

ROCHESTER CITY COUNCIL

REGULAR MEETING

April 14, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via video conferencing on Zoom and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages and on City 12, the City's government access channel that is available to Spectrum Cable subscribers – Channel 1303.

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

President Scott requested the Council to pause for a Moment of Silence.

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

Retirement:

DES:

- *Elizabeth Boddie
- *Debra Gayton
- *Pamela Johnson-Wright
- *Thomas E. Wood

ECD:

- *Carol M. Hollins

FIN:

- *Lorena T. Cutt
- *Dennis Joy

I.T.:

- *Tamara A. Bain

NBD:

- *Amy Terrance-Rivera

RFD:

- *John Derleth

RPD:

- *Erique Gomez
- *James T. Woodward

**Not attending meeting*

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APPROVAL OF THE MINUTES

By Councilmember Harris

RESOLVED, that the minutes of the Regular Meeting on March 17, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

THE CITY CLERK---THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 139.

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

None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on April 14, 2020 on the following matters:

Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District Int. No. 116
No Comments

Local Improvement Ordinance – Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement Int. No. 117
No Comments

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District Int. No. 121
No Comments

Authorizing pavement width changes for the Carter Street and North Street Milling & Resurfacing Program Int. No. 127
No Comments

Local Improvement Ordinance – establishing the operation, installation and maintenance costs of street lighting special assessment districts Int. No. 140
No Comments

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Local Improvement Ordinance – security and snow removal services at the Public Market for 2020-21 Int. No. 146
No Comments

Local Improvement Ordinance – care and embellishment of street malls for 2020-21 Int. No. 149
No Comments

Continuation of Local Improvement Ordinance No. 1619 Relating to the Norton Street Urban Renewal District Streetscape District Int. No. 150
No Comments

Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements Int. No. 151
No Comments

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District Int. No. 152
No Comments

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
April 14, 2020

To the Council:

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

- | | |
|--------------|--|
| Int. No. 106 | Approving the commitment reserve funds |
| Int. No. 107 | Appropriating Firefighters' Insurance Funds |
| Int. No. 108 | Authorizing the cancellation or refund of erroneous taxes and charges |
| Int. No. 109 | Authorizing agreements for community engagement and associated technical services for City projects |
| Int. No. 110 | Bond Ordinance of the City of Rochester, New York, authorizing the issuance of not to exceed \$40,550,000 General Obligation Refunding Serial Bonds, 2020 of said City to currently refund the outstanding portions of the City's \$58,225,000 General Obligation Serial Bonds - 2008, Series B Bonds, \$92,996,949 General Obligation Bonds under |

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the American Recovery and Reinvestment Act of 2009; and
\$66,943,000 General Obligation Serial Bonds –2012, Series I

Respectfully submitted,
Malik Evans
LaShay D. Harris
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-85
Re: Committing Tax Relief and Retirement
Reserves

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

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

From the surplus available at the end of fiscal year 2018-19, the Director of Finance, as authorized in the City Charter, assigned \$3,000,000 to Property Tax Relief and \$4,600,000 to Retirement Costs. In order to change the classification from assigned to committed, City Council action is required. The commitment of these balances would bring the total General Fund Balance committed for Property Tax Relief to \$29,875,600 and for Retirement Costs to \$27,928,565. These balances are further reduced by the budgeted appropriations of fund balance for 2019-20 which are \$4,600,000 for Property Tax Relief and \$4,300,000 for Retirement Costs.

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

These additional funds are available as a result of favorable 2018-19 year-end expenditure variances attributable to personnel and fringe benefit savings from vacancies and other miscellaneous expense. Positive revenue variances resulted from higher sales tax distributions, moving violation revenue collections, and mortgage tax.

Respectfully submitted,
Lovely A. Warren
Mayor

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Ordinance No. 2020-85
(Int. No. 106)

Approving the commitment of reserve funds

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

Section 1. The Council hereby approves the commitment of \$3,000,000 for the purpose of property tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$4,600,000 for the purpose of retirement to assist in managing future retirement costs

Section 2. The funds to be committed shall be funded from the surpluses available from the 2018-19 Budget of the City of Rochester, said funds having previously been assigned to the purpose of property tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -9.

Nays – None- 0.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-86
Re: Firefighters’ Insurance Fund

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing expenditures from the Firefighters’ Insurance Fund (“Two Percent Fund”) as per the Settlement Agreement between the Rochester Firefighters, Inc., Local 1071, IAFF, AFL-CIO and the City of Rochester dated August 7, 2012. The legislation will:

1. Appropriate a total of \$331,275 from the Firefighters Insurance Fund at the request of the Rochester Firefighters Two Percent Committee (“TPC”) to benefit City firefighters.
2. Appropriate a total of \$170,785 from the Firefighters’ Insurance Fund for uses nominated by the City to benefit City firefighters.

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The firefighters' Insurance Fund is the City Fund established to collect and distribute monies received from the State pursuant to Sections 9104 and 9105 of the Insurance Law, and is under the custody of the City Treasurer.

Ordinance No. 2012-313 authorized the settlement agreement resulting from litigation brought by Rochester Firefighters Local 1071. These funds must be used in a manner that is consistent with the Court Order and with the provisions of Insurance Law Sections 9104 and 9105. Fund expenditures must be for the benefit of firefighters as provided in statutory law, case law, administrative rules and regulations, and the New York State Comptroller's Opinions.

In accordance with the Settlement Agreement the firefighters have formed a not-for-profit corporation named the Rochester Firefighters Two Percent Committee ("TPC") to be the firefighters' representative for purposes of the Fund. Items to be paid from the Fund may be nominated by the firefighters or by the City.

The following are firefighter nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance Fund:

- 1) Fire house items set forth in Section 1G of the original agreement (\$99,000).
- 2) Legal and Accounting expenses (\$47,000).
- 3) Fire house cable and internet expenses (\$48,000).
- 4) RFBA Firefighters Ball (\$15,000).
- 5) Building Expenses (\$120,000).
- 6) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,275).

The following are City nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance fund:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310).
- 2) Linen and laundry expense (\$80,000).
- 3) Small equipment and minor firehouse renovations (\$39,500).
- 4) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$975).

The City of Rochester has engaged Freed Maxick to conduct an audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee ("TPC"). The cost of the audit is estimated at \$3,250, of which the City will pay 30% and the Two Percent Committee ("TPC") will pay 70% of the auditing fee, as per Section 1J of the agreement. The cost of the audit will be funded from the respective Two Percent Fund accounts controlled by the City of Rochester.

Respectfully submitted,
Lovely A. Warren
Mayor

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Ordinance No. 2020-86
(Int. No. 107)

Appropriating Firefighters' Insurance Funds

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

Section 1. The following funds are hereby appropriated from the Firefighters' Insurance Fund ("Two Percent Fund") for the following purposes to benefit the firefighters of the City in accordance with the terms of the settlement agreement with Rochester Firefighters Local 1071 dated August 7, 2012 ("Agreement") that was authorized in Ordinance No. 2012-313:

A. Firefighter Nominated Items. A total of \$331,275 at the request of the Rochester Firefighters Two Percent Committee as follows:

- 1) Firehouse items set forth in Section 1G of the Agreement (\$99,000);
- 2) Legal and accounting expenses (\$47,000);
- 3) Firehouse cable and internet expenses (\$48,000);
- 4) Rochester Firefighters' Benevolent Association Firefighters Ball (\$15,000);
- 5) Building Expenses (\$120,000); and
- 6) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,275).

B. City Nominated Items. A total of \$170,785 for uses nominated by the City of Rochester as follows:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310);
- 2) Linen and laundry expense (\$80,000);
- 3) Small equipment and minor firehouse renovations (\$39,500); and
- 4) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$975).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

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TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-87
Re: Cancellation or Refund of Erroneous
Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$14,650.

There had been two transfers of the properties located at 14 Eighth Street; 16 Weld Street and 117 Frost Avenue in a relatively short period of time. The first was on November 21, 2017 and then it was purchased by the current owners; DWEFF Properties, LLC on January 22, 2018. The code violations should not have been added to tax and Neighborhood and Business Development will seek a judgement against the former owner. All the prior violations have been corrected by the current owner.

If these cancellations are approved, total cancellations thus far for 2019-20 will be as follows:

	<u>Accounts</u>	
City Council	11	\$148,616.29
Administrative	<u>27</u>	<u>\$11,274.99</u>
Total	38	\$159,891.28

These cancellations represent 0.0614% of the tax receivables as of July 1, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-87
(Int. No. 108)

Authorizing the cancellation or refund of erroneous taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

	S.B.L. #	Class	Address	Tax Year	Amount Cancelled
(A)	106.52-3-28	H	14 Eighth St	2019	\$ 6,000.00
(B)	106.65-3-72	N	16 Weld St	2019	\$ 7,600.00
(C)	121.61-1-13	H	117 Frost Ave	2019	\$ 1,050.00
				TOTAL	\$14,650.00

(A), (B) and (C): For each of the three properties, there have been two transfers of ownership in rapid succession, the first on November 21, 2017 and the second to the current owner DWEFF Properties, LLC on January 22, 2018. The code violation charges should not have been added to the current owner's tax bills because the violations were committed by prior owners and the violations

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have been corrected by the current owner. Neighborhood and Business Development will seek judgment for those code violation charges against the former owner for each property.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-88
Re: Authorizing Professional Services Term
Agreements for Community Engagement and
Associated Technical Services

Council Priority: Rebuilding and Strengthening
Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Planning For Action

Transmitted herewith for your approval is legislation authorizing professional services agreements with the following companies for community engagement and associated technical services:

Firm Name	Address	Principal/ Owner
Highland Planning LLC	820 S. Clinton Ave. Rochester, NY	Tanya Mooza Zwahlen
Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.	280 E. Broad St. Rochester, NY	Pietro Giovenco
Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C	274 N. Goodman St. Rochester, NY	Jo Anne C. Gagliano
Strategic Community Intervention LLC	165 Castlebar Rd. Rochester, NY	William Johnson
Center for Governmental Research Inc.	1 S. Washington St, Rochester, NY	Erika Rosenberg

Services utilized under these agreements will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects. When community engagement services are needed, proposals from one or more of these companies will be requested. The selection of a specific firm will depend upon the type of services that are required, its ability to meet the City's schedule, and the quality and cost of its proposal. Each of the agreements will have an initial term of three years

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with provisions for renewal for one additional one-year period based on mutual written agreement. If the agreements are renewed, adjustment to the specific unit prices for the fourth year will be permitted subject to the City's approval.

Guided by the vision, principles, placemaking plan, and action plans of the recently adopted *Rochester 2034*, the City seeks to engage a team of professionals to augment City staffing resources in an "on-call" arrangement to allow community engagement activities that reach a broad audience; and, to facilitate a process for responding quickly to public interest or concern around a specific project/policy/initiative. The services facilitated through these agreements will advance the City's goals for building community capacity through transparent community input and open exchanges of information. Under the proposed agreements, professional services can be quickly deployed to help with:

1. Initiating, facilitating, and documenting community/stakeholder information and input, including fostering participation from traditionally underrepresented populations and designing a feedback loop
2. Communicating ideas/concepts/plans/etc. in a broadly understandable way, using tools such as renderings, SketchUp, Photoshop, and other graphic visualization methods
3. Managing meeting logistics
4. Mediation services to address multiple, sometimes competing, interests
5. Language translation services (verbal and written)
6. Creating support materials/mapping
7. Technical analyses and reports

The City issued a request for proposal on February 18, 2020 resulting in proposals from ten (10) consulting firms. Five (5) of these firms are recommended for agreements based on evaluation scores as well as ensuring a range of skill sets.

The number and types of projects will depend on the needs of the various departments that are requiring services. The cost of the project-specific proposals will be based on the unit prices specified in each firm's agreement with the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-54

Ordinance No. 2020-88
(Int. No. 109)

Authorizing agreements for community engagement and associated technical services for City projects

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for community engagement and associated technical services as required by the City:

Highland Planning LLC

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

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Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C.

Strategic Community Intervention LLC

Center for Governmental Research Inc.

Section 2. The agreements shall have a term of three years with the option to renew for an additional one-year period upon mutual agreement. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the departments using the services or from capital project appropriations for specific environmental, construction, and redevelopment projects. Unit prices may be adjusted at the discretion of the City upon satisfactory justification by the consultant.

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. 2020-89
Re: Redemption of General Obligation
Serial Bonds-2008, Series B Bonds, General
Obligation Bonds under the American
Recovery and Reinvestment Act (ARRA) of
MBBA 2009 C1 and General Obligation Serial
Bonds-2012, Series I

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the refunding of outstanding bonds of the City of Rochester. It will be accomplished by the issuance of not to exceed \$40,550,000 in General Obligation Refunding Serial Bonds, 2020 (“Current Bonds”). The proceeds of the Current Bonds will be used to redeem portions of the following outstanding bonds (the “Prior Bonds”): \$39,220,000 General Obligation Serial Bonds-2008, Series B Bonds, \$92,996,949 General Obligation Bonds 2009C1 under the American Recovery and Reinvestment Act of 2009; and \$66,943,000 General Obligation Serial Bonds – 2012, Series I, all in accordance with the redemption provisions of those prior bonds.

Current refunding of bonds is regulated by New York State Local Finance Law (Section 90.00), which requires that there must be a demonstrated present value savings, and that the transaction be approved by the State Comptroller’s Office, which in turn requires the authorization of City Council. The Current Bonds must provide proceeds, together with future interest earnings, sufficient to cover the redemption price (principal and interest) of the Prior Bonds and bond issue costs. The Prior Bonds are redeemable at par without redemption premiums or penalties.

As a result of declining interest rates and optional redemption provisions included in the Prior Bonds, it now becomes economically advantageous to the City to refinance the Prior Bonds by issuance and sale of the Current Bonds, serially maturing from 2020 through 2027. This

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redemption plan is expected to result in an aggregate net present value savings of at least \$1,530,920 for the City.

