$1,600,000 from the Demolition allocation of the 2018-19 Community Development Block Grant (CDBG) program.

These funds will allow the City to continue its demolition program which removes vacant, derelict and fire-damaged structures that are a public safety hazard and/or a blight to surrounding neighborhoods. The funds will enable the removal of approximately 60 City-owned and privately-owned structures over the next twelve months.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-193  
(Int. No. 207)

June 19, 2018

**Authorizing funding for the Demolition Program**

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

Section 1. The Council hereby appropriates \$1,600,000 from the Demolition allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan (the Plan) for the Demolition Program to continue the removal of vacant, derelict and fire damaged structures in the City of Rochester. The appropriation authorized herein shall be contingent upon the adoption of the Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-194

Re: 2018-19 Consolidated Community  
Development Plan – Business Programs

Council Priority: Jobs and Economic  
Development

Transmitted herewith for your approval is legislation related to the City of Rochester's Business Programs as described in the 2018-19 Consolidated Community Development Annual Action Plan. This legislation will:

1. Appropriate a total of the estimated CDBG funds of \$500,000 from the Business Development Financial Assistance Program allocation of the 2018-19 Consolidated Community Development Annual Action Plan.
2. Authorize agreements necessary to implement the programs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-194  
(Int. No. 208)

**Appropriating funds and authorizing agreements for business programs**

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

June 19, 2018

Section 1. The sum of \$500,000 in Community Development Block Grant (CDBG) funds is hereby appropriated from the Business Development Financial Assistance Program project of the Consolidated Community Development Plan/2018-19 Annual Action Plan, contingent upon the adoption of said Plan, to implement a Business Development Financial Assistance Loan & Grant Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program authorized herein.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 190  
Re: Zoning Text Amendments – Definition  
of Official Neighborhood Contact

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester pertaining to the definition of Official Neighborhood Contact. This change is precipitated as a result of the elimination of the Neighborhood and Business Development's Bureau of Neighborhood Initiatives several years ago, and the creation of the Bureau of Neighborhood Preservation in 2017.

The Bureau of Neighborhood Preservation is responsible for maintaining the Official Neighborhood Contact list to ensure that it is appropriately monitored and frequently updated. This information is collected and maintained to meet the Neighborhood and Business Development's public notification requirements; for meeting notifications relative to the Comprehensive Plan Update process; and by the Neighborhood Service Centers to disseminate information to the neighborhood associations, and business and merchant associations within their areas.

A public hearing is required for the Zoning Text Amendments.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Introductory No 190, as amended

June 19, 2018

**AMENDING CHAPTER 120 OF THE MUNICIPAL CODE, THE ZONING CODE, WITH REGARD TO OFFICIAL NEIGHBORHOOD CONTACTS**

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 in Section 120-208, Definitions, with regard to Official Neighborhood Contact, to read as follows:

**OFFICIAL NEIGHBORHOOD CONTACT**

The ~~specified listing approved list of contacts~~ individuals identified by the City of Rochester's ~~Bureau of Neighborhood Initiatives~~ Neighborhood Service Centers (NSC) as those representing officially recognized City of Rochester neighborhoods/community organizations ~~as well as each Neighborhood Preservation Company and Neighbors Building Neighborhoods (NBN) Sector Group.~~

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Held in committee.

By Councilmember Evans  
June 19, 2018

To the Council:

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

- |              |   |
|--------------|---|
| Int. No. 209 | Authorizing an agreement for the Central Vehicle Maintenance Facility Building 300 Roof Replacement Project   |
| Int. No. 210 | Authorizing an amendatory agreement for planning and engineering services for the Vacuum Oil Brownfield Opportunity Area project                                    |
| Int. No. 211 | Authorizing an agreement for professional corrosion engineering and cathodic protections services   |
| Int. No. 212 | Authorizing applications to and agreements with New York State for funding of water quality infrastructure projects, <b><u>as amended</u></b>                       |
| Int. No. 213 | Authorizing an amendatory service agreement with the New York State Department of Environmental Conservation for maintaining Hemlock-Canadice State Forest property |

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- Int. No. 214 Authorizing an agreement with the Town of Lima Water District 2 and the Village of Lima for the purchase of water and amending the Municipal Code with respect to wholesale water rates
- Int. No. 215 Authorizing an agreement with the Rochester Housing Authority for commercial refuse and recycling services
- Int. No. 216 Authorizing an intermunicipal agreement for the fueling of vehicles
- Int. No. 217 Authorizing an agreement relating to the ARTWalk Project
- Int. No. 218 Appropriating funds from the Rochester Pure Waters District
  
- Int. No. 219 Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs Project
- Int. No. 220 Amending Bond Ordinance No. 2017-41 to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project

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

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-195  
Re: Agreement – Central Vehicle  
Maintenance Facility Building 300  
Roof Replacement Project

Transmitted herewith for your approval is legislation related to the Central Vehicle Facility Maintenance (CVMF) Building 300 Roof Replacement Project. This legislation will establish \$60,000 as a maximum compensation for a professional services agreement with Konopka Architecture, P.C., (Principal: Michael Konopka), Rochester New York, for architectural design, construction

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administration and resident project representative services. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project. The cost of the agreement will be financed with 2016-17 Cash Capital.

	Cash Capital
Design/CA/RPR	\$60,000
Construction	\$727,000

The project includes, but is not limited to, the replacement of the existing roofing system including storm lightening protection to comply with current codes. Energy and Code compliance measures will be included within the design.

Konopka Architecture, P.C., was selected for architectural design, construction administration and resident project representative services through a request for proposal process, which is described in the attached summary.

The project design is anticipated to begin in summer 2018; with anticipated construction to begin in summer 2019 and completed in fall. The project will result in the creation and/or retention of the equivalent of 8.5 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-115  
Ordinance No. 2018-195  
(Int. No. 209)

**Authorizing an agreement for the Central Vehicle Maintenance Facility Building 300 Roof Replacement Project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Konopka Architecture, P.C. to provide architectural design construction administration and resident project representative services for the Central Vehicle Facility Maintenance Building 300 Roof Replacement Project("Project"). The term of the agreement shall continue to 3 months after completion of the two-year guarantee inspection of the Project. The maximum compensation for the agreement shall be \$60,000 and said amount, or so much thereof as may be necessary, shall be funded from 2016-17 Cash Capital.

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.

