

ROCHESTER CITY COUNCIL

REGULAR MEETING

August 18, 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:

- *David Coleman
- *Angelo Pata
- *James Quackenbush

FIN:

- *Shirley Tomaszewski

IT:

- *Michele Rowe

RFD:

- *James Liess
- *Kevin Murphy

RPD:

- *Mark Barna
- *Herbert Everson

RPL:

- *Christine Dobner
- *Elizabeth Spring

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting on July 21, 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 Mayor submits the following:

Quarterly Report – NBD Grants and loans– June 30, 2020 – 4328-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 325, Councilmember Evans on Int. No. 310, Int. No. 311 and Int. No. 320, Councilmember Gruber on Int. No. 325, Councilmember Harris on Int. No. 294, Int. No. 298, Int. No. 299 and Int. No. 324, Councilmember Lupien on Int. No. 294 and Councilmember Peo on Int. No. 294..

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

52 Signatures presented by Councilmember Lupien in support of cleanup up the Southeast Towers II. – Petition No. 1770

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

None

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

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
August 18, 2020

To the Council:

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

- Int. No. 294 Resolution relating to standard work day and retirement reporting for Councilmembers
- Int. No. 295 Authorizing a professional services agreement for payroll processing services

Respectfully submitted,
Malik Evans
LaShay D. Harris (*Abstained on Int. No. 294*)
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-27
Re: City Council Standard Work Day and Reporting Resolution

Transmitted herewith for your approval is a resolution approving the standard monthly work day reporting for retirement purposes for newly elected members of the City Council. By Resolution No. 2012-13, City Council standardized the City Council work day reporting in accordance with the New York State and Local Retirement System's Regulation at 2 NYCRR §315.4 in the following ways:

1. New Councilmembers that are elected to the City Council are required to keep a three-month consecutive log called a "Record of Activities" that sums up their time spent on City Council business;
2. All logs will be kept on file with the City Clerk in accordance with Regulation 315.4; and
3. The standard City Council work day for pension credit reporting is 6 hours per day, as part of a five-day, thirty hour work week.

This legislation accepts the Record of Activities (ROA) and approves submitting to the Retirement System the attached Standard Work Day and Reporting Resolution form that reports the standard number of monthly work days for each of the following members of Council: Mary Lupien and Jose Peo, each elected to a four-year term that commenced on January 1, 2020; and LaShay D. Harris

who was first appointed to Council on April 30, 2019 and thereafter elected to full four-year term that commenced on January 1, 2020.

Once this resolution is approved, the City Clerk will post it along with the accompanying Reporting Resolution form on-line for a period of at least 30 days as required by the Retirement System regulations. .

Respectfully submitted,
Malik D. Evans
Chair, Finance Committee

Resolution No. 2020-27
(Int. No. 294)

Resolution relating to standard work day and retirement reporting for Councilmembers

WHEREAS, Councilmembers LaShay D. Harris, Maryagnes C. “Mary” Lupien and Jose M. Peo are enrolled in the New York State and Local Retirement System and each of them has maintained a log of Council work-related activities (Record of Activities) pursuant to 2 NYCRR 315.4 in order to factor the number of hours worked into the calculation of a standard number of days worked per month to be reported to the Retirement System;

WHEREAS, in Resolution No. 2012-13, the Council established the standard work day for members of the City Council as six hours in a standard five-day, thirty-hour work week; and

WHEREAS, based on the standard number of hours worked per month and the standard six-hour work day, the number of days worked per month for each of the three Councilmembers has been calculated in accordance with the Retirement System’s Standard Work Day and Reporting Resolution form number RS 2417-A (Reporting Resolution Form), which has been presented to Council.

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

Section 1. The Council hereby certifies that it has received and accepts a Record of Activities pursuant to 2 NYCRR 315.4 from each of the Councilmembers LaShay D. Harris, Maryagnes C. “Mary” Lupien and Jose M. Peo and that such records shall form the basis for the number of work days to be reported to the New York State and Local Retirement System.

Section 2. Based on the number of hours set forth in each of their Record of Activities, the monthly reporting to the Retirement System of days worked for Councilmembers Harris, Lupien and Peo shall be calculated based on the total number of six-hour work day equivalents worked each month, as specified in the Reporting Resolution Form.

Section 3. The Council hereby approves and incorporates into this resolution the Standard Work Day, the Record of Activities Result, the Current Term of Office and the other employment information for Councilmembers Harris, Lupien and Peo, as set forth in the Reporting Resolution Form. The Council hereby directs the City Clerk to post this resolution and the Reporting

Resolution Form in public for a period of at least 30 days after which she shall file said resolution and form, along with an affidavit of posting, with the Retirement System.

Section 4. This resolution shall take effect immediately.

Adopted by the following:

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

Nays – None – 0.

Councilmembers Harris, Lupien, and Peo abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-251
Re: Processing of Election
Inspector Payroll

Transmitted herewith for your approval is legislation establishing \$10,000 annual maximum compensation for a professional services agreement with Asure Software, formerly known as USA Payroll, Inc., for processing the payroll for Election Inspectors. The initial term of the agreement is for one year, with the option for two one-year renewals.

The proposed agreement includes the issuance of checks, providing a check register, issuing 1099 forms as needed, replacement checks, replacement 1099 forms, issuing stop payments and delivering paychecks ready for mailing to the City within a specified timeline.

A request for proposal was posted on the City's web site for election payroll processing. This function has been outsourced by the City of Rochester since 2012. We received responses from Asure Software, Certified Payroll & Visa Services, Patrick & Patrick, LLP and Paychex. Each proposal was rated on price, services offered, MWBE status and their location. After being reviewed by the committee established for this purpose, Asure Software was selected as a local vendor, with the lowest bid, because of their ability to provide all of the services requested in a timely manner, and our pre-existing relationship with USA Payroll, Inc. The agreement with Asure Software will be funded from the 2020-21 budget as well as future budgets of the City Council/City Clerk

Respectfully submitted,
Loretta C. Scott
President

Malik D. Evans
Finance Chair

Ordinance No. 2020-251
(Int. No. 295)

Authorizing a professional services agreement for payroll processing 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 Asure Software for payroll processing services for election inspectors in a maximum annual amount not to exceed \$10,000. The agreement shall have a term of one year, with an option of two one-year renewals. The annual cost of the agreement shall be funded by \$10,000 from the 2020-21 Budget of the City Clerk and, if renewed, from subsequent budgets of the City Council and Clerk, contingent upon adoption of the subsequent budgets.

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.

By Councilmember Patterson
August 18, 2020

To the Council:

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

- Int. No. 296 Authorizing the sale of real estate
- Int. No. 297 Granting permanent easements to the County of Monroe for the installation of fiber optic cable
- Int. No. 298 Determinations and findings relating to the acquisition of properties for George Mather Forbes School No. 4 campus modernization project
- Int. No. 299 Authorizing the acquisition by negotiation or ~~condemnation~~ of properties for the George Mather Forbes School No. 4 campus modernization project, **as amended**
- Int. No. 300 Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, appropriating a second award of Emergency Solutions Grants-Coronavirus funds, and authorizing agreements to provide additional Eviction Prevention and Homeless Services
- Int. No. 301 Authorizing agreements for the HOME Rochester/Asset Control Area Program
- Int. No. 324 Authorizing building demolition and abatement of properties acquired for the Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects

Respectfully submitted,

Michael A. Patterson
Mary Lupien (*Voted Nay on Int. No. 298, Int. No. 299 & Int. No. 324*)

Jacklyn Ortiz (*Voted Nay on Int. No. 298, Int. No. 299 & Int. No. 324*)
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-252
Re: Sale of Real Estate

Council Priority: Creating and Sustaining a
Culture of Vibrancy

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 purchasers (except those buying unbuildable vacant lots) do 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. Negotiated Sale – Improved Property. The property is classified as a parking lot. It is being sold to allow the adjoining owners to correct code issues involving access to the dumpsters at the rear of the adjoining property. Following the sale and subdivision, the remaining City owned land will be a buildable lot, approximately 40 x 162, suitable for residential development.

The first year projected tax revenue for this property, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$406.

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-148

Ordinance No. 2020-252
(Int. No. 296)

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 with proposal of the following

parcel of land improved with a parking lot:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
East Portion 74-76 Clifton St	091.84-1-334.5	x 128	1,240	\$300	Hani A. Muthani/ Moshen A.M. Mosed

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. 2020-253
Re: Granting of Easements for Fiber
Optic Cabling

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Planning for Action

Transmitted herewith for your approval is legislation granting eight permanent easements to the County of Monroe for installation and maintenance of fiber optic cable on property owned by the City of Rochester. The County intends to install fiber optic cable at seven Rochester Fire Department Fire Stations on property owned by the City of Rochester. The easements will be granted for no monetary consideration.

As described in the accompanying maps and legal descriptions, the conveyances consist of a ten foot wide permanent easement at each of the following eight locations:

<u>Fire House</u>	<u>Street Address</u>	<u>SBL #</u>	<u>Acres</u>
*Allen Street Fire House	224-242 Allen Street	121.21-1-1	0.006
*Allen Street Fire House	520 West Broad St	120.28-1-31	0.002
Chestnut Street Fire House	415 Andrews Street	106.72-1-71.003	0.020
Emerson Street Fire House	1051 Emerson Street	105.38-1-36	0.006
Gardiner Fire House	57 Gardiner Avenue	120.48-1-68.002	0.046
Genesee Street Fire House	885 Genesee Street	135.34-2-9	0.018
Lake Avenue Fire House	4050 Lake Avenue	061.21-1-18.010	0.009
University Avenue Fire House	997 University Avenue	122.29-1-20	0.051

*The Allen Street Fire House is situated at the intersection of Allen Street and West Broad Street and will require two easements. The parcel at 520 West Broad Street is eight feet deep and

is adjacent to the right of way on the west side of the fire house. It will be the second location of the transferred easements.

This transaction requires no action from the Monroe County Legislature as the easements will be transferred for no consideration. The fiber optic cabling is being provided to assist the Rochester Fire Department with their on-line connectivity and will be a benefit to their technological capability and response time.

Respectfully submitted,
Lovely D. Warren
Mayor

Ordinance No. 2020-253
(Int. No. 297)

Granting permanent easements to the County of Monroe for the installation of fiber optic cable

WHEREAS, the County of Monroe (County) has offered to install and maintain fiber optic cable service to seven Rochester Fire Department stations and will require permanent easements over eight City owned parcels to do so; and

WHEREAS, the provision of fiber optic cable access to the fire stations will benefit the public by improving the Fire Department’s on-line connectivity and response times.