A copy of the analysis is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-55

Ordinance No. 2020-89
(Int. No. 110)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of not to exceed \$40,550,000 General Obligation Refunding Serial Bonds, 2020 of said City to currently refund the outstanding portions of the City's \$58,225,000 General Obligation Serial Bonds-2008, Series B Bonds, \$92,996,949 General Obligation Bonds under the American Recovery and Reinvestment Act of 2009; and \$66,943,000 General Obligation Serial Bonds – 2012, Series I

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") issued its \$39,220,000 General Obligation Serial Bonds-2008, Series B Bonds (the "Series 2008B Bonds"), which series maturing after October 1, 2018, are subject to optional redemption by the City after October 1, 2018, and approximately \$4,850,000 of the Series 2008B Bonds remain outstanding as of the date hereof.

Section 2. The City issued its \$92,996,949 general obligation bonds under the American Recovery and Reinvestment Act of 2009 (the "ARRA Bonds") to the State of New York Municipal Bond Bank Agency, which issued its \$97,171,949 Sub-Series 2009C1 (Tax-Exempt) special obligation bonds secured by a pledge of the payments to be made on the City's ARRA Bonds. The series of the ARRA Bonds maturing after February 15, 2020, are subject to redemption prior to maturity on or after February 15, 2020, and approximately \$13,575,000 of the ARRA Bonds remain outstanding as of the date hereof.

Section 3. The City issued its \$66,943,000 General Obligation Serial Bonds – 2012, Series I (the "2012 Bonds,"), which series maturing on or after August 15, 2021, will be subject to optional redemption by the City on or after August 15, 2020, and approximately \$22,125,000 of the 2012 Bonds remain outstanding as of the date hereof. The 2012 Bonds, together with the Series 2008B Bonds and the ARRA Bonds, are the "Prior Bonds".

Section 4. As a result of declining interest rates and optional redemption provisions included in the Prior Bonds, it now becomes economically advantageous to the City to refinance the Prior Bonds by issuance and sale of the City's not to exceed \$40,550,000 General Obligation Refunding Serial Bonds, 2020 (the "2020 Refunding Bonds"), serially maturing from 2020 through 2027. The plan of financing includes the issuance of such not to exceed \$40,550,000 refunding serial bonds of the City to finance redemption of the Prior Bonds, net escrow costs and costs of issuance, and to secure payment of the 2020 Refunding Bonds with the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable in the manner provided for by the Prior Bonds. Aggregate net

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present value savings for the Prior Bonds based on the refunding are presently estimated to exceed \$1,530,920. The principal amount of the 2020 Refunding Bonds shall not exceed the amount sufficient to pay the sum of (i) the outstanding aggregate principal amount of the Prior Bonds, (ii) the aggregate amount of unmatured interest payable on the Prior Bonds to and including the applicable redemption dates, (iii) costs and expenses incidental to the issuance of the 2020 Refunding Bonds, including development of the refunding financial plan submitted to City Council herewith and of executing and performing the terms and conditions of the escrow contract and all fees and charges of the escrow holder. The Prior Bonds are redeemable at par without redemption premiums or penalties.

Section 5. 2020 Refunding Bonds of the City in the principal amount of not to exceed \$40,550,000 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 6. The maturity date of the 2020 Refunding Bonds shall not exceed the remaining weighted average maximum periods of probable usefulness established for the capital assets financed with the proceeds of the Prior Bonds from the date of issuance of the first bond anticipation note in issued in anticipation of the 2008B Bonds.

Section 7. Each of the 2020 Refunding Bonds authorized by this Ordinance shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the 2020 Refunding Bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this Ordinance and of said Law, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance and sale of the 2020 Refunding Bonds herein authorized and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the issuance and sale of the 2020 Refunding Bonds on a negotiated or competitive basis, in accordance with Sections 90 and 90.10 of the Law, as well as the selection of an underwriter, if applicable, and execution of agreements for escrow of bond proceeds and credit enhancement, if any, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 9. Issuance and sale of the 2020 Refunding Bonds shall be subject to the written authorization of the Comptroller of the State of New York, as provided in the Law.

Section 10. The validity of the bonds authorized by this Ordinance may be contested only if: (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. 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.

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Section 12. This Ordinance shall constitute the City's election to call the Prior Bonds for redemption and the escrow agent selected by the City shall call the Prior Bonds for redemption in compliance with the financial plan and in accordance with Section 53.00 of the Law, including appropriate publication of notice of such redemption in the City's official newspaper.

Passed unanimously.

By Councilmember Patterson
April 14, 2020

To the Council:

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

- Int. No. 111 Authorizing the sale of real estate
- Int. No. 112 Authorizing the sale of 30 Mark Street
- Int. No. 113 Authorizing the lease agreement for 68-92 Genesee Street
- Int. No. 114 Authorizing the sale of 415 Orchard Street and 354 Whitney Street
- Int. No. 115 Authorizing an amendatory agreement for planning services for the Bull's Head Revitalization Project
- Int. No. 118 Authorizing payment in lieu of taxes agreement for the North Clinton, East Main, Culver Road Rental Housing Project
- Int. No. 119 Authorizing sale of City-owned parcels, payment in lieu of taxes and loan agreements for the Pueblo Nuevo Phase I project
- Int. No. 120 Authorizing loan agreement for the Liberty Lofts at Sibley Square

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

- Int. No. 116 Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District
- Int. No. 117 Local Improvement Ordinance – Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement
- Int. No. 121 Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

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Respectfully submitted,
Michael A. Patterson
Mary Lupien (*Voted against Int. No. 120*)
Jacklyn Ortiz
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-90
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

The property is listed on the attached spreadsheet under the heading, I. Request for Proposal. It will be sold to Insight Properties, LLC (Member, Anthony Frumusa, 114 Empire Boulevard, Suite 200, Rochester, NY), for rehabilitation according to an approved development plan.

The first year projected tax revenue for the property, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$909.

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. AT-56

Ordinance No. 2020-90
(Int. No. 111)

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Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel with proposal to rehabilitate the single family residence located thereon:

Address	S.B.L.#	Lot Size	Price	Purchaser
223 Portage Street	091.83-3-35	77 x 90	\$8,200	Insight Properties, LLC

Section 2. 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 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-91
Re: Sale of 30 Mark Street

Council Priority: Support the Creation of
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the sale of the City-owned vacant parcel at 30 Mark Street to True North Rochester Mark Street, LLC (Officer, Ahkilah Johnson, 826 Broadway, 9th Floor, New York, NY) for the amount of \$400. The purchaser will combine the lot with its adjoining vacant parcels and building and construct a 35,000 square foot addition to the building formerly known as PUC Achieve Charter School located at 8-14 Mark Street. True North Rochester Mark Street, LLC will operate a charter school servicing grades 9-12 on the site.

True North Rochester Mark Street, LLC also operates charter schools at 630 Brooks Avenue, 432 Chili Avenue, 891-899 Jay Street, 85 St. Jacob Street and 305 Andrews Street.

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. AT-57

April 14, 2020

Ordinance No. 2020-91
(Int. No. 112)

Authorizing the sale of 30 Mark Street

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

Section 1. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal to combine the following parcel with adjoining lots already owned by the purchaser for purposes of constructing an approximately 35,000 square foot addition to an existing school building to be operated by the purchaser as a charter school:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
30 Mark Street	106.41-2-11	30 x 128	±3,840	\$400	True North Rochester Mark Street, LLC

Section 2. 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 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-92
Re: 68-92 Genesee Street

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and 585 Coin Laundry II, Inc. (Tony Rosa, Owner, 28 Amy Lane, Rochester, NY). The applicant will lease 68-92 Genesee Street, a building of approximately 2402 square feet of space, along with a portion of the surrounding parking lot for the purposes of running a coin operated laundromat. The monthly rental amount will be \$2,002, calculated at a rate of \$10 per square foot, \$24,020 annually, which is supported through an independent appraisal performed by Nathan Gabbert, SRA, IAO, of Midland Appraisal Associates, Inc. as of October, 2019. All utilities and Water will be paid by the tenant. The term of the lease is three (3) years commencing April 1, 2020 and ending March 31, 2023 with an option for the tenant to extend for two additional one (1) year terms.

The City of Rochester acquired the property while the former lessee was in the middle of negotiations to sell the business. The lease agreement was assigned to the City at that time. The

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City is now entering into a lease agreement with the new owner of the business. This represents an increase of \$200, per month from the previous tenants' lease.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-58

Ordinance No. 2020-92
(Int. No. 113)

Authorizing a lease agreement for 68-92 Genesee Street

WHEREAS, the City of Rochester has received a proposal from 585 Coin Laundry II, Inc. for the lease of approximately 2,402 square feet of space located at 68-92 Genesee Street;

WHEREAS, the Council affirmatively finds that the proposed lease authorized herein is in the public interest because it is part of the revitalization of Bull's Head Plaza and will provide a laundromat for the neighborhood; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is three years with two one-year renewal options, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with 585 Coin Laundry II, Inc. for the use of approximately 2,402 square feet of space along with a portion of the surrounding parking lot located at 68-92 Genesee Street. The agreement shall have a term of three years with the option to extend for two additional one-year periods.

Section 2. The monthly rental amount shall be \$2,002.

Section 3. The lease 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. 2020-93
Re: Sale of 415 Orchard Street and
354 Whitney Street

Council Priority: Jobs and Economic
Development

April 14, 2020

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation approving the sale of the City-owned vacant properties located at 415 Orchard Street and 354 Whitney Street to Garage 4119 Holdings Company, LLC, (Ilias Diakomihalis, President) 5-7 Parsells Avenue, Rochester, New York. The two parcels comprise approximately 3.9 acres parcel is known as the former AC Delco Appliance site. An appraisal completed in March 2019 by Bruckner, Tillett, Rossi, Cahill & Associates values the property at \$15,000, which is the agreed upon sale price.

The City acquired the property in 2008 through tax foreclosure. The City demolished the former industrial facility and has remediated the resulting vacant land through an extensive brownfield cleanup process that was assisted by funding from the New York State Department of Environmental Conservation (NYSDEC) and the U.S. Environmental Protection Agency.

On March 17, 2017, the NYSDEC issued the City a Certificate of Completion recognizing the satisfactory cleanup of the property and suitability for redevelopment for commercial or industrial use. The Certificate provides an environmental liability indemnification from the State to the City and any subsequent property owners, which will allow commercial and industrial redevelopment of the property to proceed. The Certificate requires the City and any subsequent owner to abide by an Environmental Easement and Site Management Plan, which require compliance with certain use and engineering controls during the development and re-use of the property.

This is subject to review under the State Environmental Quality Review Act (SEQR) and a determination will be made prior to council action. The purchaser plans to develop a 25,000 to 30,000 square foot industrial facility for the operation of its seafood processing business.

The purchaser has been in business (under the name of J.D. Sons LLC) for more than 20 years within the city of Rochester and has existing operations at their 5-7 Parsells Avenue location and will relocate the existing 43 employees to the Orchard-Whitney site and plans to add approximately 20 new employees within the next 3 years. The facility at 5-7 Parsells Avenue will be retained and used by the purchaser for equipment storage and will serve as a back-up and overflow processing location.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-59

Ordinance No. 2020-93
(Int. No. 114)

Authorizing the sale of 415 Orchard Street and 354 Whitney Street

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal for the price of \$15,000:

April 14, 2020

Address	S.B.L.#	Lot Size	Purchaser
415 Orchard Street	105.66-3-23	1.31 acres	Garage 4119 Holdings Company LLC
354 Whitney Street	105.66-3-24	2.76 acres	Garage 4119 Holdings Company LLC

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-94
Re: Agreement Amendment – Fisher Associates Bull’s Head Revitalization Project

Council Priorities: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Comprehensive Plan 2034 Initiative
Area: Reinforcing Strong Neighborhoods; Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending an agreement with Fisher Associates, P.E., L.S., L.A., D.P.C., 180 Charlotte Street, Rochester, New York 14607 (CEO, Roseann Schmid, P.E.), for services related to the Bull’s Head Revitalization Project (Project), to extend the term of the agreement by one year.

City Council Ordinance No. 2015-324 authorized the City to enter into an agreement with Fisher Associates for consultant services related to the Bull’s Head Revitalization planning process with funding provided by a \$243,745 Brownfield Opportunity Area (BOA) grant administered by the New York State Department of State (Agreement). City Council Ordinance No. 2018-394 authorized an amendment adding \$105,000 in Cash Capital funding to provide additional planning services related to the Project.

The original term expiration date of the Agreement was May 25, 2019 with an option to exercise a one-year renewal. The one-year renewal was exercised on February 28, 2019 establishing a new term expiration date of May 25, 2020. This amendment will extend the Agreement term by one year to establish a new term expiration date of May 25, 2021.

As portions of the Bull’s Head Revitalization planning process have been completed, the one year extension is needed to complete other tasks in progress, including but not limited to traffic analyses, zoning analyses, and redevelopment planning.

All other terms of the Agreement will remain the same.

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Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-94
(Int. No. 115)

Authorizing an amendatory agreement for planning services for the Bull's Head Revitalization Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Fisher Associates, P.E., L.S., L.A., D.P.C. to continue planning services related to the Bull's Head Revitalization Project. The amendment shall extend the term of the existing agreement authorized by Ordinance No. 2015-324, as amended by Ordinance No. 2018-394, by one year to May 25, 2021.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1761
Re: East Avenue / Alexander Street
Entertainment District

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation reauthorizing the district and establishing the amount of \$21,200 for special assessments for the East Avenue/Alexander Street Entertainment District.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 am to 5:00 am, from April through October, to address trash resulting from the increased activity in the District during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to the patrons of the establishments (e.g., bars, restaurants and parking lots who profit from the patrons).