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TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-196  
Re: Amendatory Agreement – Bergmann  
Associates, Architects, Engineers,  
Landscape Architects & Surveyors,  
D.P.C. - Vacuum Oil Site

Council Priority – Rebuilding & Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation related to additional services in support of advancing predevelopment activities associated with the Vacuum Oil Brownfield Opportunity Area (BOA) project. This legislation will:

1. Repeal City Council Ordinance No. 2017-233 which authorized the issuance of \$57,000 in bonds to finance an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., (Bergmann Associates) (Pietro Giovenco, President and CEO) Rochester, New York.
2. Establish \$82,500 as maximum compensation for an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. Rochester, New York, for additional services to complete Site-wide earthwork cut and fill volume calculations for planned improvements in accordance with the Vacuum Oil BOA Master Plan located along the western bank of the Genesee River. This will increase the maximum cost of the agreement by \$82,500 to a total of \$857,500;

The cost of the amendatory agreement will be financed as follows; \$75,000 in anticipated grant reimbursements from the City's New York State Department of State (NYSDOS) Brownfield Opportunity Area (BOA) grant, and \$7,500 from 2016-17 Cash Capital.

The NYSDOS BOA program provides funding for up to 90% of eligible project costs to assist municipalities and community-based organizations with the costs of inventorying brownfields, completing area-wide planning approaches to brownfields redevelopment, and investigating strategic brownfield sites.

In August 2014, City Council authorized an agreement with Bergmann Associates (Ord. No. 2014-253) which established \$725,000 as maximum compensation for predevelopment phase studies, investigations and related services for the Vacuum Oil BOA site. In August 2016, City Council authorized an amendatory agreement with Bergmann Associates in the amount of \$50,000 for planning, design and engineering services, including preparation of an application for a federal Transportation Investment Generating Economic Recovery (TIGER) grant for studies of enhanced public access to both sides of the Genesee riverfront, including the Genesee Riverway Trail in the Vacuum Oil BOA area.

In July 2017 City Council authorized a second amendatory agreement with Bergmann Associates (Ordinance No. 2017-233) in the amount of \$57,000 for additional services to advance the Vacuum



Oil waterfront design plans from schematic design to 50% complete construction documents. Under this proposed amendatory agreement, it was anticipated that Bergmann would prepare a preferred riverfront improvement design that integrates flood protection, reconstructed portions of the West River Wall, riverfront public access, wetland mitigation, transportation improvements, public spaces and amenities including the Genesee River Trail design plans and drawings to a 50% design status. However, subsequent to Council Ordinance No. 2017-233 being issued and prior to executing an amendatory agreement, Bergmann was selected by City Department of Environmental Services as the consultant for the West River Wall Master Plan Project which included Segment #2 located in the Vacuum Oil BOA. It was determined that the West River Wall Project scope could be modified to cost effectively include the same basic scope of work as what was planned as for in the second amendatory agreement with Bergmann. As a result, it was determined that the amendatory agreement for \$57,000 per Ordinance No. 2017-233 was not required and the second amendatory agreement was never executed.

Under this proposed amendatory agreement, Bergmann Associates will prepare a Site-wide grading plan and perform cut and fill volume calculations for a portion of the Vacuum Oil BOA project located south of Flint Street and near the western bank of the Genesee River. Bergmann's grading plan will integrate flood protection, reconstructed portions of the West River Wall, riverfront public access, wetland mitigation, storm water drainage, Flint Street reconstruction and other transportation improvements, planned Brownfield Cleanup Program remedies, and open space and park amenities including the Genesee River Trail.

The additional level of design services to be completed under the proposed amendatory agreement will inform and assist with the City's Brownfield Cleanup Program site remedial alternatives analysis (RAA) project that will be initiated this year. The RAA will eventually lead to a New York State Department of Environmental Conservation approved cleanup plan for 15 acres of City-owned property located on the former Vacuum Oil refinery site south of Flint Street.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-116

Ordinance No. 2018-196  
(Int. No. 210)

**Authorizing an amendatory agreement for planning and engineering services for the Vacuum Oil Brownfield Opportunity Area project**

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

Section 1. Ordinance No. 2017-232, authorizing an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide services for the Vacuum Oil Brownfield Opportunity Area project (the Project), is hereby repealed.

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Section 2. Ordinance No. 2017-233, a bond ordinance authorizing funding for the amendatory agreement revoked in Section 1 above, is hereby repealed.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to amend the professional services agreement providing planning, design and engineering services for the Project, which was authorized in Ordinance No. 2014-253 and amended in Ordinance No. 2016-269. The amendatory agreement shall increase the agreement's maximum compensation by \$82,500 for a total of \$857,500 and shall provide for additional services to complete site-wide earthwork cut and fill calculations for planned improvements along the western bank of the Genesee River in accordance with the Vacuum Oil Brownfield Opportunity Area (BOA) Master Plan. The amendatory amount of \$82,500 shall be funded in the amounts of: \$75,000 from anticipated reimbursements from the New York State Department of State's BOA grant that was authorized and appropriated in Ordinance No. 2014-253; and \$7,500 from 2016-17 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-197

Re: Agreement – Corrpro Companies,  
Inc., Corrosion Engineering Services

Transmitted herewith for your approval is legislation establishing \$35,000 as maximum annual compensation for an agreement with Corrpro Companies, Inc., Medina, OH, (Charles R. Gordon, President) for professional corrosion engineering and cathodic protections services. The term of this agreement will be for three (3) years, with the option of two one-year renewals. The cost of this agreement and subsequent renewals will be funded from the 2018-19 and futures budgets of the Department of Environmental Services, contingent upon approval.

Corrpro Companies, Inc. will provide professional corrosion engineering and cathodic protection services required for testing, planning, and design of the City's small and large diameter cast iron, ductile iron, and steel water mains located in the Uplands Transmission System, Domestic Distribution System, and the Holly Fire System.

Corrpro Companies, Inc. was selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,

June 19, 2018

Lovely A. Warren  
Mayor

Ordinance No. 2018-197  
(Int. No. 211)

**Authorizing an agreement for professional corrosion engineering and cathodic protections 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 Corrpro Companies, Inc. for professional corrosion engineering and cathodic protections services. The term of the agreement shall be three years with the option for two one-year renewals. The maximum annual compensation for the agreement shall be \$35,000 and said amount, or so much thereof as may be necessary, shall be funded for the first year from the 2018-19 Budget of the Department of Environmental Services (the "Department"), contingent upon approval, and for subsequent years from subsequent annual Budgets of the Department.

