



City of Rochester

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

FINANCE INTRODUCTORY NO.

Malik D. Evans
Mayor

424

December 1, 2022 BHRM 22

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Lifetime Benefit
Solutions, Inc. - Flexible Benefit Plans

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$294,000 as maximum compensation for an agreement with Lifetime Benefit Solutions, Inc. (Patricia Mooney, President) for administration of the Flexible Spending Accounts (FSA), Parking/Transit Reimbursement Accounts (PTRA), and remaining balances in previously-funded Health Reimbursement Accounts (HRA) for City employees. The agreement shall be in effect for three (3) years (1/1/23 – 12/31/25). Of said amount, \$49,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, \$98,000 shall be funded from the 2023-2024 Budget for Undistributed Expense, \$98,000 shall be funded from the 2024-2025, and \$49,000 shall be funded from the 2025-2026 Budget for Undistributed Expense, contingent upon approval of future budgets.

Lifetime Benefit Solutions, Inc. has provided FSA and PTRA services for the City since 1992 and HRA services since 2009. The recommendation to continue with Lifetime Benefit Solutions is based on the following:

- ✓ Lifetime Benefit Solutions, Inc. currently administers the City's flexible benefit plans including Medical Flexible Spending, Dependent Care Flexible Spending, Health Reimbursement Accounts, and Qualified Transportation Reimbursement Accounts;
- ✓ Lifetime Benefit Solutions, Inc. has provided exemplary services for City employees and retirees who participate in these benefit plans;
- ✓ Complex systems have been developed through the City's Human Capital Management system (Workday) in order to automatically enroll and maintain employee accounts;
- ✓ City Accounts have been established that allow Lifetime Benefit Solutions, Inc. to handle payment of claims and administer banking for the plan's debit cards

Lifetime Benefit Solutions, Inc. was selected for these services based on the City's positive historical experience working with them and the extensive integrations that have been built to transfer data electronically. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,

Malik D. Evans
Mayor



NO RFP JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$10,000, and
2. To the contract record when entered in Munis.

Department: DHRM Services(s): Administration of Flexible Benefit Plans

Vendor/Consultant selected: Lifetime Benefit Solutions, Inc. (LBS)

How was the vendor selected?

- Lifetime Benefit Solutions, Inc. (LBS) has provided administrative services for the City's flexible benefit plans since 1996 previously operating as Empire Benefits, Blue Cross/Blue Shield, EBS Benefit Solutions and Excellus. During this time, services have expanded to include enhanced benefits provided by the City such as Health Reimbursement Accounts and the use of debit cards for direct payment of allowable expenses.

Why was no RFP issued for this service?

- Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.
 - Lifetime Benefit Solutions (LBS) currently administers the City's flexible benefit plans including Medical Flexible Spending, Dependent Care Flexible Spending, Health Reimbursement Accounts, and Qualified Transportation Reimbursement Accounts.
 - LBS has provided exemplary services for City employees and retirees who participate in these benefit plans.
 - Complex systems have been developed through the City's Human Capital Management system (Workday) in order to automatically enroll and maintain employee accounts.
 - City Accounts have been established that allow LBS to handle payment of claims and administer banking for the plan's debit cards.
- Are there unique or **emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.
 - Approximately 3,500 employees and retirees currently participate in these plans, a change in vendors would create substantial disruption for payment of medical claims and services.

- Is the service **specialized and unique**? Is the number of **qualified providers limited**? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.
 - The City's benefits brokers at Lawley Benefits Group continually communicate with LBS and other flex plan administrators to ensure that the City is receiving the highest value for the services that are contracted. At this time, there is no compelling reason to change vendors and create disruption to participants.

The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals. MWBE Officer Initials: SMD

Date: 11/22/2022

Rose M. Nichols

11/14/2022

Signature: Department Head

Date

Form date 1/7/1

424

Ordinance No.

Authorizing an agreement for the administration of flexible benefit plans

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 Lifetime Benefit Solutions, Inc. for the administration of the Flexible Spending Accounts, for the Parking/Transit Reimbursement Accounts and for the remaining balances in previously-funded Health Reimbursement Accounts for City employees. The agreement shall have a term of three years.

Section 2. The maximum compensation for the agreement shall be \$294,000, which shall be funded in the amounts of \$49,000 from the 2022-23 Budget of Undistributed Expenses, \$98,000 from the 2023-24 Budget of Undistributed Expenses, \$98,000 from the 2024-25 Budget of Undistributed Expenses, and \$49,000 from the 2025-26 Budget of Undistributed Expenses, contingent upon the approval of the future years' budgets.

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

Section 4. This ordinance shall take effect immediately.



December 1, 2022 BRHM 23

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement - MVP Health Care, Inc. -
COBRA
Administration and Retiree Dental Billing
Services

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$48,000 as maximum compensation for an agreement with MVP Health Care, Inc. (Christopher Del Vecchio, President & CEO) for COBRA Administration and Retiree Dental Billing Services. The agreement shall be in effect for three (3) years (1/1/23 – 12/31/25). Of said amount, \$8,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, \$16,000 shall be funded from the 2023-2024 Budget for Undistributed Expense, \$16,000 shall be funded from the 2024-2025 and \$8,000 shall be funded from the 2025-2026 Budget for Undistributed Expense, contingent upon approval of future budgets.

COBRA (Consolidated Omnibus Budget Reconciliation Act) is regulated by both Federal and State law and provides continuation rights for group health coverage that otherwise might be terminated. COBRA ensures certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates.

Administration of COBRA includes compliance with guidelines that require mailing notifications to potential and covered participants. These notifications inform participants of their rights to continuation coverage and are mailed when initially enrolled, when making changes to coverage and if/when coverage is lost. In addition, regulations include specific guidelines regarding the billing and premium collection process for enrollees.

This agreement also includes billing services for retirees enrolled in the City's dental plan. Employees who retire on or after 1/1/2020 are eligible to continue their dental coverage by paying a percentage of the premium. MVP will collect these contributions and remit funds to the City.

The recommendation to select MVP Health Care, Inc. for these services is based on the following:

- ✓ The rates they proposed were the lowest and are guaranteed for three (3) years;
- ✓ Their rates include full administration of the Federally-mandated COBRA process, including notifications, invoicing, collecting premiums and maintaining required logs of activity;



- ✓ The City has developed integrated systems with MVP Health Care, Inc. in order to provide seamless COBRA Administration and Retiree Dental Plan Billing Services.

MVP was selected through a request for proposal process described in the attached summary.

Respectfully submitted,



Malik D. Evans
Mayor

Vendor / Consultant Selection Process Summary

Department DHRM
Project / Service Title: COBRA Administration and Retiree Billing Services
Consultant Selected: MVP Health Care
Method of selection: Request for Proposal

1. Date RFP / RFQ issued: 3/14/2022

2. The RFP / RFQ was also sent directly to:

MVP Health Care	Rochester, NY 14607
Lifetime Benefit Solutions	Rochester, NY 14647
WEX, Inc.	Portland, ME

3. Proposals were received from

<u>FIRM</u>	<u>City/ST</u>
MVP Health Care	Rochester, NY 14607
Lifetime Benefit Solutions	Rochester, NY 14647
WEX, Inc.	Portland, ME

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting</u>	<u>Points possible</u>	<u>Points received by MVP</u>
Cost Per Participant per Month	50%	50	50
Initial Startup Cost	25%	25	25
Participant Disruption	25%	25	25
Subtotal (TT)			100
+ Bonus (if applicable)			
City business	10% of total	10	10
M/WBE	10% of total	10	0
Bonus Subtotal (BP)			10
TOTAL POINTS RECEIVED by MVP: TT + BP =			110

5. Review team included staff from: (3) DHRM/Benefits, (2) Lawley Benefits (City's Benefits Broker/Consultant)

6. Additional considerations/explanations

MVP has worked with the City over the past four years to develop integrated systems that connect with City's HR System in order to provide seamless COBRA administration and Retiree Billing services.

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: SMD Date: 11/21/2022

425

Ordinance No.

Authorizing an agreement for COBRA administration and Retiree Dental Billing services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with MVP Health Care, Inc. for administration services to comply with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and for the administration of Retiree Dental Billing services. The maximum compensation for the agreement shall be \$48,000, which shall be limited to the amount of premiums collected from separated employees and retirees which can include an administrative fee for COBRA continuation coverage. The cost of the agreement shall be funded in the amount of \$8,000 from the 2022-23 Budget of Undistributed Expenses, \$16,000 from the 2023-24 Budget of Undistributed Expenses, \$16,000 from the 2024-25 Budget of Undistributed Expenses, and \$8,000 from the 2025-26 Budget of Undistributed Expenses, contingent on the approval of the future budgets.