In 2020-21 the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and

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property owners in the district. The total annual charge estimate determined by the Department of Environmental Services.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

<u>Code</u>	<u>Use</u>	<u>Annual Charge</u>
1	Parking lot under 2500 Sq Ft	\$205
2	Parking Lot 2500-4999 Sq Ft	\$410
3	Parking Lot 5000-9999 Sq Ft	\$615
4	Parking Lot 10000 Sq Ft or more	\$843
5	Small Sit down Restaurant	\$205
6	Take out Restaurant/Smaller Bar	\$410
7	Large Bar/Sit Down Restaurant	\$968

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing is required.

Respectfully submitted
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1761
(Int. No. 116)

Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2020-21 budget for upgraded street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$21,200 and the charge per code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments as set forth below and shall be assessed and levied on the 2020-21 tax bill in accordance with Local Improvement Ordinance No. 1631.

Code	Use	Annual Charge
1	Parking lot under 2500 Sq. Ft	\$205
2	Parking lot 2500-4999 Sq. Ft	\$410
3	Parking lot 5000-9999 Sq. Ft	\$615
4	Parking lot 10000 Sq. Ft or more	\$843
5	Small Sit Down Restaurant	\$205
6	Take Out Restaurant/Smaller Bar	\$410
7	Large Bar/Sit Down Restaurant	\$968

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1762
Re: High Falls Business Improvement
District

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the High Falls Business Improvement District (BID) established via Local Law No.1 in December 2003. This legislation will:

- 1) Approve the 2020-21 Budget totaling \$25,000 submitted by the High Falls BID Board.
- 2) Establish \$25,000 as the 2020-21 assessment for the district and authorize the apportionment of the cost among the subject properties.
- 3) Authorize an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the BID plan.

The amount of the annual levy is determined by the budget proposed by the BID. The amount assessed to an individual property is determined by its primary use, which is verified annually. Funds are used for additional clean-up, beautification, landscaping, marketing, advertising, and promotional materials. Funds have also been used for special purposes such as historic signage and a lunchtime summer concert series produced in conjunction with the Hochstein School of Music.

The High Falls BID Plan outlines a description of the BID boundaries, and the assessment formula used to determine each building owners' share. The plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-60

Local Improvement Ordinance No. 1762
(Int. No. 117)

Local Improvement Ordinance - Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

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

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Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2020-21 Budget for the High Falls Business Improvement District is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No. 1 of 2003. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the District Plan.

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance 2020-95
Re: North Clinton, East Main, Culver Road
Rental Housing Project

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the North Clinton, East Main and Culver Affordable Housing Project being undertaken by Home Leasing, LLC (Bret Garwood, Principal), located at 1614-1624 North Clinton Avenue, 699 East Main Street and 899 Culver Road.

This legislation will:

1. Authorize property tax exemptions and payment in lieu of taxes agreements for the North Clinton, East Main, Culver Road project, which will provide a 30-year exemption for an annual in lieu of payment equal to 10% of the project shelter rents (gross rents minus utility costs).
2. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein;

The renovation of these three locations total 150 units, 83 studios and 54 one bedrooms and 13 two bedroom apartments. The buildings are currently unregulated. This project will ensure their continued affordability for households with incomes ranging from 30% of AMI to 60% of AMI. In addition, Rents range from \$477-\$693. Fifty six (56) of the 150 units will be set aside for supportive housing. Ten units will house previously incarcerated individuals with Spiritus Christi Prison Outreach and 11 units will house individuals with HIV/AIDS in partnership with Trillium Health. Thirty-five of the units will house chronically homeless individuals in partnership with Person Centered Housing Options, PCHO. Each of the partners have received an Empire State Supportive Housing Initiative (ESSHI) award to provide rental subsidy and support services for the 56 households.

The project scope includes asbestos abatement, new roofs, mechanical systems, electrical and plumbing system upgrades, new windows as needed, new appliances, updated lighting, a security system including cameras and secure entry system, improvements to baths, kitchens and flooring. There will be no non-voluntary displacement. It is anticipated that the residents will remain in the buildings during construction and move into a newly renovated unit when completed. Home

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Leasing's Relocation Coordinator will develop in partnership with the resident an individualized, temporary relocation plan to meet their needs during construction.

It's anticipated that the project will receive funding from NYS Homes and Community Renewal, ESL Foundation and the City of Rochester for construction and permanent financing. Home Leasing has been working with tenant advocates. Also, Home Leasing began managing the property on February 24th and intends to take ownership on April 30th.

The sources and uses for the proposed project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Land Acquisition	\$6,225,000	Conventional Loan	\$4,000,000
Soft Costs	\$1,864,252	NYS HCR PLP	\$10,650,000
Hard Costs	\$8,582,747	NYS HCR HOME	\$3,500,000
Contingency	\$858,275	ESL Foundation Loan	\$381,324
Development Fee	\$500,000	City of Rochester (proposed)	\$300,000
Reserves	\$442,050		
Working Capital	\$359,000	TOTAL	\$18,831,324
TOTAL	\$18,831,324		

Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The PILOT is subject by to be approved by the PILOT Review Committee on March 18, 2020. SEQR review will be completed before the April 14th City Council Meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-61

Ordinance No. 2020-95
(Int. No. 118)

Authorizing payment in lieu of taxes agreement for the North Clinton, East Main, Culver Road Rental Housing Project

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with Home Leasing, LLC or an affiliated partnership or housing development fund corporation formed for the following purpose (the Developer) of renovating approximately 150 affordable residential rental units, including approximately 56 units of supportive housing for formerly incarcerated individuals, individuals with HIV/AIDS, and others in need of supportive housing, on the following three properties (collectively, the Project):

STREET ADDRESS	SBL Number
1614-1624 N. Clinton Ave	091.54-1-17
699 East Main St	106.82-1-15

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899 Culver Rd

107.71-1-57

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

Section 2. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated in accordance with Article 11 of the NYS Private Housing Finance Law and/or other applicable state statutes and regulations for the purpose of providing affordable and supportive housing.

Section 3. The 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 other 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. 2020-96
Re: Pueblo Nuevo I – Affordable Rental
Housing Project

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Pueblo Nuevo I, the first phase of the larger Pueblo Nuevo affordable rental community project, being undertaken by Ibero-American Development Corporation (IADC) (Eugenio Marlin, Executive Director). Pueblo Nuevo I will be constructed on in-fill sites located in close proximity of La Marketa and the El Camino Neighborhood in Northeast Rochester.

This legislation will:

1. Authorize the sale of 15 parcels of City-owned land at a total of \$22,100, their combined appraised values, to IADC or an affiliated partnership or housing development fund corporation to be formed by IADC.
2. Authorize a \$368,000 HOME funded construction/permanent loan agreement for the project, and appropriate the same amount from the Affordable Housing Fund allocation of the 2019-20 Housing Development Fund to fund the loan.

The loan will serve initially as a 2% construction loan, payable annually. At conversion to permanent financing it will become a 40 year, 2% interest-only, cash flow dependent loan

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payable annually, with the outstanding principal balance and any accrued interest due at the end of the 40 year term.

3. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Pueblo Nuevo project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
4. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
5. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Pueblo Nuevo project, as proposed by IADC, will take place in two phases and result in 104 units of affordable rental housing; creation of the El Camino Community Center which will include a community, business and education center; and dedicated community greenspace. Pueblo Nuevo's project scope, size and locations represents a strategic "purpose built" approach to transform this neighborhood by providing needed affordable housing close to public transportation, existing amenities, support services and job opportunities. Substantial community input contributed to the plans for Pueblo Nuevo. IADC, in coordination with the City of Rochester, engaged the Community Design Center of Rochester (Maria Furgiuele, Executive Director) in April 2015, to work with area residents and community leaders to create a vision plan for the El Camino neighborhood, one of Rochester's most historically disadvantaged areas. The group met every two weeks, and held a design charrette in November, 2015 to gather input and feedback. The resulting plan, the 2016 El Camino Revitalization Area Vision Plan (ECRAVP) served as an integral resource in the planning of Pueblo Nuevo by IADC and their partners. Three additional community meetings were held in 2016-2017 to inform the project scope, and rezoning needed for the Pueblo Nuevo project to proceed was authorized by Ordinance No. 2017-389. An attachment provided illustrates the site locations for the two phases of the project. The Pueblo Nuevo II project will be presented to City Council once it has secured full project funding.

Pueblo Nuevo I, proposed herein, will include 75 units of affordable rental housing on multiple underutilized sites, primarily located in close proximity to the La Marketa at the International Plaza site. The project includes the rehabilitation of one existing two family structure, new construction of 13 triplex structures, a two story apartment building with 16 apartments, and community green space that will include raised bed gardening, a paviLocal Improvement Ordinance, and a playground as well as a walkway connection to the La Marketa site. The project also includes the adaptive reuse, into 18 apartments, of the building at 938 Clifford Avenue, most recently the site of the Eugenio Maria de Hostos Charter School.

Pueblo Nuevo I will include twenty-seven (27) units targeted to households with income at or below 50% of the Area Median Income (AMI) for the Greater Rochester Median Statistical Area (per HUD, chart attached). Nineteen (19) of those units will be set aside for those with Intellectual/Developmental Disabilities (I/DD). Additionally, forty-four (44) units will be targeted to households with income at or below 60% AMI, and four (4) units will be targeted to households at or below 90% AMI. The project includes four (4) ADA (American Disability Act) accessible apartments, and 2 apartments adapted for the audio/visually impaired.

The Office for People With Developmental Disabilities (OPWDD) is providing both capital funding for construction as well as a housing services agreement with the Ibero-American Action League (IAAL), an IADC affiliate, for ongoing case management and supportive services for the I/DD residents. IAAL brings more than twenty years of experience providing residential services to this high need population. As the only dual language/Latino human services agency in Rochester, and the largest in Upstate New York, its services are targeted to multiple audiences in both English and

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Spanish. Services are provided within a community-based environment or at-home with a client-centered array of services that allow for maximum individual growth and independence.

The sources and uses for the project are summarized below:

Uses		Permanent Sources	
Acquisition Land/Buildings*	\$35,607	NYS HFA NCP Loan	\$7,125,000
Soft Costs and Working Capital	\$3,064,945	4% Tax Exempt Bonds	\$400,000
Hard Costs	\$16,859,533	Limited Partnership Equity	\$11,447,834
		OPWDD	\$2,811,625
Contingency	\$1,024,411	FHLB & FHLB Accrued Interest	\$1,119,984
Development Fee	\$2,500,120	City of Rochester	\$368,000
Reserves	\$218,990	Deferred Developer Fee	\$374,763
		NYSERDA Capital	\$56,400
TOTAL	\$23,703,606	TOTAL	\$23,703,606

*Acquisition costs include, but are not limited to, real estate sold by the City of Rochester.

Pueblo Nuevo I is anticipated to close on project funding and begin construction in June 2020. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The loan was approved by the Loan Review Committee at their meeting on March 24, 2020, and the PILOT was recommended for approval by the PILOT Review Committee on April 3, 2018. A National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the Pueblo Nuevo I project. SEQR review has been completed, and a Negative Declaration was issued for the project on December 12, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-62

Ordinance No. 2020-96
(Int. No. 119)

Authorizing sale of City-owned parcels, payment in lieu of taxes and loan agreements for the Pueblo Nuevo Phase I project

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

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to Ibero-American Development Corporation (IADC) to develop the Phase I of the Pueblo Nuevo Affordable Rental Housing Project (the Project):

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STREET ADDRESS	SBL NUMBER	SIZE	PRICE
12 HOELTZER ST	106.39-1-72.001		\$ 4,800
24 HOELTZER ST	106.39-1-66.001		\$ 500
36 HOELTZER ST	106.39-1-60.001		\$ 500
44-46 HOELTZER ST	106.39-1-56.001		\$ 500
60-64 HOELTZER ST	106.39-1-47.003		\$ 900
21 KAPPEL PLACE-East Portion	106.38-2-30.001		\$ 700
5 KAPPEL PLACE	106.38-2-39.003		\$ 875
765 NORTH CLINTON AVE	106.38-2-43		\$ 3,500
769-71 N. CLINTON AVE-East Portion	106.38-2-42		\$ 3,900
10 SULLIVAN ST	106.30-2-32		\$ 350
12 SULLIVAN ST	106.31-4-63.003		\$ 450
29 SULLIVAN ST	106.39-1-13.002		\$ 900
37 SULLIVAN ST-East Portion	106.39-1-18.002		\$ 525
51 SULLIVAN STREET	106.39-1-24.2		\$ 2,500
59 SULLIVAN STREET	106.39-1-31.1		\$ 1,200
Total of Sales Prices			\$ 22,100

Section 2. 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 3. The Mayor is hereby authorized to enter into a loan agreement with IADC or an affiliated partnership or housing development fund corporation formed for the Project (the Developer), for construction and permanent financing of the Project. The loan shall be in the amount of \$368,000, which shall be funded from the Affordable Housing Fund of the Housing Development Fund within the Consolidated Community Development Plan/2019-20 Annual Action Plan, which amount is hereby appropriated to principal. The loan agreement shall have a term that extends to 40 years following completion of Project construction. The loan shall function as a 2% construction loan with interest-only payments due annually until construction is complete, whereupon it shall convert to permanent financing with a term of 40 years that is subject to an annual interest rate of 2% due annually if the Developer has sufficient cash flow with repayment of the loan principal and any unpaid interest due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 4. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with the Developer for the following parcels in order to effectuate the Project:

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
12 HOELTZER ST	106.39-1-72.001	75' x 194'	\$ 4,800
24 HOELTZER ST	106.39-1-66.001	75' x 99'	\$ 500
36 HOELTZER ST	106.39-1-60.001	68' x 133'	\$ 500
44-46 HOELTZER ST	106.39-1-56.001	60' x 133'	\$ 500
60-64 HOELTZER ST	106.39-1-47.003	80' x 133'	\$ 900
21 KAPPEL PLACE-East Portion	106.38-2-30.001	~72' x 81'	\$ 700

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5 KAPPEL PLACE	106.38-2-39.003	144' x 80'	\$ 875
765 NORTH CLINTON AVE	106.38-2-43	48' x 145'	\$ 3,500
769-71 N. CLINTON AVE-East Portion	106.38-2-42	40' x ~437'	\$ 3,900
10 SULLIVAN ST	106.30-2-32	34' x 99'	\$ 350
12 SULLIVAN ST	106.31-4-63.003	58' x 99'	\$ 450
29 SULLIVAN ST	106.39-1-13.002	136' x 135'	\$ 900
37 SULLIVAN ST-East Portion	106.39-1-18.002	~60' x 137'	\$ 525
51 SULLIVAN STREET	106.39-1-24.2	210' x 167'	\$ 2,500
59 SULLIVAN STREET	106.39-1-31.1	70' x 167'	\$ 1,200
Total of Sales Prices			\$ 22,100

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

Section 5. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated in accordance with Article 11 of the NYS Private Housing Finance Law and for the purpose of providing affordable housing and associated amenities.