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. 2018-198  
Re: New York State Water Infrastructure  
Improvement Grant Application

Transmitted herewith for your approval is legislation related to the New York State Water Infrastructure Improvement Act (WIIA) and the Intermunicipal Water Infrastructure Grants (IMG). This program provides grants to assist municipalities in funding water quality infrastructure projects that focus on improving water quality and protecting public health. Municipalities may receive up to \$3 million or 60% of the total project cost, whichever is less for WIIA and up to \$10 million or 40% of the total project cost, whichever is less for IMG. Grant applications must be submitted by June 29, 2018 to be considered for funding during the State Fiscal Year 2018-2019. Construction for eligible projects must be completed during or after Federal Fiscal Year 2018. This legislation will:

1. Authorize the Mayor to apply to New York State for grants under the NYS WIIA and NYS IMG.

2. Authorize any necessary agreements with New York State for the receipt of funding.

City Applications

Projects recommended for City submissions were based on the current stage of project development, consistency with fund source guidelines, ability to complete projects in the timeframes established by State agency guidelines and the ability to obtain matching funds through the City’s Capital Improvement Program.

The City of Rochester intends to submit 4 applications through the NYS WIIA for the projects listed below, for a total of approximately \$8.35 million. Project descriptions are provided in the attached summary.

Project	Total Project Cost	State Funding Request	Agency Source	City Match
Lead Service Line Replacement	\$1,100,000	\$660,000	WIIA	\$440,000
Water Main Renewal Project – Extensions & Improvements	\$3,400,000	\$2,040,000	WIIA	\$1,360,000
Water Main Replacement Project – Scottsville Road	\$1,253,000	\$751,800	WIIA	\$501,200
Cathodic Protection of Water Transmission Conduits	\$2,600,000	\$1,560,000	WIIA / IMG	\$1,040,000

If State funding is awarded, the local match amounts will be funded from the 2018-19 Capital Improvement Plan and from future Capital Improvement Plans, contingent upon their approval.

Respectfully submitted,  
 Lovely A. Warren  
 Mayor

Attachment No. AR-118

Ordinance No. 2018-198  
 (Int. No. 212, as amended)

**Authorizing applications to and agreements with New York State for funding of water quality infrastructure projects**

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

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with New York State for grants under the New York State Water Infrastructure Improvement Act (WIIA) and Intermunicipal Water Infrastructure Grant (IMG) to fund a portion of the costs for ~~the following~~ water quality infrastructure projects that focus on improving water quality and protecting public health:

<b>Project</b>	<b>Total Project Cost</b>	<b>State Funding Request</b>	<b>Agency Source</b>	<b>City Match</b>
Lead Service Line Replacement	\$1,100,000	\$660,000	WIIA	\$440,000
Water Main Renewal Project— Extensions & Improvements	\$3,400,000	\$2,040,000	WIIA	\$1,360,000
Water Main Replacement Project — Scottsville Road	\$1,253,000	\$751,800	WIIA	\$501,200
Cathodic Protection of Water Transmission Conduits	\$2,600,000	\$1,560,000	WIIA / IMG	\$1,040,000

Section 2. The WIIA and IMG funds, if granted, shall be used to fund a portion of the following water quality infrastructure projects: Lead Service Line Replacement Project with a total project cost of \$1,100,000, a State funding request of \$660,000 in WIIA funds and a City match of \$440,000; Water Main Renewal Project – Extensions and Improvements with a total project cost of \$3,400,000, a State funding request of \$2,040,000 in WIIA funds and a City match of \$1,360,000; Water Main Replacement Project – Scottsville Road with a total project cost of \$1,253,000, a State funding request of \$751,800 in WIIA funds and a City match of \$501,200; and the Cathodic Protection of Water Transmission Conduits Project with a total project cost of \$2,600,000, a State funding request of \$1,560,000 in WIIA and/or IMG funds, and a City Match of \$1,040,000.

Section 23. If State funding is awarded, the City match amounts will be funded from the 18-19 Capital Improvement Plan and from future Capital Improvement Plans, contingent upon their approval.

Section 34. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 42. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

June 19, 2018

Ordinance No. 2018-199  
Re: Amendatory Agreement – New York  
State Department of Environmental  
Conservation, Hemlock and Canadice  
State Forest Maintenance Agreement

Transmitted herewith for your approval is legislation amending an agreement with the New York State Department of Environmental Conservation (NYSDEC) to reimburse the City for maintenance activities to be performed within the Hemlock-Canadice State Forest. This State Forest is located within the City's Upland Watershed, on property that was sold to NYSDEC in 2010. This agreement was authorized by City Council Ordinance No. 2015-401. The term of the amended agreement will be extended one year to September 30, 2019 and the total reimbursement shall increase by \$231,000 to an amount not-to-exceed \$331,000.

Services to be requested by NYSDEC and performed by the City include maintenance of unpaved roads, trails, fields, parking areas and trail heads within the Hemlock-Canadice State Forest. These maintenance activities not only benefit those using the State Forest, but also improve overall water quality in the City's source water supplies of Hemlock and Canadice Lakes.

Sale of this property to NYSDEC in 2010 had multiple, positive benefits for the City. The property continues to remain undeveloped, protecting the unique, natural environment. The agreement contains requirements for property maintenance and preservation that meet or exceed the City's standards, continuing the City's legacy of good stewardship. NYSDEC continues to assume the property tax burden, thus protecting the finances of the watershed towns and agencies.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-199  
(Int. No. 213)

**Authorizing an amendatory service agreement with the New York State Department of Environmental Conservation for maintaining Hemlock-Canadice State Forest property**

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 service agreement with the New York State Department of Environmental Conservation to compensate the City for maintenance activities performed within the Hemlock-Canadice State Forest property. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2015-401 by \$231,000 to a new total of \$331,000 and shall extend the term one additional year to a total of 4 years.

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

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Section 3. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-200  
Re: Water Supply Agreement – Village  
of Lima and Town of Lima Water  
District 2

Transmitted herewith for your approval is legislation related to a wholesale water supply agreement with the Village of Lima and Town of Lima Water District 2. This legislation will:

1. Authorize a new water supply agreement, and;
2. Amend subsection F(9) of Chapter 23, Section 37 of the Municipal Code.

The current agreement with the Village and Water District 2, which will expire on June 30, 2018, was authorized by Council in August 1987 (Ordinance No. 1987-249) and was amended in November 2017 (Ordinance No 2017-362). The term of the new agreement will be 20 years.