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

Section 3. This ordinance shall take effect immediately.



December 1, 2022

MAYOR 25

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation - American Rescue Plan Act and
Amendatory Agreements, Accounts Receivable
Enterprise Solution

Council Priority: Deficit Reduction and Long Term
Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering
Prosperity and Growth

Transmitted herewith for your approval is legislation related to the use of American Rescue Plan Act (ARPA) funding to procure and implement an enterprise Accounts Receivable and Utility Billing software solution to replace three critical Mainframe systems. This legislation will:

1. Appropriate \$1,875,000 in ARPA funding to implement an enterprise Accounts Receivable and Utility billing software solution and procure the applicable software licensing for it.
2. Authorize an increase of \$760,015 to the maximum compensation for the Software as a Service (SaaS) agreements with Infor Public Sector, Inc. (Infor), [Kevin Samuelson, CEO, 641 Avenue of the Americas, New York, NY 10011] to a total of \$3,221,744. This increase will provide software licensing for the Utility Billing and Asset Management modules of Infor's Public Sector software suite. The term of the agreement is five years. The cost of this increase will be funded as follows:
 - \$200,000 from ARPA funding as specified above
 - \$131,217 from prior year's Cash Capital
 - \$428,798 in total from future operating budgets of the department of Information Technology (\$214,399 from 2024-25 and \$214,399 from 2025-26), contingent upon future budget approval
3. Authorize an increase of \$2,300,760 to the maximum compensation of the professional services agreement with Visionary Integration Professionals, LLC (VIP) [Jonna Ward, CEO, 80 Iron Point Circle, Suite 100 Folsom, CA 95630] to a total of \$3,659,304. This increase will enable the provision of professional services for the implementation of the Infor Accounts Receivable Billing solution. The term of the agreement will be extended by 30 months to a total of four and a half years. The cost of this increase will be funded as follows:
 - \$1,675,000 from ARPA funding as specified above
 - \$73,783 from prior year's Cash Capital, and
 - \$551,977 from 2023-24 Cash Capital, contingent upon future budget approval

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The Accounts



Receivable enterprise solution project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021, and also in an updated plan shared at a Council Work Session on September 29, 2022. This project is an eligible use of ARPA funding under the Final Rule Expenditure Category 6.1 Provision of Government Services.

The funds will be used to extend the existing agreements with Infor Public Sector, Inc. and Visionary Integration Professionals, LLC to implement a replacement to the City's existing mainframe solution for Tax, Foreclosure, Water, Refuse, Loan, and Payments In Lieu of Tax (PILOT) Billing. The current mainframe solution is highly outdated, difficult to configure, and expensive to maintain, and replacement will greatly mitigate risk of business disruption due to failure of these aging systems.

The new solution will include enhanced workflow and processing capabilities for internal staff to improve the efficiency of operations, as well as offering enhanced online billing and payment functionality for customers to access invoices, make on-line payments, view payment history, and submit service requests. The implementation of these new modules will integrate directly into the City's current financial, accounts payable, and general ledger system thereby reducing the amount of manual work required and leading to more transparent and accurate financial reporting.

Infor will provide software licensing and VIP will provide implementation services including project management, data migration, system configuration, process refinement, and end user training. A request for proposals was not issued for these services as Infor Public Sector serves as the City's current permitting, licensing, and code enforcement system and includes cashiering and financial configuration that is currently integrated with the City's financial system. VIP currently serves as the implementor for the existing Infor solutions in use at the City and has unique knowledge of the City's current configuration of the solution. The initial contracts with Infor Public Sector, Inc. and Visionary Integration Professionals, LLC for the Infor implementation were authorized by Council Ordinance 2021-265. It is anticipated that implementation of the new modules will begin in January 2023, and that the modules will be implemented in stages through January 2025. The balance of the appropriation will be included in future budgets of the Department of Information Technology, contingent upon their approval, for maintenance costs.

Respectfully submitted,



Malik D. Evans
Mayor

426

Ordinance No.

Appropriating American Rescue Plan Act Funds and authorizing amendatory agreements related to Accounts Receivable and Utility Billing software

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

Section 1. The Council hereby appropriates the sum of \$1,875,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund enterprise Accounts Receivable and Utility Billing software and the procurement of applicable software licensing thereof (the Project).

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the Project. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Infor Public Sector, Inc. to provide software licensing for the Project. The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-265 to increase the maximum compensation by \$760,015 to a new maximum total of \$3,221,744. The amendatory compensation shall be funded by \$200,000 from ARPA funding appropriated in Section 1 herein, by \$131,217 from Prior Years Cash Capital, by \$214,399 from the 2024-25 Budget of the Department of Information Technology (IT) and by \$214,399 from the 2025-26 Budget of IT contingent upon approval of said future budgets.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement with Visionary Integration Professionals, LLC to provide implementation of the Infor Accounts Receivable Billing solution authorized to be procured in Section 3 herein. The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-265 to increase the maximum compensation by \$2,300,760 to a new total of \$3,659,304 and shall increase the term by thirty months to total maximum term of 4 ½ years. The amendatory compensation shall be funded by \$1,675,000 from ARPA funding appropriated in Section 1 herein, by \$73,783 from Prior Years Cash Capital, and by \$551,977 from 2023-24 Cash Capital contingent upon approval of the future year's budget.

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

Section 6. This ordinance shall take effect immediately.



December 1, 2022

LAW 27

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendment to Lease of Rochester Museum and
Science Center property

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing amendment of the lease agreement ("Lease") with the Rochester Museum and Science Center ("RMSC") for the property located at the southeast corner of East Avenue and Goodman Street at 657 East Avenue, ("the Property") which includes the Bausch Hall of History and Science and Strasenburgh Planetarium. The original lease for the Property was entered into on July 1, 1968 when the City transferred the operation and maintenance of the former City of Rochester Municipal Museum and leased the Property to the RMSC. A subsequent thirty (30) year lease, dated December 12, 1985 was authorized with the 657 Corporation, an entity established to allow the financing of the expansion and renovation of Bausch Hall.

A new lease was executed in 2011 because the RMSC needed to refinance the existing bonds and the refinancing would have triggered a termination of the 1985 lease. This new lease, modeled on the original 1968 lease, was for a one-year term, extended annually, and included amended language for increased insurance amounts, clarification about responsibility for utility costs and provisions for deaccession of City owned collections at the museum.

In 2019, RMSC was seeking state funding which required a fixed term lease and the City and RMSC amended the 2011 Lease to provide for a fifteen (15) year term ending 12/31/30, automatically renewed annually.

Now, again RMSC is seeking funding, a grant from the NYS Council on the Arts and eligibility for this funding requires a fixed lease term that exceeds the life of the funded improvements. The remaining eight years on the Lease are inadequate and RMSC is requesting an amendment to the lease term for a period of thirty (30) years, with automatic annual extensions thereafter. All other terms and conditions of the Lease will remain the same.

Respectfully submitted,

Malik D. Evans
Mayor



Authorizing an amendatory lease agreement for the Rochester Museum & Science Center

WHEREAS, the City of Rochester has received a proposal to continue the lease of the City's Rochester Museum & Science Center property and collections for a term of thirty years with automatic annual extensions thereafter subject to termination on notice of one year;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is following additional procedures due to the length of the term of the proposed amendatory lease;

WHEREAS, the term of the amendatory lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease;

WHEREAS, the Council has determined that payment is not required due to the overriding public benefit served by the Museum; and

WHEREAS, the Council affirmatively finds that the proposed amendatory lease is in the public interest, as the public benefit to be derived from the use is the continuation of the operation of the Museum which is open to the public and benefits residents of the City and surrounding area and visitors.

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 amendatory lease agreement with the Rochester Museum & Science Center (RMSC) for the continued lease of the Museum property at 657-687 East Avenue and its collections for a term that continues for thirty years following indorsement of the amendment and then continuing year-to-year thereafter subject to termination on notice of one year. The amended lease shall be without rent due to the overriding public benefit provided through the operation of the Museum. The RMSC shall be solely responsible for the maintenance and operation of the property, including the payment of all utilities. The RMSC shall provide general liability insurance and property insurance, insuring both the real property and the museum's collections. The RMSC shall also indemnify the City against all claims and liabilities arising out of its use of the property.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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

FINANCE INTRODUCTORY NO.