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

Section 1. The Council hereby approves granting to the County of Monroe ten-foot wide permanent easements over the following properties owned by the City in return for the installation and maintenance of fiber optic cable access to seven Rochester Fire Department stations:

<u>Fire House</u>	<u>Street Address</u>	<u>SBL #</u>	<u>Easement Acreage</u>
Allen Street Fire House	224-242 Allen Street	121.21-1-1	0.006
Allen Street Fire House	520 West Broad St	120.28-1-31	0.002
Chestnut Street Fire House	415 Andrews Street	106.72-1-71.003	0.020
Emerson Street Fire House	1051 Emerson Street	105.38-1-36	0.006
Gardiner Fire House	57 Gardiner Avenue	120.48-1-68.002	0.046
Genesee Street Fire House	885 Genesee Street	135.34-2-9	0.018
Lake Avenue Fire House	4050 Lake Avenue	061.21-1-18.010	0.009
University Ave Fire House	997 University Avenue	122.29-1-20	0.051

Section 2. The Council hereby authorizes the Director of Real Estate to enter into any such agreement, deed covenant, easement or other document as necessary to effectuate the transaction

authorized herein. Any such agreement or document shall contain such additional terms and conditions as the Director deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-254
 Re: Acquisitions – RCSD School
 No. 4 Campus Expansion

Council Priority: Support the Creation of
 Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
 Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation or condemnation of eight properties to expand the campus of George Mather Forbes School No. 4. The acquisitions are part of the School Modernization and will be used to provide an off the street bus loop, additional parking for faculty and staff and green space. These acquisitions will be funded through the Rochester School Modernization Project (RSMP) in accordance with the Rochester Joint Schools Construction Board Resolution No. 2020-21:04 as passed July 13, 2020. The addresses are noted below with the appraised values and property use:

RCSD George Mather Forbes School No. 4 Expansion

	<u>Address</u>	<u>Reputed Owner</u>	<u>SBL No.</u>	<u>Type</u>	<u>Maximum Acquisition Amount</u>
187	Dr Samuel McCree Way	Carol R. Gibson	120.59-1-22	1 Family	\$45,000
193-193.5	Dr Samuel McCree Way	Leonardo Ulloa & Luis D. Ulloa	120.59-1-19	2 Family	\$60,000
204	Dr Samuel McCree Way	Darryl Swain, Jr.	120.51-3-31	1 Family	\$45,000
206	Dr Samuel McCree Way	Jonathan L. Ivey	120.51-3-32	1 Family	\$45,000
183	Jefferson Terrace	Nathan Pinckney	120.51-3-52	1 Family	\$48,000
565	Tremont Street	Phyllis Miller	120.51-3- 22.001	1 Family	\$32,000
571-573	Tremont Street	Frances Miller	120.51-3- 21.001	2 Family	\$48,000
587-589	Tremont Street	Chad & Christina Terrusa	120.51-3-18	2 Family	\$39,000

The maximum acquisition amounts are supported through independent appraisals performed by Rachel Gaillard of Bruckner, Tillett, Rossi, Cahil & Associates as of December, 2019 and by Steven V. Ferrara of Midland Appraisal Associates, Inc. as of July, 2019 and updated July, 2020.

In the event that the properties cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amount of the offers. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisitions pursuant to the eminent domain procedure law. A public hearing pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels will be held.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-149

Ordinance No. 2020-254
 (Int. No. 299, as amended)

Authorizing the acquisition by negotiation or condemnation of properties for the George Mather Forbes School No. 4 campus modernization project

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

Section 1. The Council hereby approves the acquisition by negotiation of the following parcels for the maximum acquisition amounts indicated to effectuate the George Mather Forbes School No. 4 campus modernization project:

Address	Reputed Owner	SBL No.	Type	Maximum Acquisition Amount
187 Dr Samuel McCree Way	Carol R. Gibson	120.59-1-22	1 Family	\$45,000
193-193.5 Dr Samuel McCree Way	Leonardo Ulloa & Luis D. Ulloa	120.59-1-19	2 Family	\$60,000
204 Dr Samuel McCree Way	Darryl Swain, Jr.	120.51-3-31	1 Family	\$45,000
206 Dr Samuel McCree Way	Jonathan L. Ivey	120.51-3-32	1 Family	\$45,000
183 Jefferson Ter	Nathan Pinckney	120.51-3-52	1 Family	\$48,000
565 Tremont St	Phyllis Miller	120.51-3-22.001	1 Family	\$32,000
571-573 Tremont St	Frances Miller	120.51-3-21.001	2 Family	\$48,000
587-589 Tremont St	Chad & Christina Terrusa	120.51-3-18	2 Family	\$39,000

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 (RJSCB) on July 13, 2020 in Resolution No. 2020-21: 04. That RJSCB Resolution also authorizes funding for relocation assistance and compensation to be provided by RJSCB in accordance with the City's rules and regulations for relocation benefits approved in Resolution No. 2002-25. Therefore, the occupants of the properties to be acquired shall be given fair notice and a

moving allowance of up to \$1,000 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.

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 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~~4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Patterson, Peo -6

Nays – Councilmembers Gruber, Lupien, Ortiz –3.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-255

Re: Eviction Prevention and Homeless
Services, Emergency Solutions Grants
(ESG-CV)

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 receipt and use of round two Emergency Solutions Grants-Coronavirus (ESG-CV) funds in the amount of \$2,858,628. This is an additional round of ESG funding beyond the funding that was approved by City Council in May. This funding is provided pursuant to the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the purpose of providing the additional services now needed to prevent, prepare for, and respond to difficulties associated with the coronavirus pandemic.

The legislation will:

1. Amend the 2019-20 Annual Action Plan, Consolidated Community Development Plan to provide for the receipt and use of \$2,858,628 in second-round ESG-CV funds.

2. Authorize the submission of the amended 2019-20 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD).
3. Authorize agreements with HUD for the receipt and use of the second ESG-CV grant.
4. Appropriate \$285,862 of the second round of ESG-CV funds from the 2019-20 Annual Action Plan to reimburse the City for staff costs associated with administration of the funds.
5. Appropriate \$460,000 of the second round of ESG-CV funds from the 2019-20 Annual Action Plan and establish \$460,000 as maximum compensation for an agreement with Volunteer Legal Services Project of Monroe County, Inc. (Principal: Tina Foster, 1 West Main Street, Rochester) to implement the Right to Counsel Pilot project and provide access to an eviction hotline and free legal counsel services to those at-risk of homelessness/eviction. The agreement term will conclude on June 30th, 2021.
6. Appropriate up to \$2,112,766 of the second round of ESG-CV funds from the 2019-20 Annual Action Plan to fund Eviction and Homelessness Prevention projects, or another higher priority ESG project/activity, and authorize entering into new or amended agreements with existing ESG funded Homelessness Prevention project providers as necessary to implement additional services based on community need.

The 2019-20 Annual Action Plan was previously amended by Ordinance No. 2020-131 in May and authorized programs funded by HUD's first-round grant of \$2,444,707 in ESG-CV funds to address priority needs related to homelessness and housing instability. This legislation is solely related to the second round of ESG-CV funding as described above. Approval of this legislation will accomplish two things. Firstly, it will fund the Rochester/Monroe County Right to Counsel Pilot Project in the amount of \$460,000, to be operated by Volunteer Legal Services Project of Monroe County, Inc. (Principal: Tina Foster) as Lead Agency. Subcontracted services will be provided by The Legal Aid Society of Rochester, New York (Principal: Carla Palumbo), Legal Assistance of Western New York, Inc. (Principal: C. Kenneth Perri). Secondly, it will prepare additional resources for deployment to support eviction and homelessness prevention activities, by funding up to \$2,112,766 in ESG-CV assistance to other ESG eligible Homelessness Prevention projects, such as Catholic Family Center's existing homelessness prevention program. If it is determined that previously awarded funds and contracts are not sufficiently funded to address the eviction and homelessness prevention needs of the community, funds will be used to augment existing ESG contracts. Structuring the remaining ESG-CV funds in this manner ensures that the City will be able to deploy resources quickly, if needed.

While much of the previously awarded ESG-CV funding was targeted to preventing homelessness through the provision of financial assistance (including rental arrears, security deposits, etc.) and case management, these services alone are not enough to prevent homelessness and eviction. The likely increase in evictions due to COVID-19 economic hardship and complexity of the new eviction related laws, moratoriums, and related policies intensify the need for legal services, education, and additional resources for those at-risk of homelessness. Initial conversations within the local "Justice for All" court reform stakeholder group indicated that there was a group of local organizations eager to tackle this problem, through the implementation of their "Right to Counsel" pilot program. An ESG Prevention/Legal Services RFQ was jointly-issued by the City and Monroe County on July 17, 2020 to determine if any other organizations or projects were qualified to offer these services.

The Right to Counsel Pilot project was selected by the City and County to provide legal services for those facing eviction, and was chosen for several reasons. In June, the State changed the eviction

notice to advise tenants to contact an attorney to discuss their legal rights. However, currently the notice refers residents to a website with no relevant information for local resources. The Right to Counsel Pilot project would establish a hotline to ensure those who receive the notice get information relevant to their location and situation. The Right to Counsel Pilot project will serve everyone facing eviction in the City of Rochester and select pilot suburbs (Rochester, Greece, Irondequoit, and East Rochester). Similar programs have been successful in places like New York City, Philadelphia, and San Francisco, and the group estimates that they will be able to prevent 75% of evictions in the service area.

The project will be initiated immediately, and will be operational before the eviction moratorium is lifted on or about August 20th. Through the combined support of the City and County, the agencies anticipate having enough funding to operate the pilot project for at least 6-months. Partner agencies are confident that additional funding sources will be secured. The Department of Neighborhood and Business Development will provide monthly reports to Council on the programs and services subsidized by the Fund and the prior ESG-CV grant. The first report will be submitted in August 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-150

Ordinance No. 2020-255
(Int. No. 300)

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, appropriating a second award of Emergency Solutions Grants-Coronavirus funds, and authorizing agreements to provide additional Eviction Prevention and Homeless Services

WHEREAS, in Ordinance No. 2019-164, the City approved and adopted a Consolidated Community Development Plan/2019-20 Annual Action Plan (the 2019-20 Action Plan) to fund and implement community development and housing programs that include services to the homeless and to those at risk of homelessness under the federal Emergency Solutions Grants (ESG) program;

WHEREAS, the federal Coronavirus Aid, Relief and Economic Security Act enacted on March 27, 2020 (CARES Act) authorizes the U.S. Department of Housing and Urban Development (HUD) to provide supplemental ESG program funding to municipalities to implement additional activities to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic;

WHEREAS, on April 2, 2020, HUD awarded the City of Rochester with a first round of supplemental CARES Act funding that included \$2,444,707 for the ESG-Coronavirus (ESG-CV) program;

WHEREAS, on May 13, 2020 in Ordinance No. 2020-130, the City adopted amendments to the 2019-20 Action Plan that include the addition of \$2,444,707 for ESG-CV program services;

WHEREAS, on June 9, 2020, HUD awarded the City a second round of supplemental CARES Act funding consisting of \$2,858,628 to continue and enhance the ESG-CV program;

WHEREAS, a plan for amending the 2019-20 Action Plan to incorporate the receipt and use of the second ESG-CV grant for coronavirus epidemic relief activities for the homeless and those at risk of homelessness (Amendment Plan) has been prepared and presented to the City Council; and

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions to be addressed in the Amendment Plan.

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

Section 1. The Council hereby approves and adopts the Amendment Plan as an amendment to the 2019-20 Action Plan, including the addition of \$2,858,628 in CARES Act funding for the ESG-CV program.

Section 2. The Mayor is hereby authorized to submit the said Amendment Plan to HUD. The Mayor is hereby further authorized to provide any such information that may be required by HUD and to execute any grant agreement, project sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Amendment in accordance with the CARES Act and with any other applicable community development laws and regulations.

Section 3. The Mayor is hereby authorized to enter into a new or amendatory professional services agreement with the Volunteer Legal Services Project of Monroe County, Inc. to implement a Right to Counsel Pilot project that includes an eviction hotline and free legal counsel to those at risk of homelessness. The maximum compensation for the project shall be \$460,000, which is hereby appropriated for the purpose from the Amendment Plan funds added to the ESG-CV allocation of the 2019-20 Action Plan in Section 1 herein. The term for the agreement shall conclude on June 30, 2021.