The current rate is \$1.68 per 1,000 gallons. Effective July 1, 2018, the tiered rate structure will be as follows:

- \$2.23 per 1,000 gallons, up to 8 million gallons per month
- \$2.82 per 1,000 gallons, between 8 million gallons and 10.5 million gallons per month
- \$3.77 per 1,000 gallons, in excess of 10.5 million gallons per month

These rates will be adjusted annually on July 1<sup>st</sup> based on the City's cost to purchase water from the Monroe County Water Authority.

The maximum quantity of water to be furnished by the City will be 275,000 gallons per day. The Village and Water District 2 currently purchase approximately 200,000 gallons per day.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-119

Ordinance No. 2018-200  
(Int. No. 214)

**Authorizing an agreement with the Town of Lima Water District 2 and the Village of Lima for the purchase of water and amending the Municipal Code with respect to wholesale water rates**

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 Village of Lima (the Village) and the Town of Lima Water District 2 (the District) for the purchase of water from the City of Rochester. The Village and District may purchase a maximum quantity of 275,000 gallons of water per day. The term of the agreement shall be 20 years.

Section 2. The initial tiered rate structure shall be as follows: \$2.23 per 1,000 gallons, up to 8 million gallons per month; \$2.82 per 1,000 gallons, between 8 million gallons and 10.5 million gallons per month; and \$3.77 per 1,000 gallons in excess of 10.5 million gallons per month. The rate shall be adjusted annually on July 1 based on the City's cost to purchase water from the Monroe County Water Authority.

Section 3. Effective July 1, 2018, Chapter 23, Section 37 of the Municipal Code relating to water fees, as amended, is hereby further amended by amending subsection F(9) thereof to read in its entirety as follows:

(9) Wholesale rate: \$1.68 per 1,000 gallons for water drawn from a City water main connection for Water Districts 1 ~~and 2~~ of the Town of Lima ~~and the Village of Lima~~.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2018-201  
Agreement – Rochester Housing  
Authority (RHA) / Commercial Refuse  
and Recycling Services

Council Priorities: Safer and More Vibrant  
Neighborhoods, Innovation and Efficiency

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with Rochester Housing Authority (RHA), (John Hill, Executive Director), for the City's provision of commercial refuse and recycling services. The City shall provide collection services for all of the one (1)-, two (2)-, and three (3)-family homes and commercial properties owned by RHA. The City receives approximately \$395,000 in revenue annually for these services. RHA shall pay the standard rates for collection that are applicable at the time of service.

The term of the agreement shall be for one (1) year with the option of five (5) one-year renewal periods. The original agreement was authorized in August 2004 (Ordinance No. 2004-286). The



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most recent agreement was authorized in July 2012 (Ordinance No. 2012-305), and shall expire on July 31, 2018.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-201  
(Int. No. 215)

**Authorizing an agreement with the Rochester Housing Authority for commercial refuse and recycling services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Authority whereby the City will collect and dispose of solid waste and recyclable materials generated at Rochester Housing Authority facilities for one year, with options to renew for up to five additional one-year extensions.

Section 2. The agreement shall obligate the Rochester Housing Authority to pay to the City the standard rates applicable at the time of service.

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. 2018-202  
Re: Inter-Municipal Agreement – United  
States Marshals Service for the Fueling  
of Vehicles

Transmitted herewith for your approval is legislation authorizing an agreement with the United States Marshals Service for the fueling of vehicles. The Marshals Service will reimburse the City for the actual cost of the fuel and pay an administrative and service charge of \$.15 per gallon. The term of this agreement will be three (3) years, with the option of two (2) additional one-year extensions. The City of Rochester has provided fuel to the United States Marshals since the previous agreement was passed on June 19, 2013, via Ordinance No. 2013-193.

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In fiscal year 2017, the City received revenue of \$17,059.07. The City estimates future annual revenues of between \$17,000-\$18,000.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-202  
(Int. No. 216)

**Authorizing an intermunicipal agreement for the fueling of vehicles**

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 Marshals Service for the fueling of its vehicles. The agreement shall have a term of three years with two one-year renewal options. The agreement shall obligate the Marshals Service to reimburse the City for the actual cost of the fuel and pay an administrative and service charge of \$.15 per gallon.

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. 2018-203  
Re: Agreement – ARTWalk of Rochester, Inc.

Transmitted herewith for your approval is legislation authorizing an agreement with ARTWalk of Rochester, Inc. (Doug Rice, Founding and Executive Director, Anne Lovely, Chairperson) in the amount of \$75,000 for the provision of various services related to the repair and installation of art features and youth outreach in the ARTWalk neighborhood.

The agreement will be financed from prior year cash capital.

The ARTWalk Project was initiated in 1998 as Rochester's outdoor museum and a permanent art trail that connects the art centers and public spaces within the Neighborhood of the Arts (NOTA) by the ARTWalk organization. The public art that was initially installed in 2001 is in need of repair and additional art improvements and youth outreach are proposed.

The term of the agreement is two years with the option of one two year renewal.

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The project will begin in summer of 2018 and be completed by spring of 2020. The project will result in the creation and/or retention of the equivalent of .8 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-203  
(Int. No. 217)

**Authorizing an agreement relating to the ARTWalk Project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with ARTWalk of Rochester, Inc. to provide services relating to the repair, installation of art features and youth outreach for the ARTWalk Project in the City's Neighborhood of the Arts. The agreement shall have a term of two years with an option to extend for 2 additional years. The total maximum compensation for the agreement shall be \$75,000, which shall be funded from Prior Years' Cash Capital.

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. 2018-204  
Re: Appropriation – Rochester Pure  
Waters District, Inner Loop

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$500,000 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) to fund eligible portions of sewer costs on the Inner Loop project in accordance with the agreement authorized between the City and RPWD via Ordinance No. 2010-438.

To foster development on City property bordering the Inner Loop, primarily known as Parcel 1 (Charlotte Square Phase III) and Parcel 2 (270 East Avenue), a 1,130 linear feet combined sewer tunnel shaft extending from East Avenue to East Main Street requires modifications to accommodate an increase in long-term hydraulic capacity, structural integrity and overall performance of the tunnel system. The sewer is comprised of 980 feet of 72-inch diameter cut-rock sewer and 150 feet of 54-inch diameter reinforced concrete pipe (RCP) with an average depth of 17 to 25 feet below finished grade.