428

Malik D. Evans
Mayor

December 1, 2022 BHRM 28

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – The Guardian Life
Insurance Company of America - Dental Plan
Administration Services

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$186,000.00 as maximum compensation for an agreement with The Guardian Life Insurance Company of America (Andrew J. McMahon, President & CEO) for administration of the City's self-insured Dental Plan. The agreement shall be in effect for three (3) years (1/1/23 – 12/31/25). Of said amount, \$31,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, \$62,000 shall be funded from the 2023-2024 Budget for Undistributed Expense, \$62,000 shall be funded from the 2024-2025 and \$31,000 shall be funded from the 2025-2026 Budget for Undistributed Expense, contingent upon approval of future budgets.

The Guardian Life Insurance Company of America has provided a variety of dental benefits for City employees on both a full-insured and self-insured basis since 2005. The recommendation to continue with The Guardian Life Insurance Company of America for this services is based on the fact that they have provided exemplary services for City employees and retirees who participate in their benefit plans, complex systems have been developed through the City's Human Capital Management system (Workday) in order to automatically enroll and maintain employee/retiree coverage, and their current administrative fee will continue through calendar year 2025.

A full justification for not issuing a request for proposals is attached.

Respectfully submitted,

Malik D. Evans
Mayor



NO RFP JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$10,000, and
2. To the contract record when entered in Munis.

Department: DHRM **Services(s):** Administration of Self-Funded Dental Plan

Vendor/Consultant selected: The Guardian Life Insurance Company of America

How was the vendor selected?

Why was no RFP issued for this service?

- Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.
 - Guardian currently administers the City's self-funded dental plan for employees and retirees.
 - Guardian has provided exemplary services for City employees and retirees who participate in these benefit plans.
 - Complex systems have been developed through the City's Human Capital Management system (Workday) in order to automatically enroll and maintain employee coverage.
- Are there unique or **emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.
 - Over 2,700 employees and retirees are enrolled in the City's dental plan. When including spouses and dependents, the plan provides coverage for over 6,500 lives. A change in vendors would create substantial disruption for payment of dental services.
 - Dental coverage was newly added for employees who retire on/after 1/1/2020. This enhancement to our retiree benefits resulted in necessary modifications to the automatic integrations that were developed for managing enrollment. A shift in vendors would require these recently completed changes to be revisited.
- Is the service **specialized and unique**? Is the number of **qualified providers limited**? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.
 - The City's benefits brokers at Lawley Benefits Group continually communicate with Guardian and other dental plan administrators to

ensure that the City is receiving the highest value for the services that are contracted. At this time, there is no compelling reason to change vendors and create disruption to participants.

The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals. MWBE Officer Initials: SMD

Date: 11/21/2022

Rose M. Nichols

11/14/2022

Signature: Department Head

Date

Form date 1/7/1

428

Ordinance No.

Authorizing an agreement for dental plan administration services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Guardian Life Insurance Company of America to administer dental insurance plans for all benefit-eligible City employees. The maximum compensation for the agreement shall be \$186,000, which shall be funded in the amounts of \$31,000 from the 2022-23 Budget of Undistributed Expenses (Undistributed), \$62,000 from the 2023-24 Budget of Undistributed, \$62,000 from the 2024-25 Budget of Undistributed, and \$31,000 from the 2025-26 Budget of Undistributed, contingent upon approval of the future years' budgets. The term of the agreement shall be 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.



December 1, 2022 BHRM 29

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Workday, Inc.
Human Resource Management and Payroll

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Workday, Inc., (Aneel Bhusri and Chano Fernandez, Co-CEO) Pleasanton, California, to provide hosting services and implementation of an Enterprise Process and System Solution for Human Resource Management and Payroll. The original agreement was authorized by Ordinance No. 2015-314 for a term of seven (7) years and six (6) months and maximum compensation of \$6,201,000. This amendment will extend the term of the agreement for an additional three (3) years, not to exceed \$1,570,343, and will be funded in the amounts of \$523,448 from the 2022-23 Budget of the Department of Information Technology (IT), \$523,448 from the 2023-24 Budget of IT, and by \$523,447 from the 2024-25 Budget of IT, contingent upon the approval of the latter two budgets.

The City implemented Workday in February 2018. Currently Workday is being used for: maintenance of employee personal information and work history, payroll processing, repository for employee pay statements and annual tax documents, maintenance of benefit elections and online benefit enrollment, probationary performance reviews, and reporting of employee data. Over the next few years, the Department of Human Resource Management would like to expand the use of Workday to include: Annual Performance Reviews, Succession Planning support and skill gap analysis, time and labor, and real-time diversity reporting and dashboards. The Department of Human Resource Management would also like to expand the use of Workday into other areas of the business through adding additional available modules which may replace current applications, for example Workday as a Learning Management System.

Workday, Inc. was selected via a request for proposals (RFP) process in 2014. They have been selected to continue to provide these services because their system is meeting the needs of the City of Rochester, the expense to transition to a new system is significant, and the potential to expand the use of Workday throughout the City of Rochester.

Respectfully submitted,

Malik D. Evans
Mayor



429

Ordinance No.

Authorizing an amendatory agreement relating to the Enterprise Process and System Solution for Human Resource Management and Payroll

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Workday, Inc. to provide hosting services and to implement an Enterprise Process and System Solution for Human Resource Management and Payroll. The amendatory agreement shall increase the maximum compensation of the agreement authorized in Ordinance No. 2015-314 by \$1,570,343 to a new total of \$7,771,343 and shall extend the term by three years. The amendatory compensation shall be funded in the amounts of \$523,448 from the 2022-23 Budget of the Department of Information Technology (IT), \$523,448 from the 2023-24 Budget of IT, and by \$523,447 from the 2024-25 Budget of IT, contingent upon the approval of the latter two budgets.

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

Section 3. This ordinance shall take effect immediately.



December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Urban League of
Rochester N.Y., Inc for oversight of the Racial
and Structural Equity ("RASE") Report
recommendations.

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation which will:

- (1) Authorize an intermunicipal agreement (IMA) with Monroe County whereby the County will provide \$50,000 to the City of Rochester for its financial support of the City's contract with the Urban League of Rochester, N.Y., Inc. to evaluate implementation of RASE recommendations. The term of this agreement will be one year;
- (2) Amend the 2022-23 Budget of the Mayor's Office by \$50,000 to reflect the funds received from Monroe County pursuant to the IMA; and
- (3) Authorize an amendatory agreement with the Urban League of Rochester, N.Y., Inc. (Dr. Seanelle Hawkins, President and CEO, Rochester, NY) to provide services related to oversight of RASE recommendations. The original agreement, authorized in Ordinance No. 2022- 261, established maximum compensation at \$50,000 for a term of one year with two optional one-year renewals. This amendment will increase the compensation by \$50,000 in the first year to a maximum total of \$100,000. The additional cost will be funded from the Budget of the Mayor's Office, reflecting the new funds from Monroe County pursuant to the IMA. All other terms will remain the same.

The initial contract with Urban League of Rochester, N.Y., Inc. represented the City's \$50,000 portion of a planned funding for the Urban League of Rochester, NY, Inc. Instead of contracting directly with Urban League of Rochester, N.Y., Inc. for its portion, the County will use this IMA with the City to provide its portion of funding and the City will directly contract with Urban League of Rochester, N.Y., Inc. for the full \$100,000.

The RASE recommendations include items that fall under the jurisdiction of the City, the County, the School District and the community-at-large. Mayor Evans and County Executive Bello agree that the Urban League of Rochester, N.Y. Inc. is the appropriate entity to lead the RASE initiative with a collaborative, community-wide perspective. As a result of their natural role in providing



community leadership, the Urban League has participated in monthly meetings on the RASE initiative with the City, County, and RCSD, and will continue to serve as the voice of the community going forward.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

4 30

Ordinance No.

Authorizing intermunicipal and amendatory agreements related to the implementation of recommendations in the Racial and Structural Equity (RASE) Report

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 (IMA) with the County of Monroe for the receipt and use of \$50,000 from the County to support activities relating to implementing the recommendations in the Racial and Structural Equity (RASE) Report. The term of the agreement shall be one year.