Section 4. The Mayor is hereby authorized to enter into new or amendatory professional services agreements with existing ESG-funded Homelessness Prevention project providers to perform Eviction and Homelessness Prevention projects or other higher priority projects that are consistent with the ESG-funded projects of the 2019-20 Action Plan as amended in Section 1 herein. The maximum aggregate compensation for the new or amendatory agreements shall be \$2,112,766, which is hereby appropriated for the purpose from the Amendment Plan funds added to the ESG-CV allocation of the 2019-20 Action Plan in Section 1 herein. The term for each of the agreements shall conclude on or before June 30, 2021.

Section 5. The Council hereby appropriates \$285,862 from the Amendment Plan funds added to the ESG-CV allocation of the 2019-20 Action Plan in Section 1 herein for the Department of Neighborhood and Business Development to administer and monitor Eviction and Homelessness Prevention projects and services or other higher priority projects and services that are consistent with the ESG-funded projects of the 2019-20 Action Plan as amended.

Section 6. The agreements and documents authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-256
Re: Agreements, HOME Rochester
Program

Council Priority: Reducing and Strengthening
Neighborhood Housing

Rochester 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing agreements with the Rochester Housing Development Fund Corporation (RHDFC, President Theodora Finn) located at 16 E. Main Street, Rochester, NY, and JP Morgan Chase & Co. (CEO Jamie Dimon) 270 Park Avenue, New York, NY for continuation of the HOME Rochester/Asset Control Area Program. This legislation will:

1. Authorize a loan agreement with JPMorgan Chase for a maximum amount of \$1,838,000 for the City's participation in the RHDFC Loan IX financing pool. The loan will be funded by the City's principal and earned interest currently held in the Loan VIII financing pool and will be used to establish a trust account accessible for Loan IX Home Rochester properties. The loan will earn the City 3% interest.
2. Authorize an agreement with the RHDFC to administer the trust account at JPMorgan Chase, which will describe the process by which RHDFC may draw the Loan VIII revenues for Loan IX properties. RHDFC will receive no payment for this agreement.
3. Authorize an agreement with the RHDFC to establish and manage a Loan Loss Reserve fund for the Loan IX financing pool in the amount of \$238,000 to be financed from the existing Loan VIII Loan Loss Reserve fund. RHDFC will receive no payment for this agreement.
4. Authorize an agreement with the RHDFC to establish and manage an interest reserve account for the Loan IX financing pool not to exceed \$25,000 to be financed from the Loan VIII revenues. The fund will be used to provide 1% annual interest to enable the working capital loan for the program. For Loan IX, the working capital loan will be \$750,000, provided by the Greater Rochester Housing Partnership, Inc. (GRHP) through the Martin Luther King Jr. Housing Fund, and administered by RHDFC. RHDFC will receive no payment for this agreement.

RHDFC has operated the HOME Rochester program for more than two decades in partnership with the City, GRHP, and neighborhood-based non-profit developers. RHDFC buys vacant homes

and oversees their renovation for sale to first-time homebuyers. Since 2015, 113 households have purchased a HOME Rochester property.

RHDFC has also facilitated City participation in the federal Asset Control Area Program (ACAP) since the City's original agreement with HUD in 2004. ACAP obligates the City to purchase FHA-foreclosed, single-family properties in specified areas of the city and to sell those properties to income eligible buyers. RHDFC also acquires properties through donations, through tax foreclosure via the Rochester Land Bank Corporation, and makes purchases on the private market. The lead lender for Loan IX is JP Morgan Chase. Participating lenders are anticipated to include the City of Rochester, GRHP, Enterprise Community Partners, Five Star Bank, Partners for the Common Good, M&T Bank, Bank of Castile, and the Low Income Investment Fund. The City will participate as a lender using a maximum of \$1,838,000 in revenues from its Loan VIII contribution of Neighborhood Stabilization Program funds previously awarded by the New York State Housing Finance Agency. Participation in Loan VIII, totaling \$15,000,000, was authorized through City Council Ordinance No. 2017-297 and closed in October 2017. Loan IX will have a total of approximately \$14,400,000, and is anticipated to close in September 2020.

The loss reserve is required to induce the participation of public and private lenders to provide the capital to fund Loan IX, since the lenders forego a lien during construction as would otherwise be typical.

The working capital will be used to purchase vacant and foreclosed properties for Home Rochester and make funds available between monthly draws on Loan IX. The renovation of the properties will be funded by Loan IX.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-151

Ordinance No. 2020-256
(Int. No. 301)

Authorizing agreements for the HOME Rochester/Asset Control Area 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 loan agreement with JPMorgan Chase & Co. in an amount up to \$1,838,000 to facilitate the City's continued participation in the HOME Rochester/Asset Control Area Program (Program). The agreement shall establish a new Loan IX financing pool for the Program to be funded by the principal and earned interest currently held in the Program's previous Loan VIII fund authorized by Ordinance No.2017-297. The Loan IX financing pool shall have an interest rate of 3%.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Development Fund Corporation (RHDFC) to administer a trust account for Program funds to be deposited with JPMorgan Chase. The agreement shall set forth the process by which RHDFC may draw upon the Loan IX financing pool to acquire vacant single-family properties or other Program activities. RHDFC shall receive no compensation for this agreement.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC to establish a Loan Loss Reserve fund for the Loan IX financing pool. This Loan Loss Reserve amount of up to \$238,000 shall be funded from the Loan VIII loss reserve account authorized in Ordinance No. 2017-297. RHDFC shall receive no compensation for this agreement.

Section 4. The Mayor is hereby authorized to enter into an agreement with RHDFC to establish and manage an Interest Reserve Account for the Loan IX financing pool in an amount not to exceed \$25,000 to be funded from Loan VIII revenues. The Interest Reserve Account shall be used to fund the payment of 1% annual interest to facilitate a Loan IX Working Capital Loan of up to \$750,000. The loan amount shall be provided by the Greater Rochester Housing Partnership, Inc. through the Martin Luther King Jr. Housing Fund, and the loan shall be administered by RHDFC. RHDFC shall receive no compensation for this agreement.

Section 5. The Mayor is hereby authorized to execute any additional agreement or document as may be necessary to effectuate the agreements authorized herein. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-257
Re: Budget Amendment- School Campus
Expansion Projects, Demolition
Reimbursement

Council Priority: Support the Creation of
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the 2020-21 Cash Capital Budget by \$453,000 to reflect the receipt and use of funding from the Rochester Schools Modernization Program (RSMP) to reimburse the City for the cost of demolition and abatement of 14 properties to facilitate the campus expansion projects of Rochester City School District (RSCD) School 4 and School 54. RSMP reimbursement will not exceed the amount per school project listed in the table below:

RSMP/RSCD Campus Expansion Project	Maximum Demolition and Abatement Cost Reimbursement
School 4	\$241,000
School 54	\$212,000
<u>Total</u>	<u>\$453,000</u>

Acquisition of 6 properties (see attachment) for the School 54 campus expansion were approved by the Rochester Joint Schools Construction Board (RJSCB) via Resolution No. 2019-20:68 and

amended via No. 2020-21:05. Acquisitions for School 54 were approved by City Council via Ordinance No. 2020-99 and amended via No. 2020-215. Acquisitions of 8 properties for the School 4 campus expansion were approved by the RJSCB via Resolution No. 2019-20:67 and amended via No. 2020-21:04. Acquisitions for School 4 are under consideration by City Council in a companion piece of legislation for the August 2020 Council meeting (Int. 298, 299). The RJSCB resolutions authorize reimbursement to the City for expenses incurred through the demolition and abatement of the acquired properties. RJSCB Resolution 2019-20:68 authorized up to \$288,000 in demolition and abatement reimbursement for School 54. This was based on a rough estimate before receiving the official demolition cost estimates from the City. Detailed cost estimates provided subsequently by the City concluded that only a maximum of \$212,000 in reimbursement would be necessary. The \$241,000 maximum reimbursement for School 4 approved in RJSCB Resolution 2020-21:04 was based the City’s detailed estimates. It is necessary for City Council to authorize the budget amendment and the receipt and use of the funds

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-152

Ordinance No. 2020-257
 (Int. No. 324)

Authorizing building demolition and abatement of properties acquired for the Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects

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

Section 1. The Council hereby authorizes the receipt and use of up to \$212,000 in Rochester Schools Modernization Program (RSMP) funds from the Rochester Joint Construction Schools Construction Board (RJSCB) to fund the demolition of buildings, including the abatement of any lead paint or asbestos containing materials contained therein, on the following properties authorized in Ordinance No. 2020-99 to be acquired by the City for the Flower City School No. 54 campus modernization project:

Address	SBL No.	Type
56 Aab Street	105.50-1-27	1 Family
2 Chace Street	105.50-1-20	1 Family
12 Chace Street	105.50-1-25.1	1 Family
291 Sherman Street	105.50-1-18	2 Family
295 Sherman Street	105.50-1-17	1 Family
301 Sherman Street	105-50-1-16	1 Family

Section 2. The Council hereby authorizes the receipt and use of up to \$241,000 in RSMP funds from the RJSCB to fund the demolition of buildings, including the abatement of any lead paint or asbestos containing materials contained therein, on the following properties authorized in a concurrent ordinance to be acquired by the City for the George Mather Forbes School No. 4 campus modernization project:

Address	SBL No.	Type
187 Dr Samuel McCree Way	120.59-1-22	1 Family
193-193.5 Dr Samuel McCree Way	120.59-1-19	2 Family
204 Dr Samuel McCree Way	120.51-3-31	1 Family
206 Dr Samuel McCree Way	120.51-3-32	1 Family
183 Jefferson Ter	120.51-3-52	1 Family
565 Tremont St	120.51-3-22.001	1 Family
571-573 Tremont St	120.51-3-21.001	2 Family
587-589 Tremont St	120.51-3-18	2 Family

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase 2020-21 Cash Capital by \$453,000, which amount is hereby appropriated to the two school campus modernization demolition projects authorized in Sections 1 and 2 herein from the RSMP funds authorized therein.

Section 4. The Mayor is hereby authorized to solicit demolition and abatement bids, to enter into any agreement and to execute such documentation as is necessary to effectuate the funding and implementation of the two school campus modernization demolition projects provided for herein, provided that such actions do not obligate or cause the City to incur costs in excess of the amount authorized for each project in Sections 1 and 2.

Section 5. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmember Evans, Lightfoot, Patterson, Peo – 6.

Nays – Councilmember Gruber, Lupien, Ortiz -3.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 298
 Re: Acquisitions – RCSD School
 No. 4 Campus Expansion

Council Priority: Support the Creation of
 Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
 Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation or condemnation of eight properties to expand the campus of George Mather Forbes School No. 4. The acquisitions are part of the School Modernization and will be used to provide an off the street bus loop, additional parking for faculty and staff and green space. These acquisitions will be funded through the Rochester School Modernization Project (RSMP) in accordance with the Rochester Joint Schools Construction Board Resolution No. 2020-21:04 as passed July 13, 2020. The addresses are noted below with the appraised values and property use:

RCSD George Mather Forbes School No. 4 Expansion

	<u>Address</u>	<u>Reputed Owner</u>	<u>SBL No.</u>	<u>Type</u>	<u>Maximum Acquisition Amount</u>
187	Dr Samuel McCree Way	Carol R. Gibson	120.59-1-22	1 Family	\$45,000
193-193.5	Dr Samuel McCree Way	Leonardo Ulloa & Luis D. Ulloa	120.59-1-19	2 Family	\$60,000
204	Dr Samuel McCree Way	Darryl Swain, Jr.	120.51-3-31	1 Family	\$45,000
206	Dr Samuel McCree Way	Jonathan L. Ivey	120.51-3-32	1 Family	\$45,000
183	Jefferson Terrace	Nathan Pinckney	120.51-3-52	1 Family	\$48,000
565	Tremont Street	Phyllis Miller	120.51-3-22.001	1 Family	\$32,000
571-573	Tremont Street	Frances Miller	21.001	2 Family	\$48,000
587-589	Tremont Street	Chad & Christina Terrusa	120.51-3-18	2 Family	\$39,000

The maximum acquisition amounts are supported through independent appraisals performed by Rachel Gaillard of Bruckner, Tillett, Rossi, Cahil & Associates as of December, 2019 and by Steven V. Ferrara of Midland Appraisal Associates, Inc. as of July, 2019 and updated July, 2020.