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This appropriation will partially fund Rochester Pure Water District's share of the work.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-204  
(Int. No. 218)

**Appropriating funds from the Rochester Pure Waters District**

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

Section 1. The receipt and use of the sum of \$500,000 in anticipated reimbursements from the Rochester Pure Waters District that are provided pursuant to the agreement authorized by Ordinance No. 2010-438 is hereby authorized and appropriated to fund eligible portions of sewer costs incurred on the Inner Loop project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-205  
Ordinance No. 2018-206  
Re: Joseph A. Floreano Rochester  
Riverside Convention Center Terrace  
Repairs Project

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation to design and fund enhancements to the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project. This legislation will:

1. Establish \$100,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services Inc., Rochester, New York, (principal: Gord Johnson) for additional engineering and landscape architectural design, construction administration and resident project representation (RPR) services for the Project. The amendment will increase the total maximum compensation authorized in Ordinance No. 2017-40 to a total of \$730,000. The amendatory agreement will be funded with \$100,000 from 2015-16 Cash Capital.

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2. Amend Ordinance No. 2017-41 to authorize issuance of an additional \$514,000 in bonds to finance the costs of structural inspection, engineering and repair, including lighting and waterproofing of the exterior terrace. The amendment will increase the bonds authorized for the Project to a total of \$2,954,000.
3. Amend Ordinance No. 2017-41 to increase by \$668,000 the estimated maximum total cost of the Project to \$3,108,000.

The estimated total Project cost including construction, design and RPR services is now \$3,108,000 and will be funded as follows:

Funding Source	Design & RPR	Construction	Contingency	Total
Bonds Issued Ordinance No. 2017-41	\$630,000	\$1,810,000		\$2,440,000
Bonds amended herein		434,219	\$79,781	514,000
2015-16 Cash Capital	100,000			100,000
2016-17 Cash Capital			54,000	54,000
Total	\$730,000	\$2,244,219	\$133,781	\$3,108,000

The Project includes structural repairs and improvements to the convention center's riverfront terrace. Ordinance No. 2017-40 authorized the original design and engineering services agreement with Stantec Consulting Services Inc. for a maximum compensation of \$630,000. The original scope of work included terrace demolition, repair and partial strategic replacement of select structural slabs and supports, waterproofing and insulation, granite and stone veneer, a new terrace drainage system, and terrace electrical and lighting. The Project has been enhanced to replace the terrace railing with a new City standard, code compliant railing, electrical panel and service upgrades, and exterior building façade lighting to illuminate the entire building as a vital nighttime element within the urban City skyline.

Engineering inspections and design began in summer 2017. Final design and bid is scheduled to commence in spring 2018. Construction is anticipated to begin in summer 2018 with completion in late 2019. The project will result in the creation and/or retention of the equivalent of 33.7 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No 2018-205  
(Int. No. 219)

**Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs Project**

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

June 19, 2018

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Stantec Consulting Services Inc. to provide additional engineering, design and project administration services for the Joseph A. Floreano Rochester Riverside Convention Center River Terrace Repairs Project. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2017-40 by \$100,000 to a new total of \$730,000. Said amendatory amount shall be funded from 2015-16 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.

Ordinance No. 2018-206  
(Int. No. 220)

**Amending Bond Ordinance No. 2017-41 to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project**

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

Section 1. Ordinance No. 2017-41 authorizing the issuance of bonds to finance the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project is hereby amended in its title and sections 1,2, 3 and 4 thereof as follows:.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~\$2,440,000~~ \$2,954,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Terrace Repairs Project**

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of structural inspection, engineering and repair, including waterproofing, replacement of railings, electrical upgrades, and installation of building façade lighting, on ~~of~~ the exterior terrace located at the City's Joseph A. Floreano Rochester Riverside Convention Center (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is ~~\$2,440,000~~ \$3,108,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of ~~\$2,440,000~~ \$2,954,000 bonds of the City to finance said appropriation and said amount is hereby appropriated therefor, the application of \$100,000 from 2015-16 Cash Capital and \$54,000 from 2016-17 Cash Capital, and the levy and collection of taxes on all the taxable real property in

June 19, 2018

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

Section 2. Bonds of the City in the principal amount of ~~\$2,440,000~~ \$2,954,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of ~~\$2,440,000~~ \$2,954,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 2. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

By Councilmember Lightfoot  
June 19, 2018

To the Council:

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

Int. No. 221      Authorizing an agreement with Protectives, Inc., of Rochester, N.Y. for auxiliary services

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- Int. No. 222 Authorizing an agreement for the City of Rochester Emergency Management Plan
- Int. No. 224 Appropriating funds and authorizing an agreement for veterinary services
- Int. No. 225 Authorizing an agreement for the Summer Literacy Program
- Int. No. 226 Appropriation for the 2018-19 Mural Arts Project
- Int. No. 227 Amending Ordinance No. 2018-21
- Int. No. 245 Authorizing an agreement with the Rochester City School District related to School Resource Officers

The following entitled legislation is being held in committee:

- Int. No. 223 Authorizing an agreement with the Verona Street Animal Society

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

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-207  
Re: Agreement – Protectives, Inc. of  
Rochester, N.Y

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Protectives, Inc. of Rochester, NY (Protectives) for the continued provision of auxiliary services to the Rochester Fire Department. The most recent agreement, authorized via Ordinance No. 2015-108, expires June 30, 2018. This agreement includes provision for use of certain City facilities, medical services and financial support.

The Protectives, established in 1858, is a volunteer firefighter assistance organization that works with the Rochester Fire Department. Its mission is to provide both fire and non-fire salvage services



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to city residents at emergency incidents. The Protectives provide assistance to the Rochester Fire Department and protect private property of citizens from unnecessary damage by performing the following activities:

- Covering or removing property
- Recovering family valuables
- Providing ventilation through the use of smoke-ejecting fans
- Set-up of emergency scene lighting
- Pumping water from flooded buildings
- Securing broken windows and doors

Over 20,000 hours of services are provided annually by approximately 35 active members who each volunteer a minimum of twelve hours per week. The Fire Department provides 5,600 square feet of space within the Chestnut Street Firehouse facility for office, storage and bunking purposes, and a truck and driver to transport equipment.

To ensure the health and safety of emergency responders, the Fire Department will provide annual Hepatitis B vaccination and annual physicals to the Protectives members who use breathing apparatus at the fire scene. Similar vaccinations and annual physicals are currently provided by the City to other emergency personnel as required under state and federal regulations.