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$50,000 to reflect the funds to be received from the County of Monroe pursuant to the IMA authorized in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Urban League of Rochester, N.Y., Inc. to oversee community implementation of the recommendations set forth in the RASE Report. The amendatory agreement shall increase the maximum compensation for the agreement authorized by Ordinance No. 2021-261 by \$50,000 for the first year to a new total of \$100,000. The increase shall be funded from the 2022-23 Budget of the Office of the Mayor.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.



City of Rochester

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

FINANCE INTRODUCTORY NO.

431

Malik D. Evans
Mayor

December 1, 2022

COMMS 31

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement –The Springut Group,
Production of Party in the Park

Council Priority: Creating and Sustaining a
Culture Of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$145,000 as maximum annual compensation for an agreement with The Springut Group (principal: Jeff Springut), with offices at 26 South Goodman Street, Rochester, for booking national and regional artists and the overall production of the City of Rochester's event, Party in the Park. The cost of this agreement will be financed from the 2022-23 Budget of the Bureau of Communications, and future budgets of the Bureau of Communications, contingent upon their approval.

Party in the Park is a City-created and owned summer music series that is entering its 27th season. The event has called Dr. Martin Luther King, Jr. Park home for the last 8 years, but the exact location may change as the event grows and is continually reimagined. The Springut Group was selected through a request for proposals process. Three proposals were received. The request for proposal summary and rating sheet is attached.

The Springut Group will provide talent booking, event promotion and marketing, and comprehensive site management services including concessions, stage management, and security. The Springut Group will also solicit sponsors to enhance the City's funding. As owner of the event, the City will retain all general admission ticket revenue and will receive a percentage of concession revenue. The Springut Group has produced Party in the Park for the past five years, and the City is pleased with the partnership and the performance of the promoter, even through challenging post-pandemic seasons. The promoter has decades of experience in producing events in the city, and currently produces the Lilac Festival.

The term of the agreement is three years with two, one year renewal options available, based upon mutual agreement between the City and the consultant.

As it does with other City-owned events, the investment includes staging and sound services, in-kind public safety services, Department of Environmental Services equipment rental and staff support, ticket-taking services, and marketing support.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

Department Communications/Special Events

Project / Service Title: **Production of Party in the Park**

Consultant Selected: **The Springut Group**

Method of selection: ☒ Request for Proposal [Complete 1-7]
☐ Request for Qualifications [Complete 1-7]
☐ From the NY State Department of Transportation list of pre-approved regional engineering firms [Complete 4-7]

1. Date RFP / RFQ issued (and posted on City web site)

10/6/2022

2. The RFP / RFQ was also sent directly to:

Springut Group, Bella Events, WDKX, Xperience Live, Michael O'Leary, Karl Stabnau, Brian Avery, Dan Smalls Presents

3. Proposals were received from

<u>FIRM</u>	<u>City/ST</u> [if Rochester, include ZIP instead of ST]
The Springut Group	14607
M, Boys, Inc.	14604
Innovation Arts Management LLC	14604

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting Points possible</u>	<u>Points received by FIRM</u>
Event Proposal	50	45
Event Budget and Revenue Share	25	20
Event Team Details	25	23
SUBTOTAL	100	88

Bonus Points

City business: 10% of total	8.8
Prime is an MWBE: 10% of total	0
Prime uses 10% - 20% MWBE subs	0
Prime uses 20%+ MWBE subs	0
Workforce goals for M & W met	8.8
BONUS POINTS SUBTOTAL	17.6

TOTAL POINTS RECEIVED by the Firm: TT + BP = **105.6**_____

5. Review team included staff from: Dept/Bureau (#) Dept/Bureau (#) Dept/Bureau (#)

Communications and Special Events (4)

Rochester Police Dept (1)

6. Additional considerations/explanations *[if applicable; e.g. interviews; demonstrations]*

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: **SMD** Date: **11/15/2022**

Form date 1/4/19

431

Ordinance No.

Authorizing an agreement related to production of Party in the Park

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Springut Group for booking the artists and for producing Party in the Park. The term of the agreement shall be three years, with the option to extend for up to two additional periods of one year each. The maximum annual compensation for the agreement shall be \$145,000, which shall be funded in the amount of \$145,000 from the 2022-23 Budget of the Bureau of Communications for the first year and in the same amount for each subsequent year from future budgets of the Bureau of Communications contingent upon the approval of said future budgets.

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

Section 3. This ordinance shall take effect immediately.



432

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: 2022-23 Budget Amendment – Wage
Settlement, AFSCME, AFSCME/Part Time, APT,
Confidential, Non-Represented Part Time

Council Priority: Deficit Reduction and Long Term
Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering
Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2022-23 Budget to reflect wage and salary increases for AFSCME and non-uniformed employees. This legislation will transfer \$3,262,000 from the Contingency Account and distribute these funds to Undistributed Expenses \$231,800 for related fringe benefits, with the remaining balance of \$3,030,200 to departments, as follows, for salaries and wages:

City Council & Clerk	135,500	Information Technology	98,300
Administration	218,500	Emergency Communications	367,400
Law	59,200	Library	50,400
Environmental Services	1,094,100	Neighborhood & Bus. Dev't	270,300
Finance	168,000	Police	212,200
Fire	61,900	Recreation & Human Services	294,400

When the 2022-23 Budget was adopted by City Council in June 2022, salary and wage rates had not yet been established for employees represented by the full-time or part-time American Federation of State, County and Municipal Employees (AFSCME). In addition, no wage adjustment decision had been made for employees in the Confidential, Administrative, Professional, Technical (APT), and non-represented part time groups. As a result, a provision for possible increases for these employees was included in Contingency.

The five-year contract with AFSCME Local 1635, negotiated and signed in August 2022, provides for a retroactive wage increase effective July 1, 2022 with the following rates:

2.50% effective July 1, 2022	3.00% effective July 1, 2025
3.25% effective July 1, 2023	3.00% effective July 1, 2026
3.25% effective July 1, 2024	

Also effective July 1, 2022 is that the shift differential for those full-time AFSCME individuals that work shifts other than the common day shift increased from 60 cents per hour to 90 cents per hour. Longevity payments to employees that have worked for the City for five or more years doubles.

Upon ratification and settlement of both the AFSCME and AFSCME Part Time agreements, the Administration determined that similar wage increases would be granted to the Confidential, APT, and other non-represented part time groups. The amounts required by classification are as follows:



AFSCME Full Time	\$1,447,600
AFSCME Part Time	84,100
APT/Confidential	1,258,300
Other non-represented part time	240,200
Salary Benefits-Undistributed	231,800
Total	\$3,262,000

Respectfully submitted,



Malik D. Evans
Mayor

INTRODUCTORY NO.

432

Ordinance No.

Amending the 2022-23 Budget for wage and salary increases

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

Section 1. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by appropriating the sum of \$3,262,000 from the Contingency Account to other Budget accounts as follows:

Council & Clerk	\$ 135,500
Administration	218,500
Law	59,200
Environmental Services	1,094,100
Finance	168,000
Fire	61,900
Information Technology	98,300
Emergency Communications	367,400
Library	50,400
Neighborhood & Bus. Dev't	270,300
Police	212,200
Recreation & Human Services	294,400
Undistributed Expenses	231,800
 TOTAL	 \$3,262,000

Section 2. This ordinance shall take effect immediately.



City of Rochester

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

FINANCE INTRODUCTORY NO

433

Malik D. Evans
Mayor

December 1, 2022 COMMS 33

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement –Production of the Rochester
Summer Soul Music Festival- Xperience Live LLC

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum annual compensation for an agreement with Xperience Live LLC (principal: Varick Baiyina), National Harbor, Maryland, for booking national and regional artists and providing overall production of the Rochester Summer Soul Music Festival. The term of this agreement will be for two years with three, one-year renewal options, and the cost will be financed from the 2022-2023 Budget of the Bureau of Communications, and subsequent budgets contingent upon their approval.

2023 will be the 27th year of the event. Previously called Rochester Music Fest and Rochester Summer Fest, the Rochester Summer Soul Music Festival is a City of Rochester-created and City-owned event with a longstanding tradition in the community. The event will continue to offer a family-friendly, festival atmosphere. The exact event location will be determined in the planning phase and may change as the event continues to be reimagined over the course of the contract. A wide range of ticket prices will be available, with a major focus on ensuring the event is more accessible to an economically diverse audience, as other City-owned events are.