Section 6. The agreements 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 other documents as may be necessary to effectuate the agreements authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-97
Re: Liberty Lofts at Sibley Square

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Liberty Lofts at Sibley Square affordable and workforce housing development undertaken by Winn Development Company (Winn) (Gilbert Winn, Principal) as part of the ongoing transformation of the former Sibley Building into Sibley Square, located at 228 – 280 East Main Street in the Center City.

This legislation will:

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1. Appropriate a total of \$310,000 from Cash Capital to the Housing Revolving Loan fund, as follows: \$150,374.06 of 2017-18 Cash Capital and \$159,625.94 of 2018-19 Cash Capital.
2. Authorize a loan agreement for a \$310,000 permanent loan with Sibley Lofts Affordable LLC and Sibley Lofts Workforce LLC, or Sibley Lofts LLC, to be funded from the Housing Revolving Loan Fund appropriated herein.

The loan will serve as a 30 year permanent loan, at 2% interest-only, payable annually with the rincipal payment due at the end of the 30 year term.

3. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
4. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Liberty Lofts at Sibley Square is the third phase of residential development at Sibley Square, and continues the transformation of the former Sibley Building, by redeveloping parts of floors 2, 3, 4 and 5 in the tower section of the building into 104 apartments intended for mixed-income households, with more than half of the units (53) targeted to households with incomes at or below 60% of the area median income (AMI), and the remaining units (51) for households with incomes of up to 110% of AMI. The project is targeted to provide rental housing affordable to workforce households seeking to live in the center city, that are unable to afford market rate units, and also have gross income that exceeds affordable rental housing income thresholds.

The development includes the repurposing of approximately 139,805 sq. ft. of portions of four floors, as noted above, and includes the following apartment types: 4 Studios, 48 one bedroom, 40 one bedroom with den, 10 two bedroom units, and 2 two bedroom with den units. Heat and hot water are included in rent, and electric will be paid by tenants. Residents of the project will have access to amenities located at Sibley Square, including a gym, yoga room, and multipurpose room, a day care center, and business center. Additionally, the forthcoming first floor Commissary, a kitchen business incubator; and the Mercantile on Main, a restaurant marketplace located at the building's Atrium, are both currently under construction. Sibley Square also includes new Citizens Bank and Bank of America locations, services and events coordinated by the non-profit Lifespan, safety benefits of the Rochester Police station on the ground floor and manned security staff onsite 24 hours daily/seven days a week.

This project will utilize the following funding sources: City, Federal Historic Tax Credits, NYS HFA 4% Bond financing, several NYS HCR sources, including: New Construction Program (NCP) funds, Middle Income Housing Program (MIHP) funds and Homes For Working Families (HWF) funds, Low Income Housing Tax Credits and deferred developer fees. The City of Rochester's investment will also include Restore NY 5 funding received from the New York State Empire State Development (NYS ESD) agency, in the amount of \$1,190,000, which was authorized via Ord. No. 2018-180. A PILOT agreement for the project was authorized via Ord. No. 2012-361, and executed on December 20, 2018.

Due to other funding sources funding requirements, the project closed with a sponsor loan for construction, in place of the City's Cash Capital loan. The proposed City of Rochester loan will be used for permanent financing. The City of Rochester's loan was approved by the Loan Review Committee on March 19, 2020. The Liberty Lofts at Sibley Square project closed on construction financing on December 20, 2018, and began construction in January 2019. The project is nearing construction completion, and is anticipated to receive a certificate of occupancy by the end of March 2020. Pre-leasing activities are underway, and initial tenants are anticipated to move into the project beginning in April 2020.

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~~Phase 1 of the redevelopment project is known as Landmark at Sibley Square, and includes 72 units of affordable senior rental housing, serving 1 household at or below 50% of Area Median Income (AMI), 53 households at or below 60% (AMI) and 18 units for households at or below 90% AMI. Phase 1 of the redevelopment project is known as Landmark at Sibley Square, and includes 72 units of affordable senior rental housing, serving households at or below 60% of Area Median Income (AMI). Construction was completed in early 2018. Phase 2 is known as Spectra at Sibley Square, and includes 104 units, 81 of which are market rate, and 23 of which are affordable workforce units; including 7 units affordable to households with incomes of up to 80% AMI; 7 units, affordable to households with incomes of up to 90% AMI; and affordable to households with incomes of up to 100% AMI. Combined, the three phases of residential development comprise a total of 280 rental units representing a balanced mix of residential uses in the tower portion of the building.~~

Liberty Lofts at Sibley Square will complement significant development and interest that has occurred in the Center City in recent years and will provide housing for a range of incomes and household types within this popular area.

The sources and uses for the project are summarized below:

<u>Construction Sources:</u>		<u>Uses of Funds:</u>	
HFA Loans	\$15,230,000	Acquisition	\$1,800,000
LIHTC* Equity	509,250	Construction Costs	20,379,017
Federal HRTC**	434,804	Soft Costs	4,242,042
NYS HCR*** Subsidies	11,796,169	Construction Contingency	1,788,311
Sponsor Loan/	279,000	Reserves and Escrows	307,789
Deferred Reserves	374,079	Developer Fee	<u>1,781,388</u>
Deferred Developer Fee	<u>1,675,245</u>	Total Uses of Funds	\$30,298,547
Total Construction Sources	\$30,298,547		

<u>Permanent Sources:</u>	
HFA Loan	\$5,950,000
LIHTC* Equity	5,092,498
Federal HRTC**	4,348,041
NYS HCR*** Loans	13,106,854
City of Rochester-Restore NY5	1,190,000
City of Rochester – Loan	310,000
Deferred Developer Fee	<u>301,154</u>
Total Permanent Sources	\$30,298,547

*Low-Income Housing Tax Credits, ** Historic Rehabilitation Tax Credit

*** New York State Homes and Community Renewal

This project is on track to meet its goals of 30% M/WBE contracts (for City and State funds). The project also has workforce goals, including 6.9% women and 20% minorities.

Winn Companies was established in 1971 and is based in Boston, Massachusetts. Winn has a satellite corporate office with over 20 employees at the Sibley Building and regional offices nationwide. To date, Winn has developed over 80 projects and currently manages over 550 properties including 95,000 residential units. The Winn portfolio includes a specialization in historic redevelopment, affordable housing, military base management, mixed-use properties and hotels.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment. No. AT-63

Ordinance No. 2020-97
(Int. No. 120)

Authorizing loan agreement for the Liberty Lofts at Sibley Square

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

Section 1. The sum of \$310,000 is hereby appropriated to the Housing Revolving Loan Fund from the following sources: \$150,374.06 from 2017-18 Cash Capital and \$159,625.94 from 2018-19 Cash Capital.

Section 2. The Mayor is hereby authorized to enter into a loan agreement with Winn Development Corporation or an affiliated partnership or housing development fund corporation formed for the purpose (the Developer) to provide permanent financing for the Liberty Lofts at Sibley Square consisting of approximately 104 new mixed income residential rental units on parts of floors 2, 3, 4 and 5 of the former Sibley Building (the Project). The loan principal shall be in the amount of \$310,000, which amount is hereby appropriated for that purpose from the Housing Revolving Loan Fund. The loan agreement shall have a term that extends to 30 years following completion of Project construction. The loan interest shall be 2% and interest-only payments shall be due annually with repayment of the loan principal due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

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 other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes: President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo -8.

Nays: Councilmember Lupien – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1763
Re: - South Avenue/Alexander Street Open
Space District LIO No. 1740

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods; Sustaining
Green & Active Systems

April 14, 2020

Transmitted herewith for your approval is legislation establishing the amount of \$8,900 for maintenance of the South Avenue/Alexander Street Open Space District and authorizing an agreement with South Wedge Area Neighborhood Council (SWANC) of 540 South Avenue, Rochester, New York for \$8,900 to perform the 2020 -21 maintenance. Local Improvement Ordinance No. 1740 re-established the District in 2018 for a term of ten years.

The annual charges for maintenance of the open space will be apportioned among these properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). Parcels in the Outer Tier of the district shall be charged at half the rate as the Inner Tier parcels. The boundaries of the tiers will remain as follows:

- The Inner Tier of the district shall consist of properties fronting on South Avenue from Comfort Street to Hamilton Street and properties fronting on Alexander Street between South Clinton Avenue and Kirley Alley/Stebbins Street, but excluding the corner parcels at South Clinton Avenue.
- The Outer Tier of the district shall consist of the remaining properties in the area bounded by Mt. Hope Avenue, Byron Street, South Clinton Avenue, and Hamilton Street, including the parcels on the south side of Hamilton Street and the parcels fronting on South Avenue between Hamilton Street and Averill Avenue.

This assessment provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost for these services is based on estimates provided by the South Wedge Area Neighborhood Council (SWANC).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-64

Local Improvement Ordinance No. 1763
(Int. No. 121)

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

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

Section 1. The cost of special work and services for the 2020-21 fiscal year for the South Avenue/Alexander Street Open Space District reestablished by Local Improvement Ordinance No. 1740 is established at \$8,900, which amount shall be assessed and billed on the 2020-21 tax bill as follows: apportioned among the properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). Parcels in the Outer Tier of the district shall be charged at half the rate of the Inner Tier parcels. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 2. The Council hereby finds that it would be impracticable to select a maintenance contractor through competitive bidding, designates the South Wedge Area Neighborhood Council, Inc. to perform the special work and services, and authorizes the Mayor to enter into an agreement with said Association for this purpose.

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Section 3. The agreement shall obligate the City to pay an amount not to exceed \$8,900, and said amount, or so much thereof as may be necessary, is hereby appropriated from the assessments authorized herein.

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.

Introductory 76 and 77 was introduced on March 17, 2020 and appears in its original transmittal letter on page___ of the 2020 Council Proceedings

Ordinance No. 2020-98
(Int. No. 76)

Determinations and findings relating to the acquisition of properties for the Flower City School No. 54 campus modernization project

WHEREAS, the City of Rochester proposes to acquire the parcels at 56 Aab Street, 2 Chace Street, 12 Chace Street, 291 Sherman Street, 295 Sherman Street, and 301 Sherman Street (the “Properties”) to effectuate the Flower City School No. 54 campus modernization project (the “Project”), and

WHEREAS, the Council of the City of Rochester held a public hearing on March 12, 2020 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of said parcels and 2 speakers appeared at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the acquisition of the Properties for the Project:

- A. Project description – The Project will expand the Flower City School campus to satisfy New York State Education Department standards.
- B. Project purpose – to enhance student safety and wellbeing by providing sufficient space on the school campus for play fields, bus drop-off and pickup areas and parking.
- C. Relocation assistance and compensation – The Project will require the removal of several residential dwellings. In accordance with the City’s rules and regulations for relocation benefits approved in Resolution No. 2002-25, fair notice will be given to the occupants of the Properties and a moving allowance of up to \$1,000 will be provided for each dwelling unit. In addition, those occupants who request it will be provided with professional assistance to find comparable replacement housing before they are required to vacate.
- D. Project effect – The acquisition of the Properties and the overall Project will have no significant adverse environmental effects. The acquisition of the Properties has been reviewed under the State Environmental Quality Review Act (“SEQR”) and Chapter 48 of the Municipal Code, a SEQR Environmental Assessment Form has been completed, and

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the Project has been determined to have no potential significant adverse environmental impacts, pursuant to an Amended Negative Declaration issued by the Rochester Joint Schools Construction Board on February 10, 2020.

Section 2. This ordinance shall take effect immediately.

Passed by the following:

Ayes: President Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo -7.

Nays: Councilmember Lupien – 1.

Councilmember Harris abstained due to a professional relationship.

Ordinance No. 2020-99
(Int. No. 77)

Authorizing the acquisition by negotiation or condemnation of properties for the Flower City School No. 54 campus modernization project

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

Section 1. The Council hereby approves the acquisition of the following parcels for the maximum acquisition amounts indicated to effectuate the Flower City School No. 54 campus modernization project:

Property Address	Reputed Owner	SBL#	Type	Maximum Acquisition Amount
56 Aab Street	Brenda A. Smith	105.50-1-27	1 Family	\$43,000
2 Chace Street	Eve C. Baker	105.50-1-20	1 Family	\$29,000
12 Chace Street	Kevin P. Burke	105.50-1-25.1	1 Family	\$36,000
291 Sherman Street	VNV Properties Inc.	105.50-1-18	2 Family	\$53,000
295 Sherman Street	Nicky & Shilo Labrie	105.50-1-17	1 Family	\$40,000
301 Sherman Street	Nexus Capital Real Estate SPE, LLC	105-50-1-16	1 Family	\$40,000

Section 2. The acquisition amounts and necessary relocation and closing costs shall be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board on December 9, 2019 in Resolution 2019-20: 68.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcels, shall also be canceled.

Section 4. In the event that any of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire said

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parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.

Section 5. This ordinance shall take effect immediately

Passed by the following:

Ayes: President Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo -7.

Nays: Councilmember Lupien – 1.

Councilmember Harris abstained due to a professional relationship.