City funds support the operating and administrative costs of the program, including but not limited to: facility maintenance, administrative services, office supplies, and accident and sickness insurance. The contract term will be for one (1) year with two (2) one year renewal options. Annual maximum amounts of \$55,000, \$56,000 and \$57,000 will be funded from the 2018-19 budget and subsequent budgets of the Fire Department, contingent upon approval.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-207  
(Int. No. 221)

### **Authorizing an agreement with Protectives, Inc., of Rochester, N.Y. for auxiliary services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Protectives, Inc., of Rochester, N.Y. (Protectives) to provide property protection, salvage and related services to the Fire Department. Said agreement shall be for a term of one year with the option to renew for up to two additional extensions of 1 year each. The maximum annual monetary compensation to the Protectives shall be \$55,000 for the first year, and, if extension options are exercised, \$56,000 for the second year and \$57,000 for the third year. The Fire Department shall also be obligated to pay for the costs of physical examinations and hepatitis B vaccinations for Protectives members. Said compensation and costs for the first year shall be funded from the 2018-19 Budget of the Fire Department, contingent on approval, and for second and third years, if any, from subsequent Budgets of the Fire Department, contingent upon approval of said budgets.

June 19, 2018

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-208  
Re: Agreement – City of Rochester  
Emergency Management Plan

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$89,600 as maximum compensation for an agreement with Tetra Tech, Inc., Pittsford, NY (Dan Batrack, President), for the development of a city based Continuity of Operation Plan (COOP), updating of the current Hazardous Material Response Plan (HMRP) and revision of sections and annexes of the City of Rochester's Comprehensive Emergency Management Plan (CEMP) as related to the addition of the COOP and HMRP. Tetra Tech, Inc. was selected through a request for proposal process, led by the police and fire department, as described in the attached summary.

A COOP Plan is an annex to the City's CEMP that ensures that city facilities and/or departments are able to sustain operations following an event where there was a catastrophic infrastructure loss. Losses can range from a fire to a long term power outage, or even an active shooter incident. The plan, once enacted, provides guidance to sustain operations of affected city operations.

The Hazardous Materials Emergency Response Plan (HMRP) is an annex to the City's CEMP which provides an outline to minimize community and environmental hazards in the event of a release of hazardous materials. This plan acts to guide the city's first responders command and control structure for pre-response, response and post-response, potential locations of hazardous material, roles and responsibility of city (Non-Fire Based), county and/or state agencies.

The contract term will be for one year with a one year renewal option. The cost will be funded from 2016 and 2017 State Homeland Security Program Grants: 2016 authorized by Ordinance No. 2016-218 (\$40,000), 2017 authorized by Ordinance. No. 2017-248 (\$31,500), and 2018 -19 budget (\$18,100) of the Rochester Fire Department upon approval.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-120

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Ordinance No. 2018-208  
(Int. No. 222)

**Authorizing an agreement for the City of Rochester Emergency Management 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 agreement with Tetra Tech, Inc. for the development and revision of sections and annexes of the City's emergency plan. The term of the agreement shall be for one year with the option to renew for one additional year. The maximum compensation for the agreement shall be \$89,600 and said amount, or so much thereof as may be necessary, shall be funded from 2016 and 2017 State Homeland Security Program Grants authorized in Ordinance No. 2016-218 (\$40,000) and Ordinance No. 2017-248 (\$31,500), and the 2018 -19 Budget of the Fire Department (\$18,100), contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-209  
Re: Agreements – Veterinary Services for  
Rochester Animal Services

Transmitted for your approval is legislation related to veterinary agreements for Rochester Animal Services (RAS). This legislation will:

1. Appropriate up to \$26,100 from the Animal Control Gifts Fund for veterinary services agreements for Rochester Animal Services; and
2. Establish \$6,000 as maximum compensation for an agreement with Animal Hospital of Pittsford, P.C. (Principal: Todd Wihlen), 2816 Monroe Avenue, Rochester, for emergency veterinary services. The agreement will be funded partially from the 2018-19 Budget of the Police Department (\$4,000), contingent upon approval, and partially from the Animal Control Gifts Funds (\$2,000) appropriated above. The term will be from July 1, 2018 to June 30, 2019.

RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during the absence of the regular veterinarian and veterinary technicians. RAS does not expect any of these individual

June 19, 2018

agreements to reach the \$10,000 threshold that would require Council approval. Animal Hospital of Pittsford provides emergency and after-hours veterinary services, and performs spay and neuter surgeries when on-site consultants are not available.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-209  
(Int. No. 224)

**Appropriating funds and authorizing an agreement for veterinary services**

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

Section 1. The sum of \$26,100 is hereby appropriated from the Animal Control Gifts Funds for veterinary services agreements.

Section 2. The Mayor is hereby authorized to enter into an agreement with Animal Hospital of Pittsford, P.C. for emergency veterinary services. The term of the agreement shall be July 1, 2018 to June 30, 2019. The maximum compensation for the agreement shall be \$6,000 and said amount, or so much thereof as may be necessary, shall be funded from \$4,000 from the 2018-19 Budget of the Police Department, contingent upon approval, and \$2,000 from the appropriation in Section 1.

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. 2018-210  
Re: Agreement - Rochester City School  
District, Summer Literacy Program in  
R-Centers and Libraries

Council Priority: Support the Creation of  
Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing a tripartite agreement with the Rochester City School District (RCSD), the City of Rochester, and the Rochester Public Library (RPL) for the receipt and use of \$109,300 to employ 40 youth Literacy Aides for summer literacy programming in City R-Centers and libraries. The term of the agreement will not exceed one year. These funds were anticipated in the proposed 2018-19 Budgets of DRYS (\$64,700 for wages), Library

June 19, 2018

(\$32,300 for wages) and Undistributed Expenses (\$7,800 for FICA payroll tax). The RCSD shall reimburse up to \$4,500 in literacy materials and program supplies as part of the agreement.

This will be the fourth year that the Department of Recreation and Youth Services (DRYS) will operate this Summer Literacy Program, which is modeled after a successful collaboration that RCSD and the Rochester Public Library (RPL) developed to provide enhanced summer programming aimed at maintaining and improving children's reading skills with partnering youth staff. The RCSD grant will be used to employ up to 40 RCSD high school students as Literacy Aides during the summer of 2018 at a starting hourly wage of \$10.60. Twenty students will be employed at R-Centers and summer camps, and will work 35 hours per week for nine weeks. Twenty students will be employed at the Arnett, Charlotte, Douglass, Lincoln, Lyell, Maplewood, Sully, Wheatley, Winton and the Central Libraries, and will work 20 hours per week for nine weeks.