Xperience Live LLC was selected through a request for proposals process. Two proposals were received, and a summary is attached. Xperience Live LLC has produced the event for the last five years, reshaping the brand and selecting high quality talent. Similar to the previous five years, they will provide national and regional talent booking for an urban audience, all site-related procurement and on-site management, vendor and concession management, advertising, marketing, and sponsorship solicitation. In this agreement, the City will share in a portion of ticket sales and concession revenues.

Consistent with other City-owned events, the City will also invest in in-kind support, including public safety, City equipment rental, ticket-taking services, and a portion of staging and sound services.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

Department Communications/Special Events

Project / Service Title: Production of Rochester Summer Soul Music Festival

Consultant Selected: Xperience Live, LLC

Method of selection: ☒ Request for Proposal [Complete 1-7]
☐ Request for Qualifications [Complete 1-7]
☐ From the NY State Department of Transportation list of pre-approved regional engineering firms [Complete 4-7]

1. Date RFP / RFQ issued (and posted on City web site)

10/6/2022

2. The RFP / RFQ was also sent directly to:

Springut Group, Bella Events, WDKX, Xperience Live, Michael O'Leary, Karl Stabnau, Brian Avery, Dan Smalls Presents

3. Proposals were received from

<u>FIRM</u>	<u>City/ST</u> [<i>if Rochester, include ZIP instead of ST</i>]
The Springut Group	14607
Xperience Live, LLC	14604

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting Points possible</u>	<u>Points received by FIRM</u>
<i>Event Proposal</i>	50	39
<i>Event Budget and Revenue Share</i>	25	19
<i>Event Team Details</i>	25	23
SUBTOTAL	100	81
<u>Bonus Points</u>		
City business: 10% of total	8.8	
Prime is an MWBE: 10% of total	0	
Prime uses 10% - 20% MWBE subs	0	
Prime uses 20%+ MWBE subs	0	
Workforce goals for M & W met	8.8	
BONUS POINTS SUBTOTAL	17.6	

TOTAL POINTS RECEIVED by the Firm: TT + BP = 97.2

5. Review team included staff from: Dept/Bureau (#) Dept/Bureau (#) Dept/Bureau (#)
Communications and Special Events (4)
Rochester Police Dept (1)

6. Additional considerations/explanations [*if applicable; e.g. interviews; demonstrations*]

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: SMD Date: 11/22/2022

Form date 1/4/19

433

Ordinance No.

Authorizing an agreement relating to the Rochester Summer Soul Music Festival

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 Xperience Live LLC for the booking of national and regional artists and production of the Rochester Summer Soul Music Festival. The term of the agreement shall be two years, with the option to extend for up to three additional periods of one year each. The maximum annual compensation for the agreement shall be \$200,000, which shall be funded in the amount of \$200,000 from the 2022-23 Budget of the Bureau of Communications for the first year, and in the same amount for each subsequent year from future years' budgets of the Bureau of Communications contingent upon approval of the future budgets.

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

Section 3. This ordinance shall take effect immediately.



December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Charter Amendment – Redistricting

Transmitted herewith for your approval is legislation to amend the City Charter with regard to the boundaries of the City Council districts. Subsequent to each decennial census, it is required that voting districts be reconfigured to reflect the “one person, one vote” rule. Under this rule, the total population of a jurisdiction is divided by the number of Districts within it – thus creating the “ideal” district population. New York State law requires that district not vary by more than 5% from the “ideal” population.

Attachment A is a report outlining the public engagement efforts executed to gather community feedback related to the redistricting process.

The City population total as determined by the 2021 Census is 211,328; dividing this number by four would mean that the “ideal” number for each Council district would be 52,832.

The 2021 population for each District is as follows:

District	Current District Population	Ideal Population	Variance from Ideal	Variance as a Percentage
Northeast	52,259	52,832	-573	-1.09%
East	52,096	52,832	-736	-1.39%
South	53,280	52,832	+448	0.85%
Northwest	53,693	52,832	+861	1.63%

As evident in the above data, all four Districts are well within the legal standard to remain the same. Based on feedback from constituents and in an effort to standardize population sizes among the four Districts, the below adjustments are being proposed.

- Shifting a portion of the boundary between the Northwest and South Districts to generally follow the railroad tracks beginning at the western-most City border and ending at Brown Street.
 - This shifts the area between Buffalo Road and the railroad tracks to the Northwest District from the South District.
 - This shifts the area between Colvin Street, West Avenue, Brown Street, and the railroad tracks to the South District from the Northwest District.
- Shifting a portion of the boundary between the South and East Districts to generally follow South Avenue beginning at Elmwood Avenue and ending at Linden Street.
 - This shifts the area between South Avenue and South Goodman Street, between Elmwood Avenue and Rockingham Street, as well as a portion of Linden Street between Mt. Vernon Avenue and South Avenue, to the East District from the South District.

- Shifting a portion of the boundary between the East and Northeast Districts to generally follow Clifford Avenue to the eastern-most City border.
 - This shifts the area between Clifford Avenue and Fernwood Park from Lyceum Street to Walbar Street to the Northeast District from the East District.
 - This also shifts the area between Clifford Avenue and Seymour Road from Woodman Park/Culver Road and the City border to the Northeast District from the East District.
- No changes are made to the boundary between the Northeast and the Northwest Districts, nor the boundary between the South and Northeast Districts.

The proposed Districts are included in Attachment B, as well as maps comparing the proposal to the current Districts in Attachment C. The impact of these minor adjustments would be as followed:

District	New District Population	Change in Population (of proposed new Districts)	Ideal Population	Variance from Ideal (of proposed new Districts)	Variance as a Percentage
Northeast	52,780	+521	52,832	-52	-0.10
East	52,798	+702	52,832	-34	-0.06
South	52,922	-358	52,832	+90	0.17
Northwest	52,828	-865	52,832	-4	-0.008

An analysis of the proposed changes was completed to ensure conformance with the Voting Rights Act. The proposed changes conform to legal requirements and continue the City's commitment to a redistricting process that respects neighborhood boundaries and values compactness and continuity.

A public hearing is required.

Respectfully submitted,



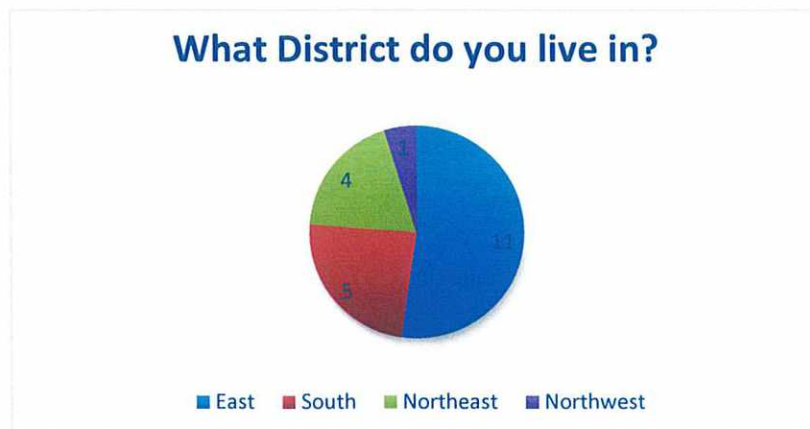
Miguel A. Meléndez, Jr.
President



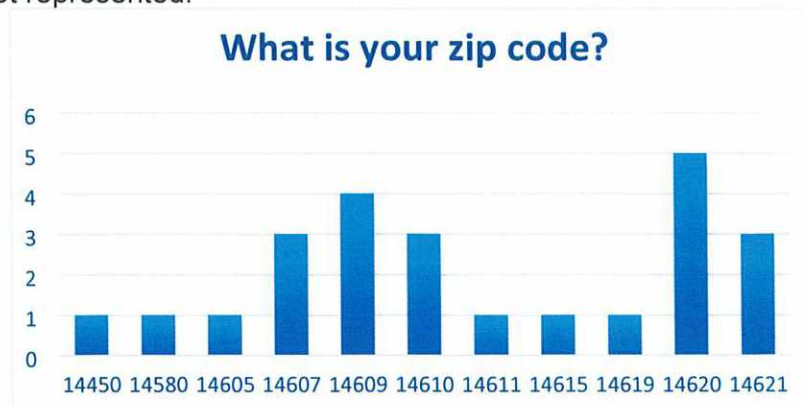
Attachment A – City Council 2022 Redistricting Report

Survey Responses

- Attached is a copy of the survey distributed; the survey was announced via a press release, published on the City website, and shared on social media.
- The Neighborhood Service Center and Library staff were also made available of the survey and provided a general overview of the redistricting in case any constituents inquired at their locations.
- QR codes of the surveys were printed and distributed to Councilmembers and at the public input sessions.
- The survey was open for a little over three weeks, from September 18-October 11.
- 24 responses were filled out, two from the same respondent, meaning 23 individual responses were received.
 - Three respondents do not live in the City, and therefore, are unable to complete the questions related to living in the current City Council districts.
 - 20 respondents live in the City; 11 in the East District, five in the South District, four in the Northeast District, and one in the Northwest District.