By Councilmember Gruber
April 14, 2020

To the Council:

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

- Int. No. 122 Authorizing funding for the 2018 Preventive Maintenance Group No. 2 project
- Int. No. 123 Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Alexander Street & Scio Street Highway Preventive Maintenance (Group 2)
- Int. No. 124 Authorizing funding and an agreement for the 2020 Preventive Maintenance Group 9 project
- Int. No. 125 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,355,000 Bonds of said City to finance the 2020 Preventive Maintenance Group 9 Project
- Int. No. 126 Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Northeast Group 9 Highway Preventive Maintenance
- Int. No. 128 Authorizing an agreement for the 2020 Lake Avenue Milling and Resurfacing Program
- Int. No. 129 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,456,000 Bonds of said City to finance the 2020 Lake Avenue Milling and Resurfacing Program

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- Int. No. 130 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$342,000 Bonds of said City to finance the replacement of water lines and services associated with the 2020 Lake Avenue Milling and Resurfacing Program
- Int. No. 131 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,220,000 Bonds of said City to finance certain costs of the Northwest Quadrant Contract 2020 – Phase 1 Hazardous Sidewalk Replacement Program
- Int. No. 132 Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District
- Int. No. 133 Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Waring Road from Culver Road to Norton Street
- Int. No. 134 Appropriating Community Development Block Grant funds to improvements at Don Samuel Torres Park
- Int. No. 135 Authorizing the receipt and use of State funds for a recreational trail program
- Int. No. 136 Resolution authorizing the City of Rochester CSX Acquisition project
- Int. No. 137 Authorizing an agreement for the Vacuum Oil Brownfield Opportunity Area River Trail
- Int. No. 138 Authorizing a grant agreement and appropriation for the David F. Gantt R-Center
- Int. No. 139 Authorizing receipt of a grant and an amendatory agreement for the Rundel Library Structural Terrace Improvements Phase IV Project
- Int. No. 141 Authorizing an engineering design services agreement for the St. Paul Street Underpass Improvement Project
- Int. No. 148 Amending Ordinance No. 2020-74 relating to Magee Avenue/Raines Park Improvement Project

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

- Int. No. 127 Authorizing pavement width changes for the Carter Street and North Street Milling & Resurfacing Program
- Int. No. 140 Local Improvements Ordinance – establishing the operation, installation and maintenance costs of street lighting special assessment districts

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- Int. No. 149 Local Improvement Ordinance – care and embellishment of street malls for 2020-21
- Int. No. 150 Continuation of Local Improvement Ordinance No. 1619 Relating to the Norton Street Urban Renewal District Streetscape District
- Int. No. 151 Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements
- Int. No. 152 Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

Respectfully submitted,
Mitch Gruber (*Abstained on Int. Nos. 139*)
Malik Evans
Jose Peo
Willie Lightfoot
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-100
Resolution No. 2020-19
Re: 2018 Preventive Maintenance Group No. 2
Alexander Street (Mt. Hope Avenue to East Main
Street) and Scio Street (East Avenue to Central Park)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2018 Preventive Maintenance Group No. 2 Project. This legislation will:

1. Appropriate \$26,348 in additional anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of construction for the project; and,
2. Appropriate \$4,940 in additional anticipated reimbursements from the New York State Marchiselli Aid Program to fund a portion of construction for the project; and,
3. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before

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seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a Federal Aid project that is administered by the City under an agreement with the NYSDOT. FHWA funds and Marchiselli Aid funds were appropriated for construction from anticipated reimbursements in May 2019 (Ordinance No. 2019-128).

Street improvements will include milling and resurfacing of the pavement, curb ramp upgrades, strategic hazardous sidewalk replacements, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The project was designed by C&S Engineers, Inc. (John D. Trimble, 150 State Street, Suite 120, Rochester, New York). Resident Project Representation (RPR) services are being provided by T.Y. Lin International Engineering & Architecture, P.C. (James Krapf, P.E., Principal, 255 East Avenue, Rochester, New York). Villager Construction, Inc. (Timothy O. Lawless, C.E.O., 425 Old Macedon Center Road, Fairport, New York) is the contractor for construction.

Construction began in spring 2019 and is anticipated to be substantially complete in summer 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-66

Ordinance No. 2020-100
(Int. No. 122)

Authorizing funding for the 2018 Preventive Maintenance Group No. 2 project

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

Section 1. The sum of \$26,348 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the construction of the 2018 Preventive Maintenance Group No. 2 project, including portions of Alexander Street (Mt. Hope Avenue to East Main Street) and Scio Street (East Avenue to Central Park) (collectively, the Project).

Section 2. The Council hereby authorizes the receipt and use of \$4,940 in anticipated reimbursements from the New York State Department of Transportation's Marchiselli Aid program and appropriates that sum to fund the Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

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Resolution No. 2020-19
(Int. No. 123)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Alexander Street & Scio Street Highway Preventive Maintenance (Group 2)

WHEREAS, a Project for Alexander Street & Scio Street Highway Preventive Maintenance (Group 2), P.I.N. 4CR0.01 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction and construction inspection services.

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

THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$3,759,937 is hereby appropriated pursuant to Ordinance No. 2017-10 as amended by Ordinance No. 2018-92 (\$289,302), Ordinance No. 2018-395 (\$10,550), Ordinance Nos. 2019-128 and 2019-129 and the other ordinances and cash capital accounts recited therein (\$3,428,797), and the accompanying Ordinance No. 2020-100 (\$31,288) and made available to cover the cost of participation in the above phases of the Project;

THAT, in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

April 14, 2020

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-101

Ordinance No. 2020-102

Resolution No. 2020-20

Re: Re: 2020 Preventive Maintenance Group 9
Hudson Avenue (North Street to NY Route 104) and
St. Paul Street (Central Avenue to Gorham Street)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2020 Preventive Maintenance Group 9 Project. This legislation will:

1. Appropriate \$2,956,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Appropriate \$554,400 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the construction and RPR services for the project; and,
3. Appropriate an additional \$26,697.29 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the design services for the project; and,
4. Amend Ordinance No. 2017-11, as amended by Ordinance 2018-66, which established funding for the agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York) for design services related to this project, by reducing the 2016-17 Cash Capital by \$26,697.29, and replacing those funds with the \$26,697.29 of the NYS Marchiselli Aid appropriated herein.
5. Authorize the issuance of bonds totaling \$1,355,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
6. Establish \$600,000 as maximum compensation for a professional services agreement with Stantec Consulting Services Inc. (James R. Hofmann Jr., P.E., Principal, 61 Commercial Street, Suite 100, Rochester, New York), for RPR services. The cost of the project will be funded from the sources outlined in the chart on the following page; and,
7. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a Federal Aid project that is administered by the City under an agreement with the NYSDOT.

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Street improvements will include pavement milling and resurfacing, curb ramp upgrades, spot curb and hazardous sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure. Improvements to pedestrian and bicycle facilities in accordance with the Rochester Complete Streets Policy have been integrated into the design.

The project was designed by Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York).

Stantec Consulting Services Inc. (James R. Hofmann, Jr., 61 Commercial Street, Suite 100, Rochester, New York) was selected for RPR services from the NYSDOT list of pre-approved regional engineering firms. The term for the agreement shall continue until six (6) months after completion of the project.

Bids for construction were received on February 25, 2020. The apparent low bid of \$4,496,875 was submitted by Villager Construction Inc. (Timothy O. Lawless, C.E.O., 425 Old Macedon Center Road, Rochester, New York), which includes a 5% construction contingency in the bid.

The project will be funded as follows:

Source of Funds	Design	Construction	RPR	Total
Federal Aid appropriated Ordinance No. 2017-11	287,200.00	0	0	287,200.00
2016-17 Cash Capital	24,574.71	0	0	\$24,574.71
Marchiselli Aid appropriated Ordinance No. 2018-66	20,528.00			\$20,528.00
Federal Aid appropriated herein	0	2,634,570.00	322,230.00	\$2,956,800.00
Marchiselli Aid appropriated herein	26,697.29	493,980.00	60,420.00	\$581,097.29
Bonds authorized herein	0	1,197,185.00	157,815.00	\$1,355,000.00
Anticipated Pure Waters Reimbursement to be appropriated April 2020 Council	0	98,480.00	0	\$98,480.00
2014-15 Cash Capital	0	14,580.94	0	\$14,580.94
2015-16 Cash Capital	0	26,680.26	0	\$26,680.26
2017-18 Cash Capital	0	31,398.80	8,900.00	\$40,298.80
2019-20 Cash Capital	0	0	50,635.00	\$50,635.00
Total	\$359,000.00	\$4,496,875.00	\$600,000.00	\$5,455,875.00

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Construction is anticipated to begin in spring 2020 and will be substantially complete in fall 2020. The project's construction and RPR services will result in the creation and/or retention of the equivalent of 55.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-67

Ordinance No. 2020-101
(Int. No. 124)

Authorizing funding and an agreement for the 2020 Preventive Maintenance Group 9 project

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

Section 1. The sum of \$2,956,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the 2020 Preventive Maintenance Group 9 project, including portions of Hudson Avenue (North Street to NY Route 104) and St. Paul Street (Central Avenue to Gorham Street) (collectively, the Project).

Section 2. The sum of \$581,097.29 in anticipated reimbursements from the New York State Department of Transportation's Marchiselli Aid program is hereby appropriated to fund the Project.

Section 3. Ordinance No. 2017-11, as amended by Ordinance No. 2018-66, which established funding for a professional service agreement with Erdman, Anthony and Associates, Inc. for design services for the Project, is hereby amended by reducing the 2016-17 Cash Capital allocated to said agreement by \$26,697.29, and allocating \$26,697.29 of the Marchiselli funds appropriated by Section 2 herein as a substitute.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$600,000, which shall be funded in the amounts of \$322,230 from the FHWA funds appropriated in Section 1 herein, \$60,420 of the Marchiselli aid appropriated in Section 2 herein, \$157,815 from the proceeds of bonds to be authorized in a bond ordinance concurrent herewith, \$8,900 in 2017-18 Cash Capital, and \$50,635 in 2019-20 Cash Capital. The term of the agreement shall continue until 6 months after completion of the Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

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Ordinance No. 2020-102
(Int. No. 125)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,355,000 Bonds of said City to finance the 2020 Preventive Maintenance Group 9 Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs for the 2020 Preventive Maintenance Group 9 Project consisting of pavement milling and resurfacing, curb ramps upgrades, spot curb and sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings on portions of Hudson Avenue (North Street to NY Route 104) and St. Paul Street (Central Avenue to Gorham Street) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,455,875. The plan of financing includes the issuance of \$1,355,000 bonds of the City to finance a portion of said appropriation, the proceeds of which are hereby appropriated to the Project, \$287,200 in anticipated reimbursements from the Federal Highway Administration (Ordinance No. 2017-11, as amended in Ordinance No. 2018-66), \$20,528 in NYS Marchiselli Aid Program reimbursements (Ordinance No. 2018-66), \$2,956,800 in anticipated reimbursements from the Federal Highway Administration appropriated concurrent with this Ordinance (Ordinance No. 2020-101), \$581,097 in NYS Marchiselli Aid Program reimbursements appropriated concurrent with this Ordinance (Ordinance No.2020-101), \$98,480 in anticipated reimbursements from the Rochester Pure Waters District (Ordinance No. 2020-108; \$14,581 from 2014-15 Cash Capital, \$26,680 from 2015-16 Cash Capital; \$24,575 from 2016-17 Cash Capital, \$40,299 from 2017-18 Cash Capital, \$50,635 from 2019-20 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,355,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,355,000. 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. 20. of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and

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interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed unanimously.

Resolution No. 2020-20
(Int. No. 126)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Northeast Group 9 Highway Preventive Maintenance

WHEREAS, a Project for Northeast Group 9 Highway Preventive Maintenance, P.I.N. 4CR0.03 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction and construction inspection services.

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

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THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$5,455,875 is hereby appropriated pursuant to Ordinance No. 2020-102 and the prior and concurrent ordinances and Cash Capital allocations cited therein and made available to cover the cost of participation in the above phases of the Project;

THAT, in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-103
Re: Pavement Width Changes – Carter Street
and North Street Milling and Resurfacing
Program 2019, Carter Street (Norton Street to
Portland Avenue) and North Street (Norton
Street to Portland Avenue)

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing changes in pavement width related to the Carter Street and North Street Milling & Resurfacing project.

1. On North Street:
 - a. A decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at Cleveland Street and continuing approximately 46 feet northward; and,
 - b. A decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at a point 54 feet north of the previous point for a distance of 91 feet northward.

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In addition to pavement width changes, this project includes pavement milling and resurfacing, curb ramp upgrades, spot curb and hazardous sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. The pavement width changes will introduce curb bump-outs to allow for protected parking on the west side of North Street near Cleveland Avenue.

No additional right-of-way is required to accommodate the changes in pavement width. The pavement width changes were presented for endorsement at the March 23, 2020 Traffic Control Board meeting. A public hearing on the pavement width changes is required.

The proposed pavement width changes will be added as a change order to the project.

The project was designed by the City of Rochester's Bureau of Architecture and Engineering-Street Design Division. Resident Project Representation (RPR) services are being provided by Joseph C. Lu Engineers, P.C. (Cletus O. Ezenwa, P.E., 339 East Avenue, Suite 200, Rochester, New York). Hewitt Young Electric, LLC (Mark R. Spall, President, 645 Maple Street, Rochester, New York) is the contractor for construction.

Construction began in summer 2019 and is anticipated to be substantial complete in summer 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-68

Ordinance No. 2020-103
(Int. No. 127)

Authorizing pavement width changes for the Carter Street and North Street Milling & Resurfacing Program

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

Section 1. Council hereby approves the following pavement width changes for the Carter Street and North Street Milling & Resurfacing Program:

- A) on North Street, a decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at Cleveland Street and continuing approximately 46 feet northward; and
- B) on North Street, a decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at a point approximately 54 feet north of the end point in clause A above and continuing approximately 91 feet northward.