In the event that the properties cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amount of the offers. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisitions pursuant to the eminent domain procedure law. A public hearing pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels will be held.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Councilperson Patterson moved to return Introductory No. 298 to committee.

The motion was seconded by Councilperson Lightfoot.

The motion was passed unanimously.

Introductory No. 298

Determinations and findings relating to the acquisition of properties for the George Mather Forbes School No. 4 campus modernization project

WHEREAS, the City of Rochester proposes to acquire the parcels at 187 Dr. Samuel McCree Way, 193-193.5 Dr. Samuel McCree Way, 204 Dr. Samuel McCree Way, 206 Dr. Samuel McCree Way, 183 Jefferson Terrace, 565 Tremont Street, 571-573 Tremont Street, and 587-589 Tremont Street (the “Properties”) to effectuate the George Mather Forbes School No. 4 campus modernization project (the “Project”), and

WHEREAS, the Council of the City of Rochester held a public hearing on August 13, 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 George Mather Forbes School campus to enlarge the playground and add provide an off-street bus loop, additional parking for faculty and staff and green space..
- B. Project purpose – to enhance the safety and wellbeing of students and staff.
- 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 Project 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 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 June 20, 2016.

Section 2. This ordinance shall take effect immediately.

HELD IN COMMITTEE

By Councilmember Gruber
August 18, 2020

To the Council:

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

- Int. No. 302 Authorizing an engineering design services agreement for railroad crossings within the 2021 Milling & Resurfacing Project – Child Street, Dewey Avenue and Glide Street
- Int. No. 303 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$806,000 Bonds of said City to finance the Cottage-Magnolia Street Rehabilitation Project

- Int. No. 304 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$571,000 Bonds of said City to finance water service improvements associated with Cottage-Magnolia Street Rehabilitation Project
- Int. No. 305 Authorizing appropriations and agreements for the Cottage-Magnolia Street Rehabilitation Project
- Int. No. 306 Bond Ordinance further amending the Bond Ordinance in Ordinance No. 2018-334, as amended by Ordinance No. 2020-184, to authorize the issuance of \$1,340,000 Bonds of the City of Rochester to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)
- Int. No. 307 Amending Ordinance Nos. 2019-313 and 2014-143 in relation to the Waring Road Improvement Project
- Int. No. 308 Authorizing an agreement for the Weaver Street Rehabilitation Project
- Int. No. 309 Authorizing term agreements for mechanical, electrical and plumbing engineering services
- Int. No. 310 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project
- Int. No. 311 Authorizing funding for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project
- Int. No. 312 Authorizing an agreement for a Shared Mobility System
- Int. No. 313 Amending Ordinance No. 2019-336 relating to an agreement for resident project representation services for La Marketa at the International Plaza
- Int. No. 314 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$12,573,000 Bonds of said City to finance a portion of the costs of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project
- Int. No. 315 Authorizing an agreement and funding for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center Project

Respectfully submitted,
 Mitch Gruber
 Malik Evans (*Abstained on Int. No. 310 & Int. No. 311*)
 Jose Peo
 Willie J. Lightfoot
 Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-258
Re: Agreement – CSX Transportation, Inc.,
Design Services, 2021 Milling & Resurfacing
Project - Child Street (I-490 to Lyell Avenue),
Dewey Avenue (Emerson Street to Driving Park Avenue)
and Glide Street (Buffalo Road to Lyell Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active System

Transmitted herewith for your approval is legislation, which 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 2016-17 Cash Capital.

The agreement with CSX is required to provide for engineering design services for at-grade railroad crossings on Glide Street and Child Street. The term of the agreement will extend until five (5) years after project completion.

Construction is anticipated to begin in the spring of 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-153

Ordinance No. 2020-258
(Int. No. 302)

Authorizing an engineering design services agreement for railroad crossings within the 2021 Milling & Resurfacing Project - Child Street, Dewey Avenue and Glide Street

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 at-grade railroad crossings on Glide Street and Child Street as part of the City's 2021 Milling & Resurfacing Project for portions of Child Street, Dewey Avenue and Glide Street. The maximum total compensation for the agreement shall be \$25,000, which shall be funded from 2016-17 Cash Capital. The term of the agreement shall extend until 5 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.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-259

Ordinance No. 2020-260

Ordinance No. 2020-261

Re: Cottage-Magnolia Street
Rehabilitation Project – Cottage Street
(S. Plymouth Avenue to Magnolia Street),
Magnolia Street (Cottage Street to Nellis Park)
and Seward Street
(Magnolia Street to Reynolds 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 Cottage-Magnolia Street Rehabilitation Project. This legislation will:

1. Authorize the issuance of bonds totaling \$806,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
2. Authorize the issuance of water bonds totaling \$571,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project; and,
3. Appropriate \$500,000 from the 2020-21 Community Development Block Grant (CDBG) Residential Street Rehabilitation allocation for infrastructure improvements to partially finance a portion of the construction; and,
4. Authorize the receipt and use of \$650,000 in Dormitory Authority of the State of New York (DASNY) funds to finance a portion of the construction for the project; and,
5. Establish \$325,000 as maximum compensation for a professional services agreement with Joseph C. Lu Engineering, P.C., (Cletus O. Ezenwa, P.E., Chief Executive Officer, 339 East Avenue, Suite 200, Rochester, New York) 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.

Street improvements include milling and resurfacing of the pavement, pavement reconstruction of Magnolia Street between S. Plymouth Avenue and Seward Street, curbs, spot hazardous sidewalk replacement, driveway aprons, installation or upgrade of sidewalk curb ramps, telecommunication conduit, receiving basins, adjustment and repair of manholes, hydrants, water services, tree

removal/replacement, one-way south bound conversion of Seward Street from Reynolds Street to Magnolia Street, and a raised crosswalk on Seward Street adjacent to Charles Lundsford School #19. These changes will improve accessibility, safety, drainage and ride ability.

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

Joseph C. Lu Engineering, P.C, 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.

The DASNY Grant for \$650,000 authorized herein was secured through sponsorship by Assemblyman David F. Gantt.

Bids for construction were received on June 30, 2020. The apparent low bid of \$2,179,000 was submitted by Villager Construction, Inc. (Timothy O. Lawless, President, 425 Old Macedon Center Road, Fairport, New York).

The project will be funded as follows:

Source of Funds	Construction	Street Lighting and Trees	RPR	Contingency	Total
CDBG funds appropriated herein	500,000.00	0	0	0	\$500,000.00
DASNY funds authorized herein	650,000.00	0	0	0	\$650,000.00
Bonds authorized herein	352,369.53	46,965.00	256,428.52	150,236.95	\$806,000.00
Water bonds authorized herein	457,266.77	0	68,006.55	45,726.68	\$571,000.00
2017-18 Cash Capital	0	0	564.93	0	\$564.93
Pure Waters Reimbursement authorized Ordinance No. 2020-108	217,063.70	0	0	21,706.37	\$238,770.07
2016-17 Cash Capital	2,300.00	0	0	230.00	\$2,530.00
Total	\$2,179,000	\$46,965.00	\$325,000.00	\$217,900.00	\$2,768,865.00

Construction is anticipated to begin in fall 2020 with substantial completion in fall 2021. The project will result in the creation and/or retention of the equivalent of 30.1 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-154

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$806,000 Bonds of said City to finance the Cottage-Magnolia Street Rehabilitation 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 cost of milling, resurfacing and reconstructing roadway pavement and driveway aprons, spot replacement of hazardous sidewalks, installing or upgrading sidewalk curb ramps, telecommunication conduits, and receiving basins, installing a raised crosswalk, and removing and replacing certain trees on and along Cottage Street (South Plymouth Avenue to Magnolia Street), Magnolia Street (Cottage Street to Nellis Park) and Seward Street (Magnolia Street to Reynolds Street) comprising the Cottage-Magnolia Street Rehabilitation Project (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,197,670. The plan of financing includes the issuance of \$806,000 bonds of the City, which amount is hereby appropriated therefor, \$500,000 in Community Development Block Grant (CDBG) funds from the Residential Street Rehabilitation allocation of the 2020-21 Annual Action Plan, which is appropriated in a concurrent ordinance, \$650,000 in funds from the Dormitory Authority of the State of New York (DASNY), which is appropriated in a concurrent ordinance, \$370 from 2017-18 Cash Capital, the application of \$238,770 in Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects that were appropriated in Ordinance No 2020-108, \$2,530 from 2016-17 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 \$806,000 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 \$806,000. 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 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. 2020-260
(Int. No. 304)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$571,000 Bonds of said City to finance water service improvements associated with the Cottage-Magnolia Street Rehabilitation 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 the cost of water service improvements and fire hydrants along Cottage Street (South Plymouth Avenue to Magnolia Street), Magnolia Street (Cottage Street to Nellis Park) and Seward Street (Magnolia Street to Reynolds Street) comprising the Cottage-Magnolia Street Rehabilitation Project (the "Project") (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 \$571,195. The plan of financing includes the issuance of \$571,000 bonds of the City, which amount is hereby appropriated therefor, \$195 from 2017-18 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 \$571,000 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 \$571,000. 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.

Ordinance No. 2020-261
(Int. No. 305)

Authorizing appropriations and agreements for the Cottage-Magnolia Street Rehabilitation Project

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

Section 1. The Council hereby appropriates \$500,000 in Community Development Block Grant funds for the Cottage-Magnolia Street Rehabilitation Project (the Project) from the Residential Street Rehabilitation allocation of the 2020-21 Annual Action Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York for the receipt and use of \$650,000 to fund the costs of the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering, P.C. in the maximum amount of \$325,000 to provide resident project representation services for the Project. Said amount shall be funded in the amounts of \$256,428.52 in street work bonds issued for the Project in a concurrent ordinance, \$68,006.55 in water service bonds issued for the Project in a concurrent ordinance, and \$564.93 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 4. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-262

Re: East Henrietta Road Improvement Project
(South City Line to Stan Yale Drive)

Council Priority: Creating and Sustaining a
Culture of Vibrancy and Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to East Henrietta Road Improvement Project. This legislation will authorize the issuance of an additional \$335,000 in bonds and the appropriation of the proceeds thereof to finance additional construction for the project by amending Ordinance No. 2018-334, (which previously authorized the issuance of \$230,000 of bonds and was amended by Ordinance No. 2019-184 to \$1,005,000) to a new total of \$1,340,000. The additional funding will be used for concrete pavement base joint repairs and the addition of a traffic signal at the southern City Gate entrance.

The new traffic signal was endorsed by the Traffic Control Board at the July 13, 2020 meeting.