- The 14620 zip code was the most represented, followed by 14609. Many City zip codes were not represented.



- 16 of the 23 respondents felt connected with neighborhoods outside their own.
- When asked if they liked or disliked the current lines:
 - Seven respondents said the lines made sense or were fine, and three respondents had no opinion.
 - Five comments referenced confusion between the South and East District lines, specifically the South Wedge neighborhood being in both of the Districts.
 - One comment mentioned the need for the District lines to follow the Genesee River.
 - Two comments suggested District lines should follow recognized neighborhood boundaries.
 - One respondent noted their neighborhood, Grove Place, was split in two. A similar comment was made by a respondent who lives in the South Wedge.
 - One comment mentioned the District names were confusing and suggested simplifying the names to North, West, South and East.
- When asked to provide additional feedback or comments:
 - Three respondents were concerned about equity, specifically about gerrymandering, disenfranchising Black and Brown communities, and distributing funds to less wealthy neighborhoods more efficiently.
 - Three respondents praised public engagement; two of those comments encouraged continued engagement with the neighborhoods.
 - Two comments recommended changes to the District lines that would involve an amendment to the City Charter, specifically requesting additional Council districts.

Presentation

- Staff developed a short PowerPoint presentation in collaboration with the League of Women Voters explaining what redistricting is and the ongoing process, describing the current Districts, and summarizing the 2020 Census findings.
- The presentation was narrated and the resulting video was posted on the City Council YouTube Channel, the City Council Facebook, and at a dedicated City webpage, <https://www.cityofrochester.gov/redistricting/>.
- Copies of the presentation were provided to the Neighborhood Service Center and Public Library staff. Printed copies were brought and handed out at each public input session.

Public Input Sessions

- Two public input sessions were held at the Rochester Public Library. One was held in the evening (6pm) on Wednesday, September 28 and the other was held on a weekend morning (11am), on Saturday, October 1.
- The location was selected given the Library's prominence in the community, and because the physical location is accessible by bus lines and walkable from the Transit Center.
- An ASL interpreter was at each session, although there were minor issues with sound in the beginning of the sessions.
- The events were noticed via a press release on September 19, and flyers were shared on Facebook. Councilmembers were encouraged to share the flyers with their own social media and other contacts.

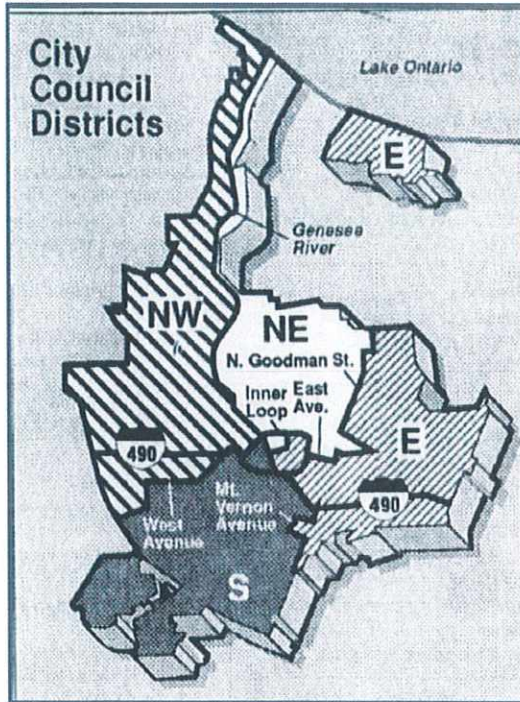
Council staff prepared a presentation in collaboration with the League of Women Voters for the Rochester Metro Area. The presentation was shown at the beginning of each session.

- Maps of the current District lines were displayed, along with previous District maps and newspaper articles related to past redistricting processes, pulled from the City Historian's archives.
- QR codes linked to the survey were on each table in the room.
- At the first session, one participant attended. They were in favor of creating additional District Seats, which is beyond the scope of redistricting and would require a Charter amendment.
 - The concept of eliminating At-Large Council seats and creating more than four District seats was presented vociferously by the sole participant. This concept seems to fall more appropriately into the category of changes and revisions to the City Charter as it pertains to the makeup of City Council than redistricting the current City Council Districts.
- At the second session, three participants attended, one being the same participant as the first session.
 - The other two participants came to the event together and were grateful for the overview clarifying the process as they were unfamiliar with the subject.
 - One of the participants emphasized the need to reach all communities, including the elderly population who need outreach to come to them.
 - The second participant thanked the Council and League for the work put into the process so far, but was concerned about reaching the youth population in the schools. They stressed the importance of using direct and indirect outreach – meaning social media *and* going into school to teach our younger population about these civic processes.

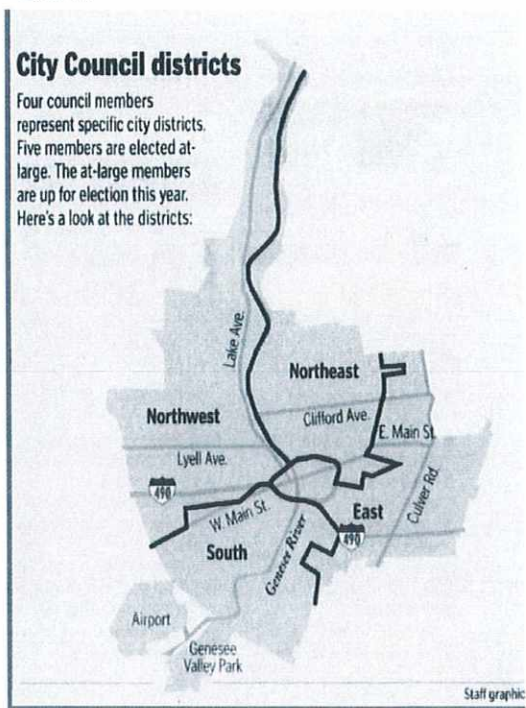
Main Takeaways

- Given the minimal population changes reflected in the decennial census, the City Council District lines are not required to change.
- The current District lines seem to be generally non-controversial.
 - Redistricting efforts received coverage in the media and yet still had minimal participant, particularly when compared to other local redistricting processes that have been more controversial.
- With only four apportioned Districts, there doesn't seem to be many other logical models for the general geographic makeup of the Districts.
- These assumptions are borne out by history, in so much as past redistricting over the past 30 years has only provided minor "tweaks" to the existing Districts, all of which look very similar to those in place today, as evident in the maps on the next page. Additional historical archives are also included on the following pages.

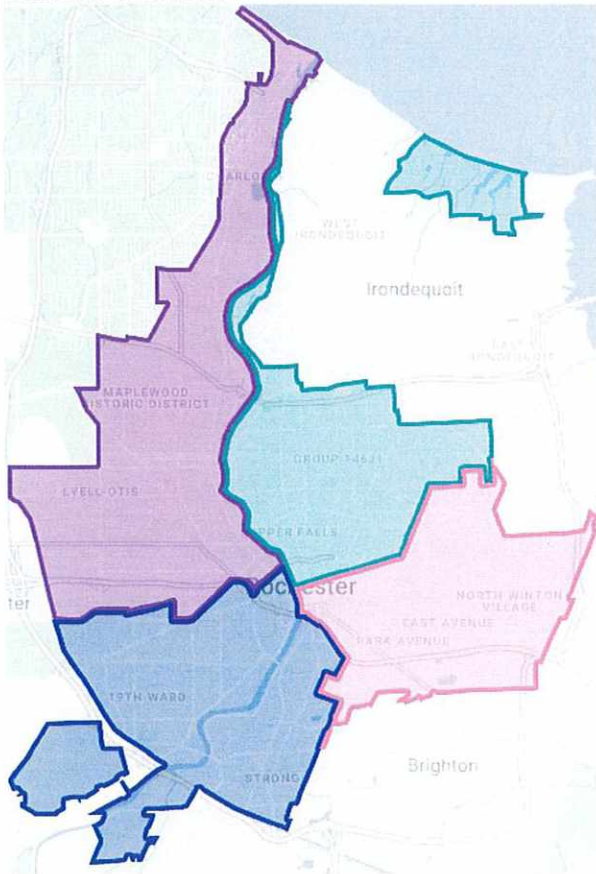
1991:



2001:



Current Districts:



City Council Districts

Districts **2022 Population**

NW	Northwest	52,426
NE	Northeast	53,780
S	South	52,736
E	East	53,997

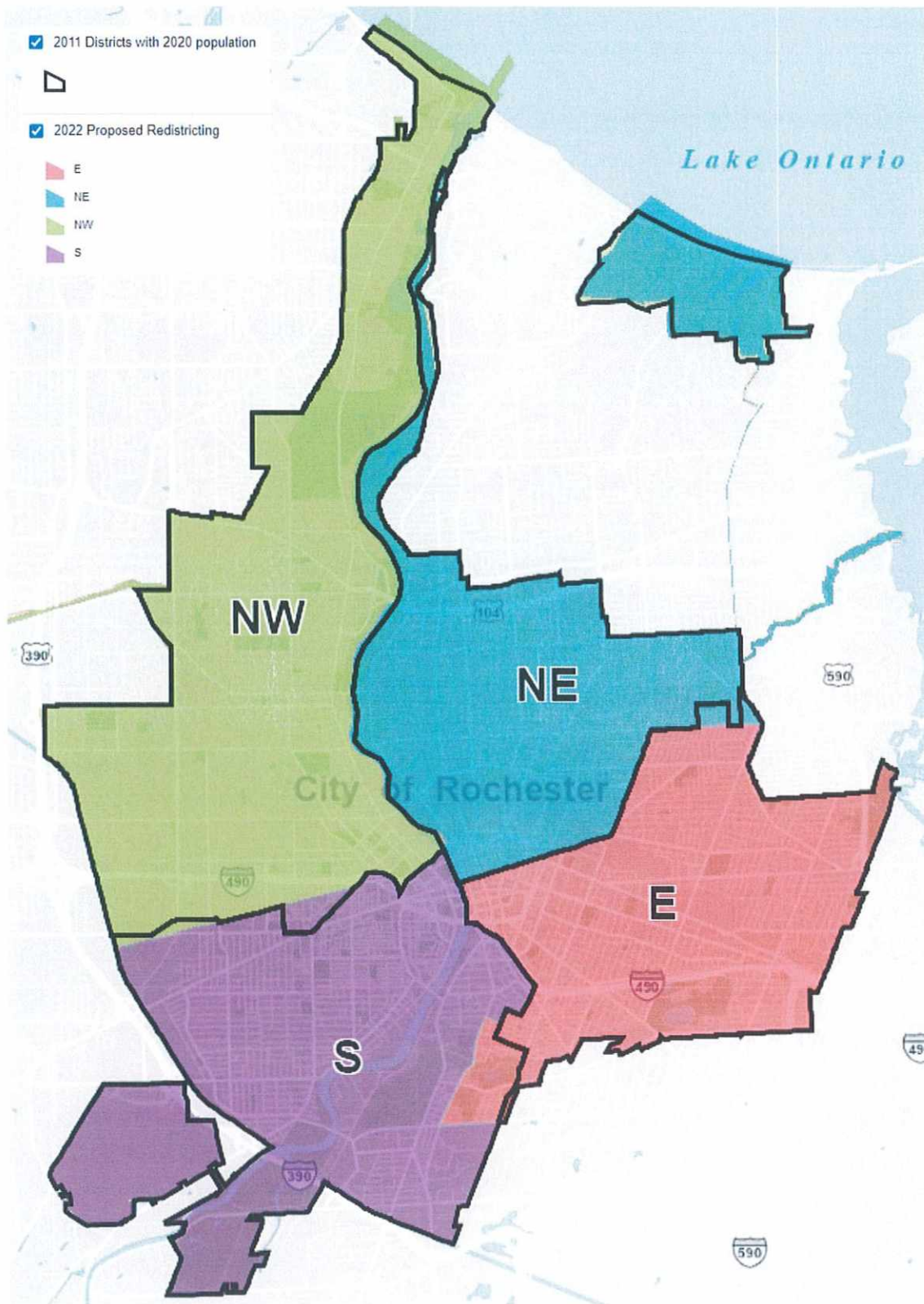
Total 213,939

City of Rochester, NY
Mark D. Evans, Mayor
Rochester City Council

Scale:
 1 inch = 1 mile
 1 centimeter = 0.39 inches
 1 kilometer = 0.62 miles
 1 mile = 1.61 kilometers

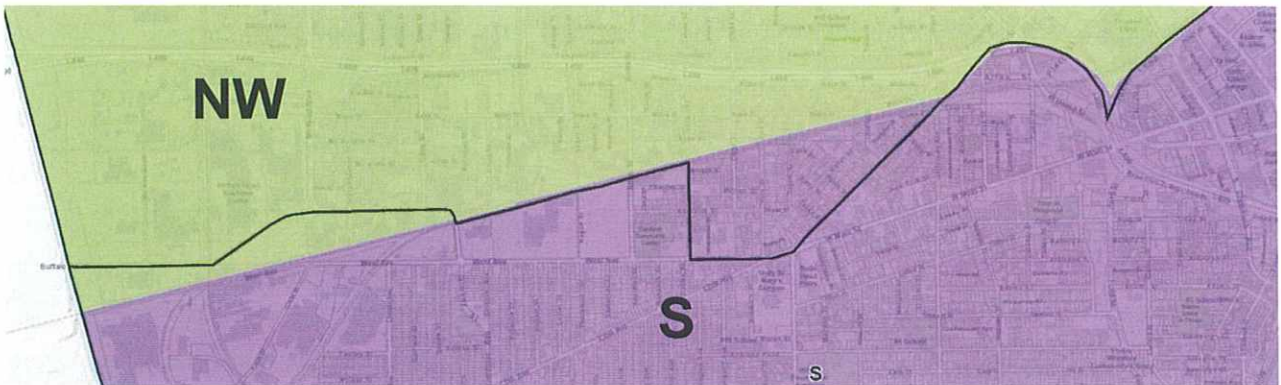
Attachment C – Comparison between 2011 Districts (current) and Proposed Districts

Current Districts are outlined in black; proposed Districts are the corresponding colors on the key below.