In 2017, DRYS employed 20 youth Literacy Aides who engaged more than 1,200 youth in literacy activities at 13 R-Centers and DRYS summer camps (Ord. No. 2017-149). The RPL entered into separate agreements with the RCSD in prior years, authorized by their Board of Trustees. In 2017, over 10,260 literacy engagements were made in libraries, with three Aides retained by the Library in part-time employment. The RCSD has requested a tripartite agreement for 2018.

Authorization for the agreement shall be submitted to the RPL Board of Trustees at its May 2018 meeting.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-210  
(Int. No. 225)

### **Authorizing an agreement for the Summer Literacy Program**

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

Section 1. The Mayor is hereby authorized to enter the City into a tripartite agreement with the Rochester Public Library and the Rochester City School District (RCSD) for the receipt and use of \$109,300 from RCSD for the summer literacy program to fund youth literacy aides at City R-centers and libraries. The term of the agreement shall not exceed one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

June 19, 2018

Ordinance No. 2018-211  
Re: Mural Arts Project “Roc Paint Division”

Council Priority: Creating and Sustaining a  
Culture of Vibrancy; Support the Creation of  
Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the appropriation of \$100,000 from the Job Creation/Youth Development allocation of the 2018-19 Community Development Block Grant for the Mural Arts Project. These funds were anticipated and included in the proposed 2018-19 Budgets of the Department of Recreation and Youth Services (DRYS) (\$74,400 for staff wages) and Undistributed Expenses (\$5,700 for benefits). The balance of the funds (\$19,900) will be used for supplies, field trips, and artistic training. This current phase of the project will begin this summer and conclude by June 30, 2019.

The Mural Arts Project, initiated in 2012, in collaboration with the Department of Neighborhood and Business Development, engages Rochester youth to create, develop, and install public art projects to enhance and improve the community. Each year, a “Roc Paint Division” mural arts team is assembled consisting of two lead artists and ten youth workers. As in prior years, the youth hired for the 2018-19 project will receive training in employment soft skills, community art development, leadership, and artistic techniques as well as attend arts-related field trips. Following that training, the team will identify opportunities for mural/arts installations at underserved Rochester parks and green spaces (weather permitting) and community-based non-profit agencies. The team will determine locations through consultation with youth and adult community stakeholders and create opportunities to engage the public during the design and installation process.

Since the program’s inception, murals have been installed at the Ametek building on North Union Street across from the Public Market; 17 “Words to Live By” murals were placed in various locations; and four Rochester Pillars (Susan B. Anthony, Frederick Douglass, Nathaniel Rochester and Austin Steward) were added to the pillar abutments of the underpass at the corner of West Main and Ford Streets. Murals have also been installed at the Adams, Avenue D, Campbell, Carter, Edgerton, Flint, Gantt, Douglass, Humboldt, Roxie, and Ryan R-Centers.

This program was last approved by Council in July 2017 via Ordinance No. 2017-240 and pictures of the mural installations are attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-120

Ordinance No. 2018-211  
(Int. No. 226)

**Appropriation for the 2018-19 Mural Arts Project**

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

June 19, 2018

Section 1. The sum of \$100,000 from the Job Creation/Youth Development allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan (Action Plan) is hereby appropriated for the 2018-19 Mural Arts Project, contingent upon adoption of the Action Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-212

Re: Amendment – Ordinance No. 2018-21

Transmitted herewith for your approval is legislation amending Ordinance No. 2018-21, a grant agreement with the New York State Archives.

The Rochester Police Department received a grant from the New York State Archives for the use of a Local Government Records management Improvement Fund Disaster Recovery grant in the amount of \$5,500 to cover expenses associated with document recovery and clean-up resulting from a leak that occurred in the Police Property Clerk's Office in August, 2017. The cost of the recovery exceeded the amount of the grant. To cover these additional expenses, New York State Archives has authorized an amendment of \$3,300, for a total grant amount of up to \$8,800.

Therefore, the following is amended in Ordinance No. 2018-21:

1. Section 1 is amended from "...grant in the amount of up to \$5,500" to "...grant in the amount of up to \$8,800".
2. Section 3 is amended from "...appropriations to the Budget of the Police Department by \$5,500 to reflect the receipt..." to "...appropriations to the Budget of the Police Department by \$8,800 to reflect the receipt..."

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-212  
(Int. No. 227)

**Amending Ordinance No. 2018-21**

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

June 19, 2018

Section 1. Ordinance No. 2018-21, authorizing a grant agreement with the New York State Archives, is hereby amended in Sections 1 and 3 thereof to read in their entirety as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Archives for receipt and use of a Local Government Records Management Improvement Fund Disaster Recovery grant in the amount of up to ~~\$5,5008,800~~. The term of the agreement is July 1, 2017 through June 30, 2018.

Section 3. Ordinance No. 2017-154, the 2017-18 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by ~~\$5,5008,800~~ to reflect the receipt of the funds authorized herein and said funds are hereby appropriated to the Program.

Section 2. This Ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2018-213  
Agreement – Rochester City School  
District, School Resource Officers

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

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with the Rochester City School District (RCSD) for the provision of sworn Police Officers to serve as School Resource Officers (SROs) at school facilities, and establishing \$1,453,928 as partial reimbursement of the City's cost, to be funded by the RCSD. The term of this agreement is from July 1, 2018 through June 30, 2019.

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2018-213  
(Int. No. 245)



June 19, 2018

**Authorizing an agreement with the Rochester City School District related to School Resource Officers**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District (RCSD) to provide sworn City of Rochester Police Officers to serve as School Resource Officers at RCSD facilities and for the receipt and use of funds in an amount not to exceed \$1,453,928 from the RCSD as partial reimbursement for the City's cost of providing the officers.

Section 2. The term of said agreement shall extend from July 1, 2018, through June 30, 2019.

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:

Re:           Introductory No. 223  
              Agreements – Friends of the Verona  
              Street Animal Shelter Inc. d/b/a Verona  
              Street Animal Society

Transmitted herewith for your approval is legislation authorizing an agreement with Friends of the Verona Street Animal Shelter Inc. d/b/a Verona Street Animal Society (VSAS), (Principal: Jennifer Brown) Rochester, NY for the receipt and use of funding in an amount not to exceed \$32,000 for a Volunteer Coordinator position at Rochester Animal Services.