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

The Project includes rehabilitation of East Henrietta Road from the South City Line to Westfall Road. Improvements include milling and repaving the existing pavement; pavement joint repairs; pavement widening; new storm water drainage system; new curb, new sidewalk, new street lighting, new traffic signal, new signage, new striping and bike lanes, landscaping, and watermain cathodic protection.

The project was designed by Stantec Consulting Services, Inc. (James R. Hofmann, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, New York).

The total funding for the project is shown on the following page:

Source of Funds	Construction	RPR	Street Lighting	Contingency	Total
FHWA (Ord. No. 2014-391)	571,000	0	0	0	\$ 571,000
FHWA (Ord. No. 2018-333)	168,000	0	0	0	\$ 168,000
FHWA (Ord. No. 2019-183)	5,000	0	0	0	\$ 5,000
NYS Marchiselli Aid (Ord. No. 2018-333)	85,650	0	0	0	\$ 85,650
NYS Marchiselli Aid (Ord. 2019-183)	53,700	0	0	0	\$ 53,700
Rochester Pure Waters (Ord. No. 2018-333)	1,051,735	48,265	0	0	\$ 1,100,000
Rochester Pure Waters (Ord. No. 2018-367)	0	144,195	0	30,000	\$174,195
Bonds authorized (Ord. No. 2018-334)	230,000	0	0	0	\$ 230,000
Bonds authorized (Ord. No. 2019-184)	500,000	200,000	75,000	0	\$ 775,000
Bonds authorized herein	335,000	0	0	0	\$ 335,000
Prior year cash capital	38,000	88,000	0	0	\$126,000
2013-14 Cash Capital	22,927	37,780	0	0	\$ 60,707
2014-15 Cash Capital	52,537	0	15,218	0	\$ 67,755
2015-16 Cash Capital	76,309	660	0	0	\$ 76,969
2016-17 Cash Capital	0	6,100	8,400	97	\$14,597
2017-18 Cash Capital	14,042	0	0	5,958	\$ 20,000
Total	\$3,203,900	\$525,000	\$98,618	\$36,055	\$3,863,573

Construction began in summer 2019. The road work is anticipated to be complete in fall 2020 with the traffic signal completed by summer 2021. The additional funding will result in the creation and/or retention of the equivalent of 3.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-155

Ordinance No. 2020-262
(Int. No. 306)

Bond Ordinance further amending the Bond Ordinance in Ordinance No. 2018-334, as amended by Ordinance No. 2020-184, to authorize the issuance of \$1,340,000 Bonds of the City of Rochester to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)

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

Section 1. Ordinance No. 2018-334, which authorized the issuance of \$230,000 in bonds to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive), which was amended by Ordinance No. 2019-184 to increase the bond amount to \$1,005,000, is hereby further amended to increase that bond authorization by \$335,000, so as to read in its entirety as follows:

Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~\$1,005,000~~ \$1,340,000 Bonds of said City to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)

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 construction and construction inspection services costs, related to the East Henrietta Road Improvement Project (Rochester City Line to Stan Yale Drive) (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 ~~\$3,545,030~~ \$3,863,573. The plan of financing includes the issuance of ~~\$1,005,000~~ \$1,340,000 bonds which are hereby appropriated therefor, \$571,000 in anticipated reimbursements from FHWA (authorized in Ordinance No. 2014-391), \$168,000 in anticipated reimbursements from FHWA (Ordinance No. 2018-333), \$5,000 in ~~anticipated reimbursements from FHWA funds to be appropriated therefor~~ (authorized in Ordinance No. 2019-183), \$85,650 in NYS Marchiselli Aid (Ordinance No. 2018-333), \$53,700 in NYS Marchiselli Aid ~~to be appropriated therefor~~ (appropriated in Ordinance No. 2019-183), \$1,100,000 in anticipated reimbursements from the Rochester Pure Waters District (Ordinance No. 2018-333), \$174,195 in anticipated reimbursements from the Rochester Pure Waters District (Ordinance No. 2018-367), \$126,000 from Prior Years' Cash Capital; \$60,707 from 2013-14 Cash Capital; ~~\$63,537~~ \$67,755 from 2014-15 Cash Capital; ~~\$91,141~~ \$76,969 from 2015-16 Cash Capital; ~~\$21,100~~ \$14,597 from 2016-17 Cash Capital, \$20,000 from 2017-18 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 ~~-\$1,005,000~~ \$1,340,000 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 ~~-\$1,005,000~~ \$1,340,000. 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 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 City² 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.

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

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-263

Re: Waring Road Improvement Project
(Culver Road to Norton Street)

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

1. Amend Section 2 of Ordinance No. 2019-313, which authorized the Mayor to accept and use \$166,617 in anticipated reimbursements from New York State Department of Transportation (NYSDOT) to fund design services, right-of-way incidentals and acquisitions for the Project. This amendment will reduce the anticipated reimbursements by \$41,202 to a total of \$125,415; and,
2. Amend Section 3 of Ordinance No. 2019-313, which established the maximum compensation of \$175,000 for a professional services agreement with 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) for evaluation of the Project's preliminary design, final design, right-of-way incidentals and acquisition plan. This amendment will reduce the NYSDOT funds in the agreement by \$41,202 to a total of \$125,415 and replace with \$3,500 in 2014-15 Cash Capital and \$37,702 in 2016-17 Cash Capital; and,

- Amend Section 2 of Ordinance 2014-143, which approved acquisition of the parcels described below by negotiation or condemnation as part of the Project with acquisition costs not exceeding \$5,400 including closing costs and funded from Prior Year Cash Capital. This amendment will reduce the property takings to one parcel (and reduce the value of that taking) as described below by negotiation or condemnation as part of the project with acquisition costs not to exceed \$2,900 including closing costs and shall be funded from Prior Year Cash Capital.

<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>	<u>Value</u>
505 Waring	Charles Smith & Sharon Logan Smith	24	\$500
451 Waring	David Valentini	12	\$400
375 Waring	Daniel W. Martin & Lori M. Skinner	18	\$200
202 Waring	Marta Ramos	8	\$300
5 Elbert St	Debra J. Siplin	8	\$500
90 Waring	Sarah Labombard	211	\$600 \$500
65 Waring	Rochester Civic Housing, Inc.	68	\$400

A reevaluation of the project’s design and right-of-way acquisitions resulted in the reduction of de minimis property corner acquisitions needed.

R.K. Hite Co., Inc., a sub-consultant under contract with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C (Ordinance No. 2019-313), is responsible for the review appraisal prepared for 90 Waring Road.

The Project includes pavement reconstruction, pavement width changes, realignment of intersecting streets, new curb and bump-outs, curb ramps, sidewalks, driveway aprons, new water main, water services, hydrants, catch basins, manhole adjustments/replacements, stormwater bioretention features, traffic signal upgrades, telecommunication conduit, pavement markings, designated bicycle lanes, signage and tree plantings.

Final design began in fall of 2019 with construction anticipated to begin in spring of 2021.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-156

Ordinance No. 2020-263
 (Int. No. 307)

Amending Ordinance Nos. 2019-313 and 2014-143 in relation to the Waring Road Improvement Project

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

Section 1. Sections 2 and 3 of Ordinance No. 2019-313 are hereby amended to read in their entirety as follows:

Section 2. The Mayor is hereby authorized to accept and use ~~\$166,617~~ \$125,415 in anticipated reimbursements from the NYSDOT, which amount is

hereby appropriated to fund design services, right-of-way incidentals and acquisitions for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. for evaluation of the Project’s preliminary design, final design, right-of-way incidentals, and acquisition plan. The term of the agreement shall continue until 6 months after final acceptance of the Project. The maximum compensation for the agreement shall be \$175,000 and said amount, or so much thereof as may be necessary, shall be funded from \$8,383 in Prior Years’ Cash Capital, \$3,500 in 2014-15 Cash Capital, \$37,702 in 2016-17 Cash Capital and the \$125,415 in NYSDOT funds appropriated herein.

Section 2. Section 2 of Ordinance No. 2014-143 is hereby amended to read in its entirety as follows:

Section 2. The Council hereby approves the acquisition of the parcels described below by negotiation or condemnation as part of the Waring Road Street Improvement Project. The acquisition costs shall not exceed ~~\$5,400~~ \$2,900 including closing costs and shall be funded from prior year cash capital.

Address	Property Owner	Sq. Ft.	Value
505 Waring	Charles Smith & Sharon Logan Smith	24	\$500
451 Waring	David Valentini	12	\$400
375 Waring	Daniel W. Martin & Lori M. Skinner	18	\$200
202 Waring	Marta Ramos	8	\$300
5 Elbert St	Debra J. Siplin	8	\$500
90 Waring	Sarah Labombard	211	<u>\$500</u> \$600
65 Waring	Rochester Civic Housing, Inc.	68	\$400

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-264

Re: Agreement – Joseph C. Lu Engineering,
P.C. Design Services, Weaver Street
Rehabilitation (Remington Street to Hudson Avenue)

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 Weaver Street Rehabilitation Project. This legislation will establish \$375,000 as total maximum compensation for a professional services agreement with Joseph C. Lu Engineering, P.C. (Cletus O. Ezenwa, P.E., Chief Executive Officer, 339 East Avenue, Suite 200, Rochester, New York) for design services related to this project. The term of the agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project.

The cost of the agreement will be financed from 2016-17 Cash Capital (\$125,000) and 2020-21 Cash Capital (\$250,000).

Street improvements will include pavement milling and resurfacing, curbs, new driveway aprons, curb ramp upgrades, spot hazardous sidewalk replacement, water service 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 ADA accessibility, and expand the useful life of the pavement structure.

Joseph C. Lu Engineering, P.C. was selected to provide design services through a request for proposal process described in the attached summary. Design services will begin in fall 2020. Construction is anticipated to begin in the spring of 2022. The design phase of this project results in the creation and/or retention of the equivalent of 4.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-157

Ordinance No. 2020-264
(Int. No. 308)

Authorizing an agreement for the Weaver Street Rehabilitation 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 Joseph C. Lu Engineering, P.C. in the maximum amount of \$375,000 to provide design services for the Weaver Street Rehabilitation Project (Remington Street to Hudson Avenue) (the Project). Said amount shall be funded with \$125,000 of 2016-17 Cash Capital and \$250,000 in 2020-21 Cash Capital. The term of the agreement shall extend until three months after completion of the Project's two-year guarantee inspection.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-265
Re: Mechanical, Electrical, and Plumbing
Engineering Professional Term Services
Agreements

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 authorizing agreements with the following companies for the provision of various services related to mechanical, electrical and plumbing engineering services. This legislation will authorize five (5) separate Professional Term Service Agreements with the following companies:

1. C & S Engineers, Inc. (John Trimble, C.E.O., 150 State Street, Suite 120, Rochester, NY)
2. Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, NY)
3. LaBella Associates, D.P.C. (Steve Metzger, C.E.O., 300 State Street, Rochester, NY)
4. M/E Engineering, P.C. (John A. Dredger, C.E.O., 300 Trolley Boulevard, Rochester, NY)
5. Stantec Consulting Services Inc. (Gordon A. Johnston, C.E.O., 61 Commercial Street, Suite 100, Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

The companies listed above were selected through a request for qualifications (RFQ) process described in the attached summary. Engagement of each company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-158

Ordinance No. 2020-265
(Int. No. 309)

Authorizing term agreements for mechanical, electrical and plumbing engineering services

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 mechanical, electrical and plumbing engineering services as required by the City:

C & S Engineers, Inc.

Erdman, Anthony and Associates, Inc.