Section 2. The changes authorized herein shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

April 14, 2020

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-104

Ordinance No. 2020-105

Ordinance No. 2020-106

Re: Lake Avenue Milling and Resurfacing
Project 2020 (Burley Road to Pattonwood
Drive)

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to Lake Avenue Milling and Resurfacing Project 2020. This legislation will:

1. Establish \$340,000 as maximum compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO 280 E. Broad Street, Suite 200, Rochester, NY) for Resident Project Representation (RPR) services. The cost of the project will be funded from the sources outlined in the chart on the following page; and,
2. Authorize the issuance of bonds totaling \$1,456,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR Services for the project; and,
3. Authorize the issuance of water bonds totaling \$342,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project.

The project includes pavement milling and resurfacing, curb ramp upgrades, spot curb and hazardous sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The Project was designed by the City of Rochester Bureau of Architecture and Engineering – Street Design Division.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, C.E.O., 280 East Broad Street, Rochester, New York) was selected for RPR Services through a Request for Proposal process, which is described in the attached summary. The agreement shall have a term of three (3) months after completion of the two-year guarantee inspection of the project.

Bids for construction were received on March 3, 2020. The apparent low bid of \$1,873,674.50 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, C.E.O., 5711 Gateway Park, Lakeville, New York).

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The project will be funded as follows:

Source of Funds	Construction	RPR	Contingency	Total
DASNY grant appropriated 2015-120	367,558.24	0	0	\$367,558.24
Bonds authorized herein	1,029,328.06	286,983.31	139,688.63	\$1,456,000.00
Water bonds authorized herein	268,147.20	47,038.08	26,814.72	\$342,000.00
Anticipated Pure Waters Reimbursement to be appropriated April 2020 Council	208,641.00	0	20,864.10	\$229,505.10
2019-20 Cash Capital	0	5,978.61	0	\$5,978.61
Total	\$1,873,674.50	\$340,000.00	\$187,367.45	\$2,401,041.95

Construction is anticipated to begin in spring 2020 with substantial completion in fall 2020. The project will result in the creation and/or retention of the equivalent of 26.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-69

Ordinance No. 2020-104
(Int. No. 128)

Authorizing an agreement for the 2020 Lake Avenue Milling and Resurfacing Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide resident project representation services for the 2020 Lake Avenue Milling and Resurfacing Program (the "Program"). The maximum compensation for the agreement shall be \$340,000, and said amount or so much thereof as may be necessary, shall be funded in the amounts of \$286,983.31 from the proceeds of street improvement bonds appropriated for the Program in a concurrent bond ordinance, \$47,038.08 from the proceeds of water service bonds appropriated for the Program in a concurrent bond ordinance, and \$5,978.61 in 2019-20 Cash Capital. The term of the agreement shall continue until 3 months after completion of the two-year guarantee inspection of the Program.

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.

April 14, 2020

Ordinance No. 2020-105
(Int. No. 129)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,456,000 Bonds of said City to finance the 2020 Lake Avenue Milling and Resurfacing Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of the 2020 Lake Avenue Milling and Resurfacing Program, extending from Burley Road to Pattonwood Drive and including pavement milling and resurfacing, curb ramp upgrades, spot curb and sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve casting (the "Program"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,059,042. The plan of financing includes the issuance of \$1,456,000 bonds of the City, which amount is hereby appropriated therefor, \$367,558 in Dormitory Authority of the State of New York grant funds appropriated in Ordinance No. 2015-120, \$342,000 in Water Bonds authorized in the accompanying Ordinance No. 2020-106, \$229,505 in anticipated reimbursements from the \$750,000 Monroe County Pure Waters public works reimbursement fund authorized in Ordinance No, 2020-108, \$5,979 in 2019-2020 Cash Capital and hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,456,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,456,000. 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. 20. c. of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale

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of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed unanimously.

Ordinance No. 2020-106
(Int. No. 130)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$342,000 Bonds of said City to finance the replacement of water lines and services associated with the 2020 Lake Avenue Milling and Resurfacing Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacing water lines and services as water related construction and resident project representation services on Lake Avenue (from Burley Road to Pattonwood Drive) related to the 2020 Lake Avenue Milling and Resurfacing Program (the "Program"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$342,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$342,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$342,000 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.

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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 \$342,000. 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. 1. of the Law, is forty (40) years.

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

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

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed unanimously.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-107
Re: Hazardous Sidewalk Replacement
Program Northwest Quadrant Contract
2020 – Phase I

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is authorizing the issuance of bonds totaling \$1,220,000 and the appropriation of the proceeds thereof to partially finance all portions of the project.

The project will replace sidewalk flags that are in hazardous condition in the Northwest quadrant of the City.

The project was designed by the City of Rochester Bureau of Architecture and Engineering – Street Design Division.

The existing term contract for Resident Project Representation (RPR) services for hazardous sidewalk replacement will be utilized for this project.
Bids for construction were received on March 3, 2020. The apparent low bid of \$1,223,320 was submitted by Espana Enterprises, LLC (Scott Spring, President, 174 Culver Street, Rochester, New York).

The project will be funded as follows:

Source of Funds	Construction	Contingency	Total
Bonds issued herein	\$1,220,000	\$0	\$1,220,000
2018-19 Cash Capital	3,320	176,680	\$180,000
Total	\$1,223,320	\$176,680	\$1,400,000

Construction is anticipated to begin in spring 2020 with substantial completion in fall 2020. The project will result in the creation and/or retention of the equivalent of 15.2 full-time jobs

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-70

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Ordinance No. 2020-107
(Int. No. 131)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,220,000 Bonds of said City to finance certain costs of the Northwest Quadrant Contract 2020 - Phase 1 Hazardous Sidewalk Replacement Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Northwest Quadrant Contract 2020 - Phase 1 Hazardous Sidewalk Replacement Program, along streets noted on the attached Area Map (Exhibit A), including costs of repair and replacement of hazardous and failing sidewalks (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 \$1,400,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,220,000 bonds of the City to finance said appropriation, application of \$180,000 of 2018-2019 Cash Capital, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,220,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,220,000. 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. 24 of the Law, is ten (10) years.

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

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

April 14, 2020

bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

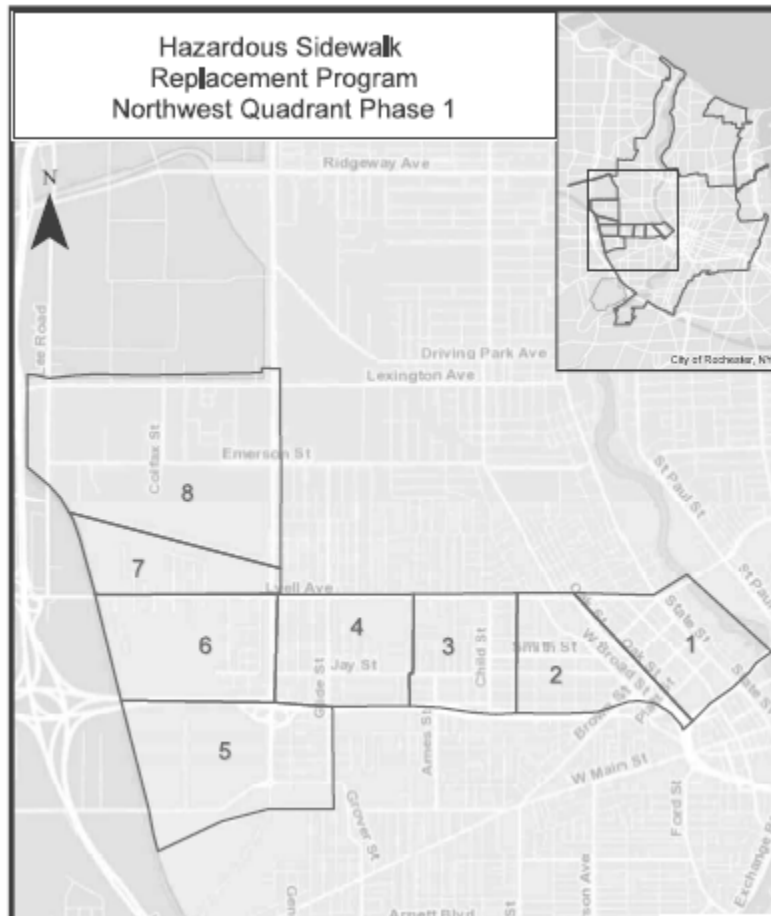
(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

**Exhibit A
Area Map**



April 14, 2020

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-108

Re: Appropriation – Rochester Pure Waters
District, Street Improvement Projects

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-108
(Int. No. 132)

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

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

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

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-21
Re: Grant Agreement – Waring Road
Improvement (Culver Road to Norton Street)

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Waring Road Improvement Project. This legislation will:

1. Confirm that in Ordinance No. 2010-258 the City has appropriated the sum of \$393,000 for engineering planning and design services for the project; and,
2. Confirm that in Ordinance No. 2011-282 the City has appropriated the sum of \$296,200 \$296,150 for engineering planning and design services for the project; and,
3. Confirm that in Ordinance No. 2019-313 the City has appropriated the sum of \$175,000 for design, right-of-way incidentals and acquisition services for the project; and,
4. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a New York State funded Project that is administered by the City under an agreement with the NYSDOT.

Street improvements will include pavement reconstruction, new curbs and bump-outs, realignment of intersecting streets, sidewalks, street lighting improvements, water main installation, water services (including the replacement of 12 existing lead-containing galvanized services), hydrants, catch basins, manhole frames and covers, bio-retention areas, landscaping, bicycle lanes and restoration of all disturbed lawn areas. Improvements to pedestrian and bicycle facilities in accordance with the Rochester Complete Streets Policy have been integrated into the design. Minor right-of-way corner takings will be included as part of the project.

This project is being designed by CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (Todd M. Liebert, C.E.O., 205 Saint Paul Street, Suite 500, Rochester, New York).

Design services started in 2011. Final design and right-of-way acquisitions began in early 2020. Construction is anticipated to begin in spring 2021 with substantial completion in fall 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-71

April 14, 2020

Resolution No. 2020-21
(Int. No. 133)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Waring Road from Culver Road to Norton Street

WHEREAS, a Project for Waring Road from Culver Road to Norton Street, P.I.N. 4754.40 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of engineering planning, design and right-of-way incidentals services.

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

THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of engineering planning, design and right-of-way incidentals works for the Project or portions thereof;

THAT the sum of \$864,200.00 is hereby appropriated pursuant to Ordinance No. 2010-258 (\$393,000), Ordinance No. 2011-282 (\$296,150) and pursuant to Ordinance No. 2019-313 (\$175,000) and made available to cover the cost of participation in the above phases of the Project;

THAT, in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-109
Re: Community Development Block Grant,
Infrastructure and Playground Improvements

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the appropriation of \$300,000 of 2019-20 Community Development Block Grant (CDBG) funds from the Department of Recreation and Youth Services (DRYS) Infrastructure – Play Apparatus allocation of the General Community Needs Fund of the Community Development Plan for improvements at Don Samuel Torres Park. The proposed improvements at Don Samuel Torres Park are replacement of basketball court, enhanced baseball field and shade trees.

Construction for Don Samuel Torres Park is anticipated to begin in summer 2020 with substantial completion in fall 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-72

Ordinance No. 2020-109
(Int. No. 134)

Appropriating Community Development Block Grant funds to improvements at Don Samuel Torres Park

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

Section 1. The Council hereby appropriates \$300,000 in Community Development Block Grant (CDBG) funds to fund improvements at Don Samuel Torres Park. The CDBG funds shall be appropriated from the DRYS Infrastructure – Play Apparatus allocation of the Consolidated Community Development Plan/2019-2020 Annual Action Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

April 14, 2020

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-110

Resolution No. 2020-22

Re: Grant Acceptance and Appropriation–
NYS OPRHP - Recreational Trail Program,
City of Rochester CSX Acquisition

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation to:

1. Authorize the Mayor to enter into agreements with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), as necessary, to participate in and administer the projects; and,
2. Authorize the receipt and use of \$250,000 in awarded funding through the Recreational Trail Program of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP); and,
3. Approve a resolution, in a form that is required by OPRHP, that will approve the City's acceptance of grant funds and delegating signing authority to execute the New York State Master Contract for Grants ("Master Contract") and any deed of easement that may be required.

The project proposes to acquire two inactive rail corridors from CSX for eventual conversion to trail, one is the JOSANA Corridor in the City and the other is the Seneca Corridor located in the Town of Irondequoit. The acquisition and conversion will advance the goals of numerous state, regional, city and neighborhood plans for expansion of alternative transportation opportunities and access to green space and recreational opportunities.

The JOSANA corridor runs between Oak Street and Hague Street, south of and parallel to Lyell Avenue. As envisioned in the 2010 JOSANA Neighborhood Master Plan and the 2015 JOSANA Rails-to-Trails Feasibility Study, the project would include a new trail with facilities for recreation, fitness, community gardens and open space, in a neighborhood that presently not served by similar facilities.

The Seneca corridor is located on the east side of the Genesee River and extends from the northern limits of the City owned Seneca Park at Seneca Park Avenue, north to Thomas Avenue and then easterly to approximately 500' east of St. Paul Boulevard. The entire corridor is located in the Town of Irondequoit with the western boundary of the parcel, as it parallels the river, on the City/Town line. Upon conversion the trail would be a northern extension of the El Camino Trail, providing greater connectivity between the El Camino neighborhood and the larger City and regional trail system.

The OPRHP Recreational Trail Program grant will be combined with City funding of \$500,000 (2018-19 Cash Capital) to acquire both corridors.

Respectfully submitted,
Lovely A. Warren
Mayor

April 14, 2020

Attachment No. AT-73

Ordinance No. 2020-110
(Int. No. 135)

Authorizing the receipt and use of State funds for a recreational trail program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for the receipt and use of a \$250,000 grant from OPRHP's Recreational Trail Program to acquire inactive railway corridors for eventual conversion to trails within the JOSANA neighborhood and adjacent to the north of Seneca Park (the Program). Council hereby approves the allocation of \$500,000 in 2018-19 Cash Capital as additional funding for the Program.