VSAS will provide funding for salary and fringe for a Volunteer Coordinator part-time at Rochester Animal Services for the term of July 1, 2018 through June 30, 2019. This position will be responsible for overseeing, planning and coordinating the recruitment, placement, training, and monitoring of volunteers for Animal Services.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Introductory No. 223

**AUTHORIZING AN AGREEMENT WITH THE VERONA STREET ANIMAL SOCIETY**

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

June 19, 2018

Section 1. The Mayor is hereby authorized to enter into an agreement with Friends of the Verona Street Animal Shelter Inc. d/b/a Verona Street Animal Society for the receipt and use of funding in the amount not to exceed \$32,000 for a volunteer coordinator position at Rochester Animal Services for the term of July 1, 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. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Spaul  
June 19, 2018

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 228 Authorizing an agreement with the Rochester Philharmonic Orchestra for music performances

Int. No. 229 Authorizing an agreement for the 2018 KeyBank Rochester Fringe Festival

Int. No. 230 Authorizing an agreement for the 2018 Puerto Rican Festival

Respectfully submitted,  
Elaine M. Spaul  
Molly Clifford  
Michael A. Patterson  
Adam C. McFadden – (Absent)  
Loretta C. Scott  
ARTS & CULTURE COMMITTEE

Received, Filed and Published

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2018-214  
Agreement – Rochester Philharmonic  
Orchestra, Music Performances

June 19, 2018

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an agreement with the Rochester Philharmonic Orchestra (RPO), Rochester, New York, for music performances. The term of the agreement is one year, and cost of the agreement will be funded from the proposed 2018-19 Budget of Communications, contingent upon its approval.

The RPO will provide seven free concerts. One full orchestra concert will take place on Main Street during the City's 2018 July 4 celebration. In addition, the RPO will present six concerts in the "Around the Town" concert series. Two will take place in City R-Centers through the coordination of the Department of Recreation and Youth Services. Four additional, ensemble concerts will be scheduled outdoors on Tuesday nights in July; one in each quadrant throughout the city. All of these concerts will be free of charge.

A similar agreement for the same amount was authorized by Ordinance No. 2017-78 in April 2017.

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-121

Ordinance No. 2018-214  
(Int. No. 228)

**Authorizing an agreement with the Rochester Philharmonic Orchestra for music performances**

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$70,000 with the Rochester Philharmonic Orchestra to provide music performances. Said amount shall be funded from the 2018-19 Budget of the Bureau of Communications, contingent upon approval. The agreement shall have a term of one year.

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

Section 3. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2018-215

June 19, 2018

Re: Agreement – Rochester Fringe Festival,  
Inc., 2018 KeyBank Rochester Fringe  
Festival

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$37,500 as maximum compensation for an agreement with the Rochester Fringe Festival, Inc. (President: Erica Fee) to provide free, family-friendly programming throughout the event. The cost of the agreement will be funded from the 2018-19 Budget of Communications, contingent on its approval, and the term will be for one year.

The 2018 KeyBank Rochester Fringe Festival (Fringe) brings together venues, performers and artists to engage diverse audiences through an innovative, entertaining and thought-provoking annual multi-arts festival in Rochester. The festival includes theatre, comedy, family entertainment, music, dance, physical theatre, street theatre, musical theatre, opera, and the spoken word.

The 2018 Fringe will be held September 12 to 22 and includes shows in 25 downtown venues, as well as free, outdoor entertainment. The City funds appropriated herein will help to defray the costs of a variety of free, family-friendly performances and festival space as follows:

- “Friday and Saturday on the Fringe”- Two large-scale performances by a world-renowned spectacle theatre company, to be held at Parcel 5 (of the former Midtown site) on September 14 and 15.
- “Fringe Street Beat”- A popular urban dance / hip hop dance / breakdance event, drawing participants from within the City of Rochester and throughout the Northeastern US and Canada.
- Two days of free events on Gibbs Street, including music, dance, and participatory chalk art.
- Free, outdoor films in the Spiegelgarden, located on the corner of Main and Gibbs Streets.
- Approximately 175 other free shows in various venues.

A similar agreement was executed last year via Council Ordinance 2017-151. Since its debut in 2012, the Fringe has put Rochester on the map by becoming one of the top three most highly attended fringe festivals in the US, and one of Rochester’s fastest-growing events, attracting more than 78,000 attendees to more than 500 performances in 2017. Now in its seventh year, the Fringe continues to uniquely celebrate Rochester’s rich multi-arts culture. Its presence enhances the city’s reputation as a respected destination for the arts, joining the ranks of 300 other world-class cities with fringe festivals, such as New York City, Philadelphia, Toronto, Chicago, and Edinburgh, Scotland.

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

June 19, 2018

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-122

Ordinance No. 2018-215  
(Int. No. 229)

**Authorizing an agreement for the 2018 KeyBank Rochester Fringe Festival**

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$37,500 with Rochester Fringe Festival, Inc. to provide programming for the 2018 KeyBank Rochester Fringe Festival. Said amount shall be funded from the 2018-19 Budget of the Bureau of Communications, contingent upon approval thereof. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2018-216  
Agreement - Puerto Rican Festival

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with The Puerto Rican Festival, Inc., (President: Orlando Ortiz) Rochester, for the 2018 Puerto Rican Festival. The cost of the agreement will be funded from the 2018-19 Budget of Communications, contingent on its approval. The term will be for one year.

This year's festival will be held July 27-29 at the Frontier Field VIP Parking Lot and draws more than 20,000 people of all cultures and ethnic backgrounds. The City's sponsorship will support free admission for the first two hours on Friday and Saturday, as well as several free activities during the festival. It provides free children's activities, a boxing exhibition, free youth participation and performance showcase, and a free agency fair on Saturday.

June 19, 2018

The Puerto Rican Festival, Inc. sponsors a variety of events year-around, which serve to share and celebrate Puerto Rican culture. The largest event is the Puerto Rican Festival, now in its 49th year, it is the longest running cultural festival in Monroe County.

The Puerto Rican Festival Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth now makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the state.

A previous agreement was authorized by Ord. No. 2017-118 in May 2017.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AR-123

Ordinance No. 2018-216  
(Int. No. 230)

**Authorizing an agreement for the 2018 Puerto Rican Festival**

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$40,000 with Puerto Rican Festival, Inc. for the 2018 Puerto Rican Festival. Said amount shall be funded from the 2018-19 Budget of the Bureau of Communications, contingent upon approval. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:41 p.m.

HAZEL L. WASHINGTON  
City Clerk