LaBella Associates, D.P.C.

M/E Engineering, P.C.

Stantec Consulting Services Inc.

Section 2. 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 Department of Environmental Services, and if necessary, from capital funds appropriated for specific projects. The compensation for services provided shall be based on pre-specified billing rates established by the City. The term of the agreements shall be three years with the option to renew for two additional years.

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. 2020-266

Ordinance No. 2020-267

Re: Grant Authorization – Joseph A. Floreano
Rochester Riverside Convention Center
Escalator Replacements

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project. This legislation will:

- 1) Authorize the issuance of bonds totaling \$3,000,000 and the appropriation of the proceeds thereof to partially finance the project; and,

- 2) Appropriate \$1,800,000 in anticipated reimbursements from New York State Empire State Development (ESD) to partially finance the project.

The Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project includes the full replacement of six escalators in the convention center, and the conversion of four escalators to fixed stairs in the South Avenue pedestrian bridge and the South Avenue Parking Garage. The project will be sequenced in phases that are coordinated directly with Rochester Riverside Convention Center leadership such that operations will continue throughout all replacements.

The project was designed by LaBella Associates, Inc. (Steven Metzger, C.E.O., 300 State Street, Rochester, New York).

Bids for construction were received on May 26, 2020. The general contractor (GC) is Pike Construction, Inc. (Rufus Judson, C.E.O., One Circle Street, Rochester, NY) for an award of \$4,107,000. The electrical contractor (EC) is McMullen-Bishop Inc. dba Northeastern Electrical (Kurt Bishop, President, 35 Regency Oaks Blvd., Rochester, NY) for an award of \$62,500.

The estimated total cost of the project including design, construction and resident project representation services is \$6,300,000 and will be funded as follows:

Funding Source	Design	Construction Costs	RPR estimate	Contingency	TOTAL
ESD Grant authorized by Ordinance No. 2019-95	800,000	700,000		0	\$1,500,000
ESD Grant Authorized herein	0	1,800,000		0	\$1,800,000
Debt authorized herein	0	1,669,500	420,000	910,500	\$3,000,000
TOTAL	\$800,000	\$4,169,500	\$420,000	\$910,500	\$6,300,000

Construction is anticipated to begin in spring 2021 with anticipated completion in fall 2023.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-266
 (Int. No. 310)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements 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 of replacing 10 escalators, 6 with new escalators and 4 converted to fixed stairways, at the Joseph A. Floreano Rochester Riverside Convention Center (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,300,000. The plan of financing includes the issuance of \$3,000,000 bonds which are hereby appropriated therefor,

\$1,500,000 in New York State Empire State Development (ESD) funds appropriated in Ordinance No. 2019-95, \$1,800,000 in ESD funds which are appropriated in a concurrent ordinance, 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 \$3,000,000 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 \$3,000,000. 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.13 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 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 by the following:

Ayes – President Scott, Councilmembers Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo. 7.

Nays – Councilmember Lupien – 1.

Councilmember Evans abstained due to a professional relationship.

Ordinance No. 2020-267

(Int. No. 311)

Authorizing funding for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project

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

Section 1. The sum of \$1,800,000 in anticipated reimbursements from New York State Empire State Development (ESD) to be provided in response to the 2016-17 Consolidated Funding Application authorized by Ordinance No. 2016-228 is hereby appropriated for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project (the Project).

Section 2. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo. 7.

Nays – Councilmember Lupien – 1.

Councilmember Evans abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-268
CycleHop, LLC, Rochester Public
Shared Mobility System

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 Rochester Public Shared Mobility System. This legislation will authorize an agreement with CycleHop, LLC dba HOPR (Josh Squire, CEO, Miami Beach, FL), for the exclusive operation of a shared mobility system in the public right-of-way and on public land.

Public bikeshare has been a widespread success in the City of Rochester. Well over 100,000 rides were taken on Zagster/Pace bikes between their launch in July 2017 and October 2019, making it the most well-used “dockless” bikeshare system in the nation on a per-bike, per-day basis. Unfortunately, the City was notified in March 2020 that Zagster would be ceasing its Pace Rochester bikeshare operation. The City has since learned that Zagster shuttered its operations nationwide and is in the process of being liquidated.

In March 2020, following an extensive Request for Proposals process, the Rochester Genesee Regional Transportation Authority (RGRTA) authorized a contract with HOPR to provide public bikeshare services within its service area, including the Monroe County suburbs, outside of the City of Rochester. It is anticipated that HOPR will launch service in the region in September 2020.

Since being notified of Zagster’s intent to cease operation, an interdepartmental team led by DES staff reviewed options for re-establishing bikeshare service in the City of Rochester. It was determined that the most timely, cost-effective, and user-friendly option is to partner with RTS to bring HOPR services to the City, thereby creating one system across the entire region. Beyond traditional pedal bikes, it is anticipated that HOPR will also make e-bikes and e-scooters available in the City of Rochester through this agreement. A full justification for not issuing a Request for Proposals is attached.

The HOPR system will function similar to Pace, with residents and visitors able to access shared bicycles, e-bikes, and e-scooters from easily-identifiable stations or other locations in the public right-of-way or on public or publicly-accessible private property, and return them to another location as an extension of the public transportation system.

HOPR will develop, install, own, operate, and maintain the Public Shared Mobility System for a term of three (3) years, with the option to extend for one additional two-year term. The system will accommodate various membership options, ranging from hourly to annual, and incorporate multiple payment options. The system will be available to the public 24 hours per day, seven days per week, on a seasonal basis (April through November).

The system will be primarily supported through user revenue, sponsorships, and advertising. HOPR is not seeking funding to begin service in the city at this time. However, the City may choose to allocate resources toward the Public Shared Mobility System, such as federal Congestion Mitigation and Air Quality (CMAQ) funding, at a later date.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-159

Ordinance No. 2020-268
(Int. No. 312)

Authorizing an agreement for a Shared Mobility System

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 CycleHop, LLC (the Operator) for the exclusive right to develop, install, operate and maintain a Shared Mobility System that includes bicycles, e-bicycles and e-scooters (the System) in the public right-of-way and on public land.

Section 2. The System shall be subject to and operated in compliance with the applicable state and local laws, including but not limited to the New York State Vehicle and Traffic Law and Chapter 34 of the Municipal Code.

Section 3. The term for the agreement shall be three years with an option to extend for an additional term of two years.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-269
Amendatory Agreement –
Passero Associates, Engineering,
Architecture & Surveying, D.P.C.
La Marketa at the International Plaza
Resident Project Representation
Services (RPR)

Council Priority: Creating & Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the La Marketa at the International Plaza project located at 828 N. Clinton Avenue:

1. Authorizing an amendatory agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C (John Caruso, P.E., CEO, Rochester, NY) to provide additional Resident Project Representation (RPR) services for the project. The original agreement, authorized in November, 2019 by Ordinance No. 2019-336 established maximum compensation of \$200,000. This amendment will increase the compensation by \$45,000, to a maximum total of \$245,000; and,
2. Amend the funding for the agreement such that the agreement and the amendatory is funded with 2017-18 Community Development Block Grant (CDBG) funds appropriated in

Ordinance No. 2018-327 (\$34,692.35); 2018-19 Cash Capital (\$109,553.20) and 2016-17 CDBG funds appropriated by Ordinance 2016-192 (\$100,754.45).

The La Marketa at the International Plaza project will provide a community gathering space to celebrate and build on the arts and cultural assets of the surrounding neighborhood and a place where local entrepreneurs and existing businesses can locate and sell their products and services in a low risk, low cost, flexible environment envisioned to become an incubator for neighborhood economic development. The project will include: permanent restroom and storage building; covered bandstand; dedicated parking lot; central events plaza and access paths; site lighting; perimeter fencing; site amenities; and, landscape enhancements. In addition, the project will be providing converted shipping containers for seasonal and year-round retail use.

The project scope as bid and awarded included five single shipping containers converted for retail use. These five containers were located internal to the site and were only to be provided electric service. The scope was revised to eliminate two of the five single containers and add two double-wide converted containers – one as a full service restaurant container and the other for limited food service. These double containers were relocated to the N. Clinton Avenue frontage to enable them to function year-round. This change necessitated significant design revisions and additional construction needs including: revised internal path system and plaza; modification to the perimeter fence; expanded foundation slabs; and revised utility connections, including electric, gas, water, and sewer, to fully serve the functionality of the containers.

Passero Associates, Engineering, Architecture & Surveying, D.P.C will provide additional RPR services to accommodate the expanded project scope.

Construction began late in 2019 with completion scheduled for fall 2020. The amendatory agreement will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-160

Ordinance No. 2020-269
(Int. No. 313)

Amending Ordinance No. 2019-336 relating to an agreement for resident project representation services for La Marketa at the International Plaza

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

Section 1. Section 1 of Ordinance No. 2019-336 is hereby amended to provide for additional resident project representation services and to modify the funding sources for the La Marketa project as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C. in the maximum amount of ~~\$200,000~~ \$245,000 to provide resident project representation services for the La Marketa at the International Plaza project. The agreement shall be funded in the amounts of \$34,692.35 in Community Development Block Grant (CDBG) funds appropriated in Section 3 of Ordinance No. 2018-327, \$100,754.45 in CDBG funds appropriated in Ordinance

No. 2016-192 and ~~-\$165,307.65~~ \$109,553.20 from 2018-19 Cash Capital. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the project.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-270
Ordinance No. 2020-271
Re: Rochester Police Department
Goodman Section and Southeast
Neighborhood Service Center Services

Council Priority: Public Safety & Jobs and
Economic Development

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

Transmitted herewith for your approval is legislation related to Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project. This legislation will:

1. Authorize the issuance of bonds totaling \$12,573,000 and the appropriation of the proceeds thereof to partially finance the project; and,
2. Establish \$975,000 as maximum compensation for a professional services agreement with The Pike Company (Rufus M. Judson, CEO, One Circle Street, Rochester, New York) for construction management services for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center Project. The cost of the agreement will be financed from bonds authorized herein; and,
3. Authorize the receipt and use of \$1,000,000 of grant funds from a New York State Water Quality Improvement Program (WQIP) award, through the 2019-20 Consolidated Funding Application, to finance a portion of the cost of the project; and,
4. Amending the 2020-21 Budget by increasing Cash Capital in the amount of \$1,684,400 to finance a portion of the cost of the project and appropriate the following amounts:
 - i. \$816,800 from Police Property Clerk funds; and
 - ii. \$867,600 from Federal Forfeiture funds generated by the Rochester Police Department; and,
5. Appropriate \$867,520 from Federal Forfeiture funds generated by the Rochester Police Department, to finance a portion of the cost of the project; and,
6. Amend Ordinance No. 2019-202 to replace \$100,000 of the 2018-19 Cash Capital with \$100,000 of the WQIP grant appropriated herein.

The project includes a new 20,645 square foot, two story building that will house the Goodman Section Police Department and the Southeast Neighborhood Service Center Offices. The project is located on 2.07 acres of land and will include the new building, surface parking for RPD vehicles, personnel vehicles, and public parking, a public plaza space with site amenities and a neighborhood multi-use trail connector for bicycles and pedestrians. Green infrastructure includes a green roof, pervious pavement, and rain gardens for storm water reduction, funded through a New York State Water Quality Improvement Grant authorized herein.

Public meetings were held on October 3, 2018, January 23, 2020 and June 23, 2020. The design consultant for the project is Labella Associates, D.P.C (Steve Metzger, CEO, 300 State Street, Suite 201, Rochester, New York). The original professional services agreement was authorized by Ordinance No. 2019-202.