Section 2. The Mayor is hereby authorized to enter into such other agreements and to execute such deed covenants, easements and other documentation as are necessary to effectuate the Program. The Program 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.

Resolution No. 2020-22
(Int. No. 136)

Resolution authorizing the City of Rochester CSX Acquisition project

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

Section 1. The City of Rochester applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Recreational Trails Program for the purpose of funding the City of Rochester CSX Acquisition (the Project).

Section 2. The City of Rochester is authorized and directed to accept these grant funds in an amount not to exceed \$250,000 for the Project described in the grant application.

Section 3. The City of Rochester is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such development of the City of Rochester CSX Acquisition.

Section 4. The City of Rochester is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant.

Section 5. The Council of the City of Rochester delegates signing authority to execute the Master Contract and any required deed of easement to the Mayor of the City of Rochester.

Section 6. This Resolution shall take effect immediately.

April 14, 2020

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-111

Re: Agreement – Bergmann Associates,
Vacuum Oil BOA River Trail

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods & Sustaining
Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., (Pietro V. Giovenco – Chief Executive Officer, 280 E. Broad Street, Suite 200, Rochester, New York) for design services for the Vacuum Oil BOA River Trail. The cost of the agreement will be financed from 2018-19 Cash Capital.

After more than two decades of investigation, study and planning, and in collaboration with the state and neighborhood stakeholders, the City published the final Vacuum Oil Brownfield Opportunity Area (BOA) recommendations in 2019. A key component of the BOA is a Preferred Parks, Open Space, and Public Waterfront Concept Master Plan.

The Vacuum Oil BOA River Trail project will be one of the initial key public improvements projects to implement the BOA Master Plan recommendations. The project will include the design of a new neighborhood trail connector between the Genesee Riverway Trail at Violetta Street and Plymouth Avenue.

Bergmann was the prime consultant for all phases of the BOA process. Bergmann was selected for design services based on its extensive experience with the project area, the BOA recommendations and requirements, and the state agencies and neighborhood stakeholders. A No RFP Justification form is attached.

Design phase will begin in spring 2020 with anticipated completion in spring 2021. The agreement shall have a term of six (6) months after acceptance of the design documents. The project will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AT-74

Ordinance No. 2020-111
(Int. No. 137)

Authorizing an agreement for the Vacuum Oil Brownfield Opportunity Area River Trail

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

April 14, 2020

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for design services for the Vacuum Oil Brownfield Opportunity Area River Trail. The maximum compensation for the agreement shall be \$100,000, which shall be funded from 2018-19 Cash Capital. The term of the agreement shall continue until six months after acceptance of the design documents.

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 by the following vote:

Ayes-President Scott, Councilmember Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson -8.

Nays – Councilmember Peo – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-112
Re: Grant Acceptance and Appropriation –
Rochester Gas & Electric, David F. Gantt
R-Center Generator

Council Priority: Creating & Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to authorize the receipt and use of \$50,000 in awarded funding from Rochester Gas & Electric (RG&E) for a full redundancy natural gas generator at the David F. Gantt R-Center.

Funding is being provided by RGE as a part their public / private partnership with the City and the American Red Cross to improve and strengthen community resources during extreme weather events. The David F. Gantt R-Center serves as a warming and cooling station and shelter that is an integral part of the City's overall plan for resiliency and redundancy during these events. The construction cost of the project is \$239,000 including the awarded funding from RG&E appropriated herein.

The project was designed by Stantec Consulting Services, Inc., (James R. Hofmann, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, NY) and the contractor is Invictus Electrical, LLC, (Christine Hand Dertinger, President, 1939 Bennett Road, Victor, NY).

Project construction is underway and anticipated to be complete by early spring 2020. The grant funding will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

April 14, 2020

Ordinance No. 2020-112
(Int. No. 138)

Authorizing a grant agreement and appropriation for the David F. Gantt R-Center

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 Gas and Electric Corporation (RG&E) for the receipt and use of RG&E funds in the amount of \$50,000 for a full redundancy natural gas generator at the David F. Gantt R-Center, which is hereby appropriated therefor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-113
Rochester Gas & Electric Corporation, and
Amendatory Agreement – LaBella Associates,
D.P.C., Rundel Library Structural Terrace
Improvements Phase IV Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Rundel Library Structural Terrace Improvements Phase IV project. This legislation will:

1. Authorize the receipt and use of \$178,027 in awarded funding from the Rochester Gas & Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure improvements and lighting installations, including \$20,000 for development of pre-construction drawings.
2. Establish \$20,000 as a maximum compensation for an amendatory agreement with LaBella Associates, D.P.C. (Steve Metzger, CEO, 300 State Street, Suite 201, Rochester, New York) for additional engineering, design and project administration services for the electrical infrastructure improvements and lighting installations for the project.

The original agreement with LaBella Associates, D.P.C. for engineering, planning and landscape architectural services was authorized in October 2016 (Ordinance No. 2016-343) for a maximum compensation of \$750,000. An amendatory agreement increasing the maximum compensation by \$550,000 to a total amount of \$1,300,000 was authorized in September 2018 (Ordinance No. 2018-300). This amendatory amendment will increase the compensation by \$20,000, to a maximum total of \$1,320,000. The amended agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost will be funded as follows:

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Source:		
Debt (Ordinance No. 2016-344)		\$1,300,000
RG&E funding award (authorized herewith)		<u>\$ 20,000</u>
	TOTAL	\$1,320,000

The project includes installation of LED street lighting, LED accent lighting in the terrace, a public art installation with LED lighted gateway and illuminated runnel as part of the reconstruction of the Rundel Library north terrace and east sidewalk. The overall project will create a more vibrant north terrace that celebrates the library and the history of the Erie Canal and aqueduct, improve visibility and public access to the riverfront and provide enhanced outdoor public space for gathering and library programming. Amenities will include an ADA accessible river theater and tiered seating overlooking the Genesee River, landscape architectural features, terrace lighting, and a public art installation.

Project construction is underway with anticipated completion in fall 2021. The grant funding will result in the creation and/or retention of the equivalent of 2 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-75

Ordinance No. 2020-113
 (Int. No. 139)

Authorizing receipt of a grant and an amendatory agreement for the Rundel Library Structural Terrace Improvements Phase IV Project

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

Section 1. The Council hereby authorizes the receipt and use of \$178,027 in grant funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure improvements and lighting installations for the Rundel Library Structural Terrace Improvements Phase IV Project (the Project), which amount is hereby appropriated therefor.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with LaBella Associates, D.P.C. for additional engineering, design and project administration services for the Project. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2016-343 and amended by Ordinance No. 2018-300, by \$20,000 to a total amount of \$1,320,000. The amendatory compensation amount shall be funded from the grant funds authorized in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

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Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo- 8.

Nays – None-0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1764
Re: Local Improvement Ordinance –Street
Lighting Enhancement Special Assessment
Districts

Council Priority: Public Safety & Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing the 2020-21 budgets for Street
Lighting Enhancement Special Assessment Districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2020-21	2019-20	Variance	Capital/Operating	Type
1547	Wilson Boulevard	\$555.63	\$563.41	\$(7.78)	Operating	Street lighting
1413	Monroe I	\$1,213.41	\$1,265.73	\$(52.32)	Operating	Street lighting
1412	Monroe II	\$620.14	\$627.62	\$(7.48)	Operating	Street lighting
1429	Cascade Historic	\$1,557.38	\$1,562.58	\$(5.20)	Operating	Street lighting
1601	Norton Street URD	\$1,363.84	\$1,377.07	\$(13.23)	Operating	Street lighting
1472	Lake Avenue	\$4,022.56	\$4,068.34	\$(45.78)	Operating	Street lighting
1552	St. Paul Street	\$521.99	\$528.76	\$(6.77)	Operating	Street lighting
1627	East Main Street	\$320.90	\$325.18	\$(4.28)	Operating	Street lighting
1658	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$-0-	Capital	Street lighting
1677	Cobbs Hill/Nunda Neighborhood	\$8,449.38	\$8,449.38	\$-0-	Capital	Street lighting

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The history and purpose of each district are described in the attached summary. A public hearing on renewing the East Main Street district and the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-76

Local Improvement Ordinance No. 1764
(Int. No. 140)

Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LOCAL IMPROVEMENT ORDINANCES) for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2020-21 fiscal year:

District	2020-21 Budget	LIO No.	Renewed LIO No.
Wilson Boulevard	\$ 555.63	1547	1724
Monroe I	\$1,213.41	1413	1672
Monroe II	\$ 620.14	1412	1671
Cascade Historic	\$1,557.38	1429	1727
Norton Street URD	\$1,363.84	1601	1753
Lake Avenue	\$4,022.56	1472	1697
St. Paul Street	\$ 521.99	1552	1696
East Main Street	\$ 320.90	1627	NA
Browncroft Neighborhood	\$9,508.99	1658	NA
Cobbs Hill/Nunda Neighborhood	\$8,449.38	1677	NA

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-114
Re: Agreement – ROC the Riverway – CSX
Transportation, Inc., Design Services, St. Paul
Underpass Improvements

April 14, 2020

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the St. Paul Street Underpass Improvement project. The proposed project is part of the ROC the Riverway initiative to enhance High Falls Terrace Park and the surrounding area. This legislation will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2017-18 Cash Capital.

The agreement with CSX is required to provide for engineering design services for underpass improvements for the bridge which carries CSX Trans/Amtrak over St. Paul Street. The project will provide more welcoming connection through wayfinding signage, lighting, bicycle/pedestrian enhancements, and other cosmetic improvements to the underpass. The term of the agreement will extend until two (2) years after project completion.

Construction is anticipated to begin in the spring of 2021 and be substantially complete in fall 2021. The agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-77

Ordinance No. 2020-114
(Int. No. 141)

Authorizing an engineering design services agreement for the St. Paul Street Underpass Improvement 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 CSX Transportation, Inc. to provide engineering design services for the St. Paul Street Underpass Improvement Project. The maximum total compensation for the agreement shall be \$25,000 and said amount, or so much thereof as may be necessary, shall be funded from 2017-18 Cash Capital. The term of the agreement shall extend until 2 years after project completion.

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.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-115
Re: Amending Ordinance No. 2020-74 Magee
Avenue / Raines Park Improvement Project

Transmitted herewith for your approval is legislation Amending Ordinance No. 2020-74 which authorized the Mayor to enter into a professional services agreement with Bergmann Associates Engineering & Architecture, PLLC. This amendment will correct the consultant name in the Ordinance to match the consultant named in the original transmittal.

The correct consultant is Passero Associates Engineering & Architecture, PLLC, selected for resident project representation (RPR) services through the Request for Proposal process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-115
(Int. No. 148)

Amending Ordinance No. 2020-74 relating to the Magee Avenue/Raines Park Improvement Project

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

Section 1. Section 2 of Ordinance No. 2020-74 is hereby amended to read in its entirety as follows:

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with ~~Bergmann Associates Engineering & Architecture, PLLC~~ Passero Associates Engineering & Architecture, PLLC in the maximum amount of \$250,000 to provide resident project representation services for the Project. Said amount shall be funded in the amounts of \$120,000 in street work bonds issued for the Project in a concurrent ordinance, \$70,000 in water service bonds issued for the Project in a concurrent ordinance, \$50,000 of \$2016-17 Cash Capital, and \$10,000 of 2017-18 Cash Capital. The term of the agreement shall extend until three months after completion of the Project's two-year guarantee inspection.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1765
Re: Care and Embellishment of Street Malls

Council Priority: Public Safety & Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2020-21 and the assessment of the associated costs of \$34,157.00 among the benefitted properties.

Each street mall budget is prepared by a street mall association and is based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, repair or replacement of decorative signage and spring and fall cleanup. Budgets are reviewed at a neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The malls and associated budgets are summarized below:

Street Mall	Budget 2020-2021	LIO 1754 2019-20	Variance	Reason for Variance
Arnold Park	3,960.00	2,800.00	1,160.00	Increasing funding to hire landscape maintenance.
Hazelwood Terrace	600.00	400.00	200	Budgeted amount is the same, surplus used last year.
Hillside Avenue	6,000.00	6,000.00	0	Budgeted amounts are the same.
Huntington Park	4,000.00	3,600.00	400.00	Purchased tools for landscape pruning and trimming.
Lafayette Park	3,200.00	3,182.00	18.00	Budgeted amounts are the same. Small increase for extra help.
Nunda Boulevard	5,635.00	7,195.00	-1,560.00	Using funds from prior years. <i>Note:</i> performs own mowing, trimming, tree care.
Oxford Street	8,437.00	9,429.00	-992.00	Budgeted amounts are the same. Using funds from prior year. <i>Note:</i> performs own mowing, trimming, tree care, leaf pickup.
Sibley Place	2,325.00	2,405.00	-75.00	Budgeted amounts are the same. Used surplus last year.

The Department of Environmental Services – Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted (see Nunda and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care & Embellishment Fund.

A public hearing on these assessments is required.

April 14, 2020

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1765
(Int. No. 149)

Local Improvement Ordinance – care and embellishment of street malls for 2020-21

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

Section 1. It is hereby determined that for the fiscal year 2020-21 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Street Mall	Budget 2020-21
Arnold Park	\$ 3,960.00
Hazelwood Terrace	600.00
Hillside Avenue	6,000.00
Huntington Park	4,000.00
Lafayette Park	3,200.00
Nunda Boulevard	5,635.00
Oxford Street	8,437.00
Sibley Place	2,325.00
Total	\$34,157.00

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel’s footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2020.

Section 4. The total cost of such improvements and work, estimated at \$34,157, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect July 1, 2020.