The Pike Company was selected for construction management services through a request for proposal process which is described in the attached summary. The term of the agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project. The agreement for construction management services will be funded with bonds authorized herein.

Bids for construction were received on June 23, 2020. The apparent low bid for the general construction contract totaling \$9,010,000 was submitted by DiPasquale Construction Corporation (Chris DiPasquale, President, 5138 West Ridge Road, Spencerport, NY). The apparent low bid for the mechanical contract totaling \$984,000 was submitted by Bell Mechanical Contractor, Inc. (Lawrence D. Bell, Jr., President, 105 Lincoln Parkway, East Rochester, NY). The apparent low bid for the electrical contract totaling \$1,161,800 was submitted by Billitier Electric, Inc. (Richard D. Lincourt, Executive Vice President, 760 Brooks Avenue, Rochester, NY). The apparent low bid for the plumbing contract totaling \$469,000 was submitted by Michael A. Ferraulo Plumbing & Heating Inc. (Michael A. Ferraulo, President, 1600 Jay Street, Rochester, NY).

The estimated project cost is \$16,007,320 and will be funded as follows:

Source of Funds	Design	Construction	Construction Management	Contingency	Total
2017-18 Cash capital	750,000	0	0	0	\$ 750,000
NYS WQIP funds authorized herein	100,000	900,000	0	0	\$1,000,000
Bonds authorized herein		11,598,000	975,000	0	\$12,573,000
Police Property Clerk Fund		0	0	816,800	\$816,800
Police Federal Forfeiture funds Appropriated herein		0	0	867,520	\$867,520
Total	\$850,000	\$12,498,000	\$975,000	\$1,684,320	\$16,007,320

Construction is anticipated to begin in fall 2020 with substantial completion in spring 2022. The project will result in the creation and/or retention of the equivalent of 164.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-161

Ordinance No. 2020-270
(Int. No. 314)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$12,573,000 Bonds of said City to finance a portion of the costs of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center 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 of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project on East Main Street at Laura 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 \$16,007,320. The plan of financing includes the issuance of \$12,573,000 bonds which are hereby appropriated therefor, \$750,000 in 2017-18 Cash Capital appropriated in Ordinance No. 2019-202, \$1,000,000 in New York State Water Quality Improvement Program funds appropriated in a concurrent ordinance, \$816,800 in 2020-21 Cash Capital appropriated in a concurrent ordinance, \$867,520 in Federal Forfeiture funds appropriated in a concurrent ordinance, 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 \$12,573,000 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 \$12,573,000. 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.11(a) of the Law, is thirty (30) 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 by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Patterson -6
Nays – Councilmembers Lupien, Ortiz, Peo -3.

Ordinance No. 2020-271
(Int. No. 315)

Authorizing an agreement and funding for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center 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 The Pike Company, Inc. for construction management services for the erection of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project on East Main Street at Laura Street (the Project). The maximum compensation for the agreement shall be \$975,000, which shall be funded from the proceeds of bonds to be authorized in

a concurrent ordinance. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 3. The receipt and use of \$1,000,000 in grant funds from the New York State Water Quality Improvement Program (WQIP) award received through the 2019-20 Consolidating Funding Application, is hereby appropriated to fund the Project.

Section 4. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to 2020-21 Cash Capital by the following amounts which are hereby appropriated to the Project:

- a. \$816,800 from Police Property Clerk funds; and
- b. \$867,600 from Federal Forfeiture funds generated by the Rochester Police Department.

Section 5. Section 1 of Ordinance No. 2019-202 is hereby amended to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. for design and construction administration services for the erection of two new Rochester Police Department Section Offices for the Lake and Goodman sections (the Project). The maximum compensation for the agreement shall be \$1,600,000 and said amount, or so much thereof as may be necessary, shall be funded from \$1,100,000 in 2017-18 Cash Capital, ~~and \$500,000~~ \$400,000 in 2018-19 Cash Capital and \$100,000 of Water Quality Improvement Program funds appropriated to the Goodman Section portion of the Project in Ordinance No. 2020-271. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following:

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

Nays – Councilmembers Lupien, Ortiz, Peo -3.

By Vice President Lightfoot
August 18, 2020

To the Council:

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

- Int. No. 316 Authorizing an amendatory agreement for Rachael Ray Save Them All grant from the Best Friends Animal Society
- Int. No. 317 Amending the 2020-21 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds
- Int. No. 318 Authorizing an amendatory agreement for a Complex Coordinated Terrorist Attack Grant
- Int. No. 319 Authorizing an intermunicipal agreement for the Pathways to Peace program
- Int. No. 320 Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids After School Program at City schools
- Int. No. 321 Authorizing an agreement for a Fire Station Alerting System
- Int. No. 322 Amending Ordinance No. 2017-368 in relation to the provision of Text 911 services for the Emergency Communications Department

Respectfully submitted,
Willie Lightfoot
Mitch Gruber (*Voted Nayt on Int. No. 318*)
Lashay D. Harris
Jose Peo
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-272
Re: Amendatory Agreement – Best Friends
Animal Society, 2019 Rachael Ray
Save Them All grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Best Friends Animal Society, Rachael Ray Save Them All grant. This legislation will:

1. Authorize an amendatory agreement with Best Friends Animal Society for the 2019 Rachael Ray Save Them All grant. This amendment will extend the current agreement through March 31, 2021.
2. Amend the 2020-21 Budget of the Police Department by \$2,500;

This grant, authorized in Ordinance No. 2019-233, is intended to increase the live release rate of dogs. The funds will be used for animal behaviorist services to conduct assessments and behavior modification training for dogs displaying certain forms of aggression, thereby increasing the animal's suitability for transfer to one of the City's animal rescue partners. The assessments and training will be conducted at Rochester Animal Services Center at 184 Verona Street. This is the first time receiving this grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-162

Ordinance No. 2020-272
(Int. No. 316)

Authorizing an amendatory agreement for Rachael Ray Save Them All grant from the Best Friends Animal Society

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 the Best Friends Animal Society, a Utah nonprofit organization, for the receipt and use Rachael Ray Save Them All grant in the amount of \$2,500 for Rochester Animal Services. The agreement shall amend the grant agreement authorized in Ordinance No. 2019-233 so as to extend the term to March 31, 2021 without increasing the amount of the grant.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Police Department by \$2,500, which amount is hereby appropriated for the Rachael Ray Save Them All grant program from the funds appropriated to the 2019-20 Budget of Police in Ordinance No. 2019-233.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-273
Re: Budget Amendment – 2020-21

Budget of the Police Department and
Undistributed

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2020-21 Budget of the Police Department by \$78,000 and Undistributed by \$8,300 to reflect the balance of carryover funds from existing grants. The funds are itemized below, and will be used for their original intended purpose.

GRANT- YEARS RECEIVING GRANT	RPD Carryover	Undistributed Carryover
2020 Child Passenger Safety Grant- 8 years	\$2,400	\$0
2020 Motor Vehicle Theft Grant –over 10 years	\$1,000	\$0
2020 Petco Foundation- 6 years	\$10,000	\$0
Project CLEAN- 1 st year of grant	\$33,300	\$0
2020 Stop DWI – over 10 years	\$31,300	\$8,300
Total	\$78,000	\$8,300

The Child Passenger Safety Grant supports the Police Department’s efforts to ensure correct use of child car seats. These remaining funds will be used for certification and continuing education of those officers teaching about safety seats at community-based, seat-checking events.

The Motor Vehicle Theft Grant provides funding to support the reduction of auto theft and insurance fraud. These funds will be used to train police officers in specialized anti-theft techniques and technology.

The Petco Foundation grant provides funding for fee-waived adoption events, which will promote adoption of shelter pets.

Project CLEAN (Community, Law Enforcement, and Assistance Network) is funded by the Department of Justice and is aimed at developing community and police crime prevention strategies in the N. Clinton Avenue Neighborhood facing specific and unique crime challenges. These funds are for overtime for Community Engagement Patrols aimed at improving the conditions within Target areas and for enforcement details aimed at reducing the heroine epidemic in the Target areas.

The Stop DWI grant is used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2020 calendar year. Supported activities include expenses for Stop DWI overtime details and associated fringe costs, training, and underage alcohol enforcement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-273
(Int. No. 317)

Amending the 2020-21 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

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

Section 1. Ordinance No. 2020-161, the 2020-21 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 \$78,000, and by increasing the revenue estimates and appropriations to the Budget of Undistributed Expenses by the sum of \$8,300, which amounts are hereby appropriated from unspent grant funds appropriated in previous budgets as shown below. Said funds shall be used for their original purpose.

Grant	RPD Carryover	Undistributed Carryover
2020 Child Passenger Safety Grant	\$2,400	\$0
2020 Motor Vehicle Theft Grant	\$1,000	\$0
2020 Petco Foundation	\$10,000	\$0
Project CLEAN	\$33,300	\$0
2020 Stop DWI	\$31,300	\$8,300
Total	\$78,000	\$8,300

Section 2. 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:

Ordinance No. 2020-274

Re: Amendatory Agreement – Monroe County,
Complex Coordinated Terrorist Attack Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Monroe County FY2016 Complex Coordinated Terrorist Attack grant (CCTA). This legislation will:

1. Authorize an amendatory agreement with Monroe County for the FY2016 CCTA grant. This amendment will extend the current agreement for one year, through July 31, 2021.
2. Amend the 2020-21 Budget of the Police Department by \$6,300 and Undistributed Expenses by \$2,000.

These funds will be used for overtime and fringe benefits for Police Officers for the purpose of planning and applicable training that is focused on building or enhancing capabilities to improve

the ability to prepare for, prevent, and respond to complex coordinated terrorist attacks. This is the first time receiving this grant. This grant was originally authorized in Ordinance No. 2019-102.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-274
(Int. No. 318)

Authorizing an amendatory agreement for a Complex Coordinated Terrorist Attack Grant

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Monroe County for the City's receipt and use of a fiscal year 2016 Complex Coordinated Terrorist Attack Grant (CCTA) grant. The agreement shall amend the grant agreement authorized in Ordinance No. 2019-102 so as to extend the term to July 31, 2021 without increasing the amount of the grant.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Police Department by \$6,300 and the Budget of Undistributed Expenses by \$2,000, which amounts are hereby appropriated for the CCTA program from the funds appropriated to the 2019-20 Budgets of Police and Undistributed Expenses in Ordinance No. 2019-102.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmember Gruber, Lupien -2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-275
Re: Inter-Municipal Agreement - Rochester
City School District's Utilization of
Pathways to Peace

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the Rochester City School District for the receipt and use of \$15,000 and amending the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) by the funds authorized herein to provide Pathways to Peace (PTP) staff support at District athletic and special events. The term of the agreement will not exceed one year.

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

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

Pathways to Peace has provided these services to the District for the past two school years. This was last authorized by City Council Ord. No. 2019-272 adopted on August 21, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-275
(Int. No. 319)

Authorizing an intermunicipal agreement for the Pathways to Peace program

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement for the receipt and use of \$15,000 from the Rochester City School District (RCSD) in return for the City providing Pathways to Peace staff support at RCSD athletic and special events. The term of the agreement shall be for up to 1 year.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Department of Recreation and Youth Services by the sum of \$15,000, which amount is hereby appropriated from funds to be received under the agreement and for the purpose authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-276

Re: Agreement - Rochester Area Community
Foundation, Quad A for Kids

Council Priority: Support the Creation of
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with the Rochester Area Community Foundation to support the Quad A for Kids After School Program. The term of the agreement will be for the remainder of this fiscal year and will be funded from the 2020-21 Budget of Undistributed Expenses, with an option to renew for one additional one-year term contingent upon approval of the future Budgets of the City.