Passed unanimously.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1766
Local Improvement Ordinance No. 1767
Re: Local Improvement Ordinance – Streetscapes

Council Priority: Creating and Sustaining a Culture of
Vibrancy

Transmitted herewith for your approval is legislation authorizing the care and embellishment of streetscapes during 2020-21 and the assessment of the associated costs of \$40,815.00 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2020-21	2015-165	Variance	Type
1430	Cascade Historic	\$8,000	\$8,000	0	Capital and Operating
1619	Norton Street Urban Renewal District	\$2,815	\$2,815	0	Capital and Operating
1652	Mt. Hope	\$30,000	\$30,000	0	Capital and Operating

A public hearing on the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1766
(Int. No. 150)

Continuation of Local Improvement Ordinance No. 1619 Relating to the Norton Street Urban Renewal District Streetscape District

WHEREAS, by Local Improvement Ordinance No. 1421, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Norton Street Urban Renewal District Streetscape District (the District);

WHEREAS, by Local Improvement Ordinance No. 1619, the City re-enacted and extended the operation of the District for an additional period extending through June 30, 2020; and

WHEREAS, the Council desires to continue the operation of the District for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1619, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Norton Street

April 14, 2020

Urban Renewal District Streetscape District, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2020 and extending through June 30, 2030.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1767
(Int. No. 151)

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances for the operation and maintenance of special assessment districts for streetscape enhancements during 2020-21:

Streetscape District	2020-21 Budget	LIO
Cascade Historic District	\$8,000	1430
Norton Street Urban Renewal District	\$2,815	1619
Mt. Hope	\$30,000	1652

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1768
Re: Local Improvement Ordinance –
Downtown Enhancement District, 2020-21
Budget

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2020-21 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, enters its 31st year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

April 14, 2020

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. The Downtown Enhancement District Advisory Board, consisting of 11 representatives of property owners or tenants, oversees the administration of the program by City staff.

Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2020-21 based upon the 31st year cumulative increase in the CPI (102.4%) is \$844,400. The recommended assessment is \$660,500, an increase of 13,600 (2.10%). The Advisory Board agreed to use the fund balance of \$55,000 to partially offset employee benefits.

<u>Category of Expense</u>	<u>2019-20</u>	<u>2020-21</u>	<u>Variance</u>
Personnel Total	675,100	685,600	10,500
Salary and wages	460,000	467,800	7,800
Employee Benefits	215,100	218,000	2,900
Operational Expenses	81,400	84,900	3,500
Materials and supplies	65,300	66,400	1,100
Contractual Services	16,100	18,500	2,400
Contingency (wage increase)	0	0	0
Less: Operating Revenues	-55,000	-55,000	0
Less: Offset Tax Delinquency	-7,700	<u>-0</u>	0
Net Expense	693,800	715,500	21,700
Less: Use of Fund Balance	<u>-46,900</u>	<u>-55,000</u>	<u>8,100</u>
Required Assessment	646,900	660,500	13,600

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 17, 2020 by a unanimous vote of 6 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1768
(Int. No. 152)

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

April 14, 2020

Section 1. The cost of the special work and services for the 2020-21 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, 1715, 1730, 1744 and 1756, is established at \$660,500. Said amount, plus the sum of \$55,000 from the District's fund balance, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2020-21 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

By Vice-President Lightfoot
April 14, 2020

To the Council:

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

- | | |
|--------------|--|
| Int. No. 142 | Amending Chapter 108 of the Municipal Code relating to the training of taxicab drivers |
| Int. No. 143 | Authorizing acceptance of the Petco Foundation grant for Animal Services |
| Int. No. 144 | Authorizing the receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence |
| Int. No. 145 | Authorizing agreements and funding for an animal population control program |
| Int. No. 147 | Authorizing funding agreements and amending the budget related to the ROC City Skate Park |

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

- | | |
|--------------|---|
| Int. No. 146 | Local Improvement Ordinance – security and snow removal services at the Public Market for 2020-21 |
|--------------|---|

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

Received filed and published.

April 14, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-116
Re: Code Amendment- Section 108, Taxicabs

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Section 108, 17D of the City of Rochester Municipal Code regarding Taxicab, license required. This Section is amended as follows:

To be eligible for a taxicab driver's license, or the renewal thereof, a person shall have completed, within one year prior to the date upon which the license is to be valid, a two-hour taxicab driver training session offered by the City without cost. To be eligible for a taxicab driver's license renewal, a person shall have completed, within two years prior to the date upon which the license is to be renewed, a two-hour taxicab driver training session offered by the City without cost. If the driver has not completed the training session prior to the date upon which the license is to be valid, a conditional license may be issued to the driver, which license shall automatically expire upon the 90th day after it is valid if the driver has not completed the training session within that time period. The training sessions shall be offered by the City on a quarterly basis ~~beginning in April 2014~~. The training sessions shall provide information on matters such as hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; Chapter 108 of the Municipal Code, Taxicabs; and the most frequently asked taxicab questions.

Strikeout indicates deleted text; new text is underlined.

These changes will go into effect on May 1, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-116
(Int. No. 142)

Amending Chapter 108 of the Municipal Code relating to the training of taxicab drivers

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

Section 1. Chapter 108 of the Municipal Code, Taxicabs, as amended, is hereby further amended in Article III, Taxicab Driver's License, Section 118-17, License required, and subsection D thereof as follows:

To be eligible for a taxicab driver's license, ~~or the renewal thereof~~, a person shall have completed, within one year prior to the date upon which the license is to be valid, a two-hour taxicab driver training session offered by the City without cost. To

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be eligible for a taxicab driver's license renewal, a person shall have completed, within two years prior to the date upon which the license is to be renewed, a two-hour taxicab driver training session offered by the City without cost. If the driver has not completed the training session prior to the date upon which the license is to be valid, a conditional license may be issued to the driver, which license shall automatically expire upon the 90th day after it is valid if the driver has not completed the training session within that time period. The training sessions shall be offered by the City on a quarterly basis ~~beginning in April 2014~~. The training sessions shall provide information on matters such as hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; Chapter 108 of the Municipal Code, Taxicabs; and the most frequently asked taxicab questions.

Section 2. This ordinance shall take effect on May 1, 2020.

Strikeout indicates deleted text; new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-117

Re: Agreement – The Petco Foundation,
Animal Services Grant

Transmitted herewith for your approval is legislation authorizing an agreement with The Petco Foundation for the receipt and use of a grant in the amount of \$10,000, and amending the 2019-20 Budget of the Police Department by this amount. The term of this agreement is for a period of one year.

The funding from this grant will be used for fee-waived adoption events, which will promote adoption of shelter pets.

This is the sixth time we have received this grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-117
(Int. No. 143)

Authorizing acceptance of The Petco Foundation grant for Animal 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 Petco Foundation for the receipt and use of a grant in the amount of \$10,000 to promote the adoption of shelter pets. The term of the agreement shall be for one year.

April 14, 2020

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$10,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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. 2020-118
Re: Receipt and Use of Funds from United
States Department of Justice

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$15,000 from the United States Department of Justice, United States Attorney, Organized Crime Drug Enforcement Task Force, and amending the 2019-20 Budget of the Police Department by this amount.

The United States Department of Justice is providing \$15,000 as part of a joint investigation targeting an organization involved in trafficking narcotics and violence in the City of Rochester. These funds do not include fringe benefits, which are estimated to be \$4,769.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-118
(Int. No. 144)

Authorizing the receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for the receipt and use of \$15,000 for the Police Department to participate in a joint investigation targeting narcotics trafficking and violence in the City of Rochester.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the

April 14, 2020

Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from the Department of Justice funds authorized in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-119
Re: Agreement - American Society for the
Prevention of Cruelty to Animals - Animal
Population Control Program (APCP) grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to an American Society for the Prevention of Cruelty to Animals (ASPCA), Animal Population Control Program (APCP) grant. This legislation will:

1. Authorize an agreement with ASPCA for the receipt and use of an APCP grant in the amount of \$63,000 for the term of March 5, 2020 through March 5, 2021, with the option to extend if funding is not fully expended and with approval from grantor;
2. Amend the 2019-20 Budget of the Police Department by \$63,000 to reflect the addition of this grant;
3. Establish \$63,000 as maximum compensation for an agreement with Animal Hospital of Pittsford, P.C. (Principal: Todd Wihlen), 2816 Monroe Avenue, Rochester, 14618, to provide spay/neuter services for Rochester Animal Services. The term of the agreement will be March 5, 2020 through March 5, 2021, with the option to extend if funding is not fully expended and with approval from grantor.

ASPCA is providing this APCP grant to enable the City to remove financial barriers for spay/neuter services for pets of residents in underserved neighborhoods. These funds will pay for spay/neuter services provided via vouchers, which will be provided to qualifying residents for redemption at Animal Hospital of Pittsford, P.C./Rochester Community Animal Clinic. Funds will pay for approximately 550 spay/neuter services with residents providing a co-pay of \$1 per service.

A justification for not issuing an RFP is attached. This is the sixth time Rochester Animal Services has received a grant from ASPCA.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-78

April 14, 2020

Ordinance No. 2020-119
(Int. No. 145)

Authorizing agreements and funding for an animal population control program

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with The American Society for the Prevention of Cruelty to Animals for the receipt and use of \$63,000 to fund no-cost spay/neuter vouchers for the pets of qualifying residents (the Program). The agreement shall have a term of one year, with an option to extend for up to one additional year if funds remain in the original grant and contingent upon the grantor's approval.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$63,000 to reflect the receipt of the grant funds authorized herein, which funds are hereby appropriated to implement the Program.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Animal Hospital of Pittsford, P.C. to provide spay and neuter services for pets of those who have received Program vouchers. The agreement shall have a term of one year, with an option to extend for up to one additional year if funds remain in the original grant authorized herein and contingent upon the grantor's approval. The sum of \$63,000, or so much thereof as may be necessary, is hereby established as the maximum compensation for the agreement. Said amount shall be funded from the 2019-20 Budget of the Police Department.

Section 4. The amendatory agreements 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:

Local Improvement Ordinance No. 1769
Re: Public Market Snow Removal and
Security Services

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

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing the appropriations and assessments for snow removal and security services at the Public Market for 2020-21. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

April 14, 2020

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 pm to 5:00 am, Monday through Saturday, and all day on Sunday. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee and a fee per frontage foot.

Snow Removal: For 2020-21 snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.25 per foot. The total amount of the assessment will be \$6,237.95

Security Services: For 2020-21 security services, the fixed fee will be \$1,190 per property, while the front footage fee will be \$17.80 per foot. The total amount of the assessment will be \$43,799.37.

<i>Snow</i>	Fixed	#	Subtotal	Footage		Subtotal	Total
	Fee	Properties		Fee	Footage		
2019-20	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
2020-21	\$100	15	\$1,500.00	\$3.25	1,457.83	\$4,737.95	\$6,237.95
						Change	\$349.88

<i>Security</i>							
	Fixed	#	Subtotal	Footage		Subtotal	Total
	Fee	Properties		Fee	Footage		
2019-20	\$1,190	15	\$17,850.00	\$17.80	1,457.83	\$25,949.37	\$43,799.37
2020-21	\$1,190	15	\$17,850.00	\$17.80	1,457.83	\$25,949.37	\$43,799.37
						Change	\$0

Public hearings are required for these assessments.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1769
 (Int. No. 146)

Local Improvement Ordinance – security and snow removal services at the Public Market for 2020-21

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

Section 1. The Council hereby authorizes special security services for the Public Market during the fiscal year from July 1, 2020 to June 30, 2021. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council hereby directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market that are listed in Local Improvement Ordinance No. 1733, which properties shall constitute the district of assessment. The assessments shall be allocated in the manner described below. The total amount to be assessed for the 2020-21 year shall be \$43,799.37. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$17.80 per foot of frontage. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 2. The Council hereby authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2020 to June 30, 2021. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-

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owned properties adjacent to the Public Market. The Council hereby directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market that are listed in Local Improvement Ordinance No. 1732, which properties shall constitute the district of assessment. The assessments shall be allocated in the manner described below. The total amount to be assessed for the 2020-21 year shall be \$6,237.95. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.25 per foot of frontage that receives plowing and/or salting services. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 3. The security, snow plowing, and salting services authorized herein shall be provided by competitive contracts. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2020 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-120
Re: Grant Agreement and Donation – ROC
City Skate Park

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the ROC City Skate Park project. This legislation will:

1. Authorize an agreement with the Rochester Downtown Development Corporation (Heidi Zimmer-Meyer, President, Rochester, NY) for the receipt and use of a \$110,000 grant award for the ROC City Skate Park project. This grant, given on behalf of the Sands Family Foundation, will fund a portion of the costs associated with the construction project. This is the first grant received from the RDDC in support of the ROC City Skate Park project.
2. Appropriate a \$35,000 donation from the Friends of the Roc City Skatepark, Inc. to fund a portion of the ROC City Skate Park project. This is the third donation received from the Friends of the Roc City Skatepark, Inc. in support of the ROC City Skate Park project. The City previously received donations totaling \$85,000 that were authorized by City Council Ordinance Nos. 2019-240 and 2020-48.

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3. Amend the 2019-20 Cash Capital allocation of the Department of Recreation and Youth Services (DRYS) by \$145,000 to reflect the receipt of the grant and donation.

The ROC City Skate Park, a custom-concrete wheel-friendly skate park located under and adjacent to the Susan B Anthony/Frederick Douglass Bridge, will be the first outdoor, public skate park in Rochester. Construction of the Skate Park began in 2019 with scheduled completion in fall 2020. Please see attached master plan for the Skate Park.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-79

Ordinance No. 2020-120
(Int. No. 147)

Authorizing funding agreements and amending the budget related to the ROC City Skate Park

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 Downtown Development Corporation for the receipt and use of \$110,000 to fund a portion of the costs of the ROC City Skate Park, which funds are hereby appropriated for that purpose. The term of the agreement shall extend to completion of the construction of the Park. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Council hereby appropriates a \$35,000 donation from Friends of the Roc City Skatepark, Inc. to fund a portion of the costs of the ROC City Skate Park.

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing Cash Capital by the sum of \$145,000 to reflect the receipt of the funds authorized in Sections 1 and 2 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:14 p.m.

HAZEL L. WASHINGTON
City Clerk