The Quad A After School Program will provide supplemental education through a variety of project-based learning activities for up to 350 children attending the Rochester City School District. The After School Program follows a student-centered curriculum which supports youth and their families by working on social and emotional development, academic enrichment, parenting and family involvement, nutrition and health through arts, athletics, and life skills activities. The program is traditionally offered for three hours per day, five days per week, however Quad A transitioned to virtual programming during the 2019-20 school year when schools closed due to COVID-19. For the upcoming school year, Quad A is working with the District to develop in-person and virtual programming plans in compliance with current COVID-19 related school guidelines. The program will serve students in kindergarten through eighth grade at five District schools from September 2020 to June 2021.

The City has provided support for these afterschool services for six years. The most recent agreement for this service was approved by City Council Ordinance No. 2017-232 adopted on July 19, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-163

Ordinance No. 2020-276
(Int. No. 320)

**Authorizing an agreement with the Rochester Area Community Foundation for the
Quad A For Kids After School Program at City schools**

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 Area Community Foundation to support the Quad A For Kids After School Program at City schools.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$40,000, which shall be funded from the 2020-21 Budget of Undistributed Expenses and said amount is hereby appropriated for this purpose. The term of the agreement shall be for the remainder of the City's 2020-21 Fiscal Year, with the option to extend the term for one additional one-year period with a maximum annual compensation of \$40,000, contingent upon approval of a future budget.

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 by the following:

Ayes – President Scott, Councilmembers Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson -7

Nays – Councilmember Peo -1.

Councilmember Evans abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-277

Re: Agreement – City of Rochester Fire
Alerting System

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$1,002,000 as maximum compensation for an agreement with Bryx, Inc., David Earl Thomas, President, to provide hardware, software, installation, training, warranty and two (2) years maintenance for a fire station alerting system.

Fire station alerting systems automate the dispatch and alerting process for fire and rescue personnel to respond to emergency incidents. The fire station alerting system integrates with the Monroe County Emergency Communications Department (ECD) computer-aided dispatch system (CAD) to automatically deliver incident details to facilitate fire company responses. The current CAD, which is approximately 30 years old, is undergoing an upgrade, with an anticipated implementation in December 2020. Due to this, the Rochester Fire Department (RFD) must upgrade its current station alerting system ensure a seamless transition to the new CAD system.

The new station alerting system will provide multiple benefits such as; enhanced communication via multiple devices, decreased response times to incidents, and compliance with NFPA standards. Moreover, it will provide a safe and robust technical foundation that will be a platform into the future of station alerting and fire/rescue dispatch technology.

Bryx, Inc. was selected to provide fire station alerting hardware, software and training through a Request for Proposal process, which is described in the attached summary. The contract term will be for three years. The cost will be funded from a bond appropriation approved by Ord. No. 2021-249, and future Fire Department Operating Budgets upon approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-164

Ordinance No. 2020-277
(Int. No. 321)

Authorizing an agreement for a Fire Station Alerting System

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 Bryx, Inc. in the maximum amount of \$1,002,000 to provide hardware, software, installation, training, a warranty and 2 years of maintenance for a new Fire Station Alerting System for the Rochester Fire Department (the Project). Said amount shall be funded in the amounts of \$865,800 from bond proceeds appropriated for the Project in Ordinance No. 2020-249, \$68,100 from the 2021-22 Budget of the Fire Department and \$68,100 from the 2022-23 Budget of the Fire Department, contingent upon the approval of the latter two budgets.. The agreement shall have a term of three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-278
Re: Amending Ordinance No. 2017-368

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-368, which authorized a professional services with West Safety Solutions, now Intrado Life & Safety Solutions Corporation (John Shlonsky CEO, Omaha Nebraska), to provide text to 911 services and connectivity for the 911 Emergency Communications Center. The ordinance provides for a term of three years with the option to extend the term for up to two additional years. The maximum annual compensation is and will remain \$18,750 for the first year and \$15,000 for each subsequent year of the agreement.

Intrado was not able to commence work on the agreement until August 20, 2019. Therefore, this legislation changes to later fiscal years the Budgets of the Emergency Communication Department

(ECD) that will be used to fund the agreement. Year 1 was paid from 2017-18 and the remaining two years will be paid from 2020-21 and 2021-22 contingent upon the approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-278
(Int. No. 322)

Amending Ordinance No. 2017-368 in relation to the provision of Text to 911 services for the Emergency Communications Department

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

Section 1. Sections 1 and 2 of Ordinance No. 2017-368 are hereby amended to read in their entirety as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Intrado Life & Safety Solutions Corporation, formerly known as West Safety Solutions Corp., to improve Text to 911 connectivity for the Emergency Communications Department (ECD). The term of the agreement shall be three years with an option to extend for up to two additional periods of 1 year each.

Section 2. The maximum compensation for the regular term of the agreement shall be \$48,750, which shall be funded from the Budgets of ECD in the amounts of \$18,750 from 2017-18, \$15,000 from ~~2018-19~~ 2020-21, and \$15,000 from ~~2019-20~~ 2021-22, contingent upon the approval of the ~~latter two~~ last Budgets. The maximum compensation for any optional extended term shall be \$15,000 per year, which amount shall be funded from subsequent Budgets of ECD, contingent upon their approval.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By President Scott
August 18, 2020

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 323 Approving an appointment to the Police Accountability Board

Int. No. 325 Authorizing an Intermunicipal Cooperation Agreement with the County of Monroe relating to the Commission on Racial and Structural Equity

Respectfully submitted,
Malik Evans
Mitch Gruber (*Abstained on Int. No. 325*)
LaShay D. Harris
Mary Lupien
Jacklyn Ortiz
Michael A. Patterson
Jose Peo
Willie J. Lightfoot (*Abstained on Int. No. 325*)
Loretta C. Scott
COMMITTEE OF THE WHOLE

Received Filed and Published

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-28
Re: Appointment – Police Accountability
Board

Council Priority – Public Safety

Transmitted herewith for your approval is a resolution to approve the appointment of Danielle Tucker to the Police Accountability Board (PAB). Ms. Tucker was selected from among 3 nominees provided to the City Council by the Police Accountability Board Alliance (PABA) as outlined in Local Law No. 2019-2.

The initial Police Accountability Board members must be appointed to serve staggered terms beginning July 1, 2020. This seat was vacated due to the resignation of the previous Board member and the term will expire on June 30, 2021. Ms. Tucker will serve the remaining portion of this term, and she will be eligible to serve one additional 3 year term. City residency was verified for Ms. Tucker and her resume is on file with the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-28
(Int. No. 323)

Approving an appointment to the Police Accountability Board

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

Section 1. The Council hereby appoints Danielle Tucker, who has been nominated for the position by the Police Accountability Board Alliance, to the Police Accountability Board for a term that expires on June 30, 2021.

Section 2. This resolution shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-279
Re: Intermunicipal Agreement
Support for the RASE Commission

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation that will support the Commission on Racial and Structural Equity (RASE Commission). In June of this year, following national and local calls for systemic and institutional change, the City Council asked that the Administration establish a task force that included community participation to examine policing in Rochester. It was requested that this group research best practices across the country that address the root causes of the problems we face, collect data, and engage the community to generate actionable steps with timelines that would re-imagine policing in our community. Around the same time the Governor identified new mandates that would impact funding for Police Departments by looking at policies, procedures, practices, and deployment. In response to the confluence of these calls to action, the RASE Commission was established by County Executive Bello and Mayor Warren. This legislation:

- 1) Authorizes an intermunicipal cooperation agreement with the County of Monroe for the City and County to support the RASE Commission in equal amounts for each party not to exceed \$100,000, inclusive of outside grants, and other sources of revenue, together with other in-kind contributions.
- 2) Authorizes an agreement with the Rochester Area Community Foundation to solicit and manage donations to the RASE Commission.

- 3) Authorizes the City to retain a consultant chosen by the RASE Commission to collect and analyze relevant data.
- 4) Amends the 2020-21 Budget of the City to appropriate \$100,000 from the Contingency allocation to fund the City's contribution to the intermunicipal cooperation agreement.

The RASE Commission will consist of 21 members selected by the County Executive and Mayor Warren and is charged with a mandate to:

- (i) inventory and assess current local laws/policies that either promote or are intended to eliminate institutional and structural biases, racism and inequities in the City of Rochester and Monroe County;
- (ii) provide recommendations to enhance current local laws/policies to increase effectiveness, and/or "sunset" local laws/policies that are ineffective or no longer applicable; and
- (iii) provide recommendations on new local laws/policies that address "gaps" identified per (i) and (ii) above for both the public and private sectors of our community.

The Commission is required to provide a report on the inventory, assessment and recommendations described above no later than six months following its formation.

The Commission will require funds and other support to retain facilitators and to access other resources needed to complete its work. The intermunicipal cooperation agreement will provide for the City and the County to share equally in supporting the Commission's work. Instead of limiting their contributions to their own funds, the City and County agree that some of their support may be provided in the form of in-kind services (at mutually agreed upon values) or contributions from third parties.

The legislation also authorizes an agreement with the Rochester Area Community Foundation to solicit and manage donations to the RASE Commission, an agreement with a consultant for the RASE Commission to collect and analyze relevant data, and an amendment to the 2020-21 Budget of the City to appropriate \$100,000 from the Contingency allocation to fund the City's contribution.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-279
(Int. No. 325)

Authorizing an Intermunicipal Cooperation Agreement with the County of Monroe relating to the Commission on Racial and Structural Equity

WHEREAS, the Mayor of Rochester and the Monroe County Executive have authorized the formation of a joint Commission on Racial and Structural Equity (RASE Commission) to consist of 21 members and charged with a mandate to analyze current laws and policies and to develop new or modified policies and legislation to overcome systemic and institutional inequities and racism in Rochester and Monroe County;

WHEREAS, the RASE Commission is required to produce a report of its findings and recommendations within 6 months after its formation; and

WHEREAS, the RASE Commission will need to engage facilitators and to obtain other resources to perform its duties, including the services of the Rochester Area Community Foundation, to solicit, receive and manage community philanthropic donations, and a consultant to collect, analyze and catalog pertinent data;

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 an Intermunicipal Cooperation Agreement with the County of Monroe in the maximum amount of \$200,000, inclusive of outside grants, and other sources of revenue, together with other in-kind contributions, to be provided in equal shares by the City and County to support the work of the RASE Commission.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation to solicit, receive and manage community philanthropic contributions in support of the RASE Commission objectives.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with a consultant, to be selected by the RASE Commission following a diligent search process, to undertake data collection and analysis and otherwise render services at the direction of the RASE Commission. The agreement shall be funded through the Intermunicipal Cooperation Agreement cost-sharing arrangement authorized in Section 1 herein.

Section 4. Each of the agreements authorized herein shall have a term not exceeding one year.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Office of the Mayor by \$100,000, which amount is hereby appropriated from the 2020-21 Contingency allocation, to fund the Intermunicipal Cooperation Agreement authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lupien, Ortiz, Patterson, Peo -7.

Nays – None -0.

Councilmembers Gruber and Lighfoot abstained due to a professional relationship.

The meeting was adjourned at 9:38 p.m.

HAZEL L. WASHINGTON
City Clerk