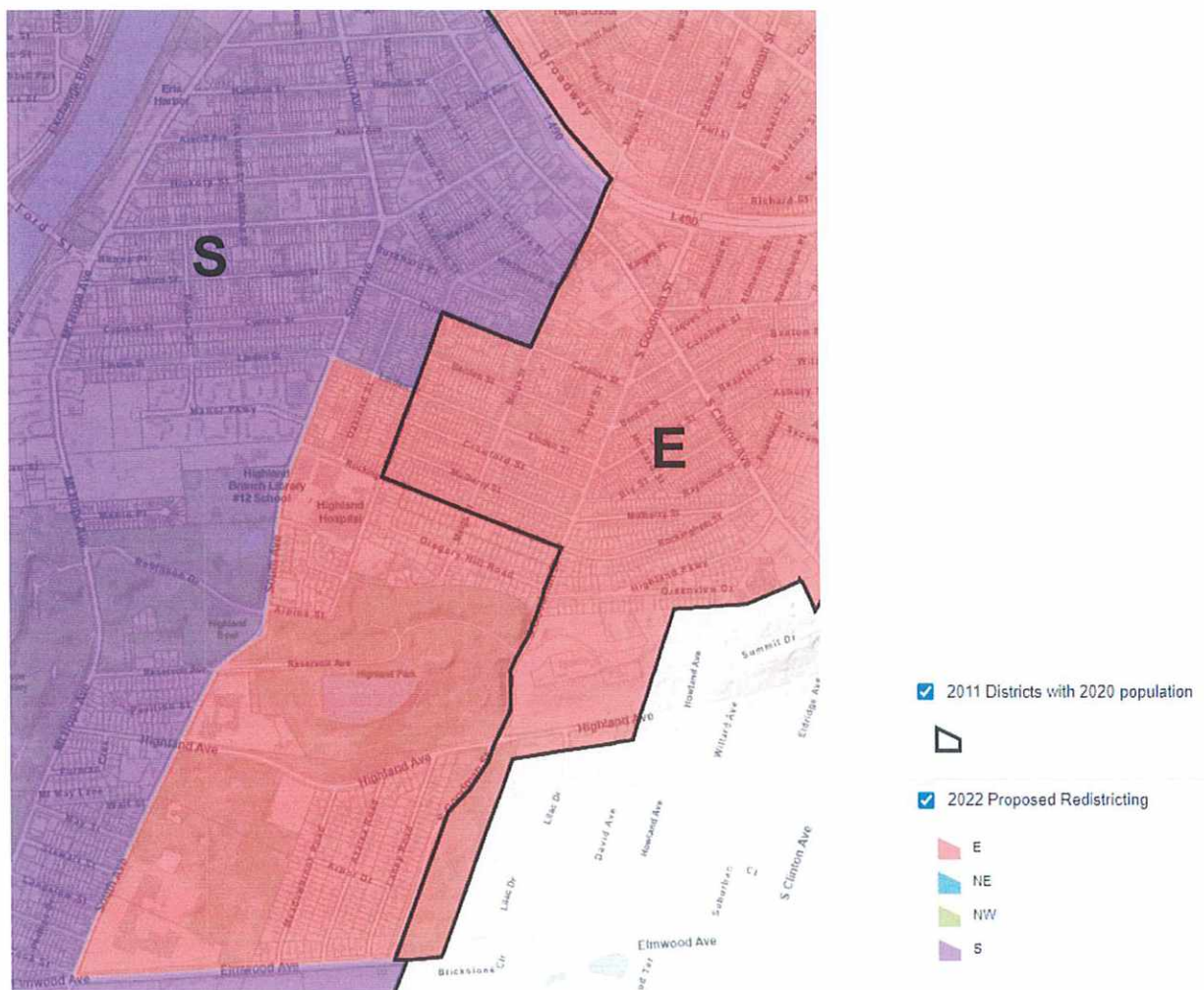


Attachment C – Comparison between 2011 Districts (current) and Proposed Districts

Proposed changes to the boundary between the Northwest and South Districts to generally follow the railroad tracks beginning at the western-most City border and ending at Brown Street:

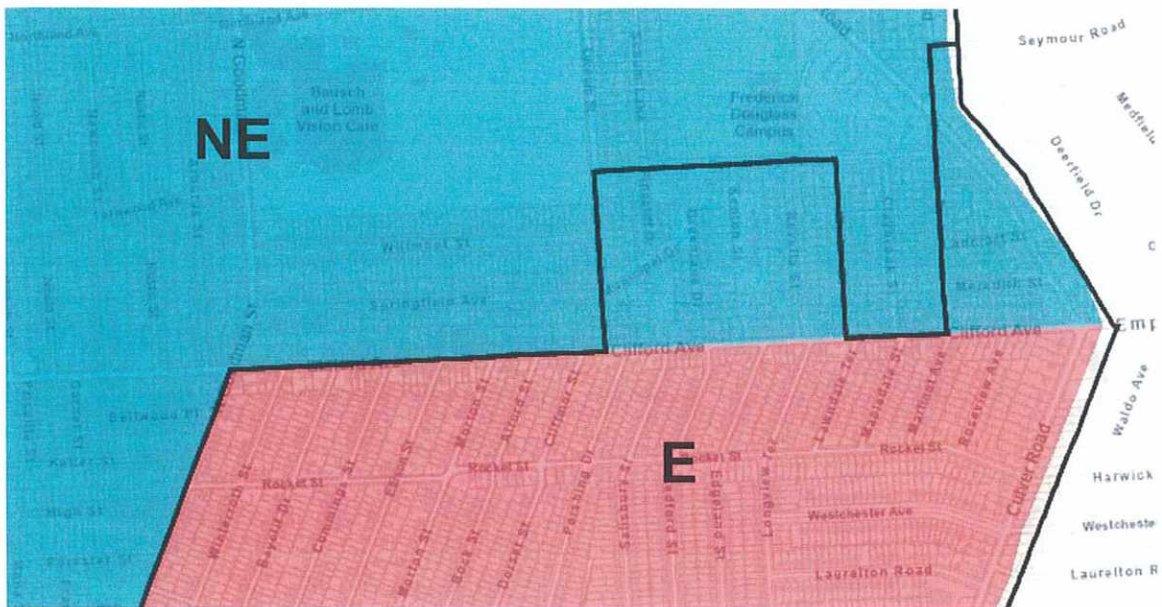


Proposed changes to the boundary between the South and East Districts to generally follow South Avenue beginning at Elmwood Avenue and ending at Linden Street:



Attachment C – Comparison between 2011 Districts (current) and Proposed Districts

Proposed changes to the boundary between the East and Northeast Districts to generally follow Clifford Avenue to the eastern-most City border:



☒ 2011 Districts with 2020 population



☒ 2022 Proposed Redistricting

-  E
-  NE
-  NW
-  S

INTRODUCTORY NO.

434

Local Law No.

Local Law amending City Charter Section 5-3 with respect to Council District Boundaries

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending subsections A, B, C and D of Section 5-3, Districts, to read in their entirety as follows:

A. The Northeast District shall include all the area described within the boundaries as follows:

Beginning at the intersection of the centerline of the Genesee River and the westerly extension of the centerline of Marina Drive; Thence southerly along the centerline of the Genesee River to its intersection with the centerline of East Main Street; Thence easterly along the centerline of East Main Street to its intersection with the centerline of North Goodman Street; Thence northerly along the centerline of North Goodman Street to its intersection with the centerline of Clifford Avenue; Thence easterly along the centerline of Clifford Avenue to the easterly boundary of the City; Thence northerly along the easterly boundary of the City to the northerly boundary of the City; Thence westerly along the northerly boundary of the City to a point 33 feet easterly from the centerline of Culver Road; Thence northerly on a line 33 feet easterly from and parallel to the centerline of Culver Road to a point 33 feet northerly from the centerline of Hoffman Road produced easterly; Thence northwesterly on a line 33 feet northerly from and parallel to the centerline of Hoffman Road to a point 33 feet easterly from the centerline of Wisner Road; Thence northerly on a line 33 feet easterly from and parallel to the centerline of Wisner Road to the southerly boundary of Durand Eastman Park; Thence easterly along the southerly line of Durand Eastman Park to the easterly line of Durand Eastman Park; Thence generally northerly along the easterly boundary of Durand Eastman Park to the shore of Lake Ontario; Thence westerly along the shore of Lake Ontario to the westerly line of Durand Eastman Park; Thence generally southerly along the westerly line of Durand Eastman Park to the southerly line of Durand Eastman Park; Thence generally easterly along the southerly line of Durand Eastman Park to a point 33 feet westerly from the centerline of Wisner Road; Thence southerly on a line 33 feet westerly from and parallel to the centerline of Wisner Road to a point 33 feet south of the centerline of Hoffman Road produced westerly; Thence southeasterly on a line 33 feet southerly from and parallel to the centerline of Hoffman Road to a point 33 feet westerly from the centerline of Culver Road; Thence southerly on a line 33 feet westerly from and parallel to the centerline of Culver Road to the northerly boundary line of the City; Thence westerly along the northerly line of the City to the easterly line of the City; Thence generally northerly along the said easterly City line to the centerline of Marina Drive; Thence westerly along the centerline of Marina Drive and the westerly extension thereof to the centerline of the Genesee River and to the point of beginning.

B. The East District shall include all the area described within the boundaries as follows:

Beginning on the centerline of the Genesee River and its intersection with the centerline of East Main Street; Thence easterly along the centerline of East Main Street to its intersection with the centerline of North Goodman Street; Thence northerly along the centerline of North Goodman Street to its intersection with the centerline of Clifford Avenue; Thence easterly along the centerline of Clifford Avenue to the easterly boundary of the City; Thence generally

southerly along the easterly line of the City including the areas known as Densmore Creek and Tryon Park to the southerly boundary of the City; Thence generally westerly along the southerly boundary of the City to its intersection with the centerline of Elmwood Avenue; Thence westerly along the centerline of Elmwood Avenue to its intersection with the centerline of South Avenue; Thence northerly along the centerline of South Avenue to its intersection with the centerline of Linden Street; Thence easterly along the centerline of Linden Street to its intersection with the centerline of Mount Vernon Avenue; Thence northerly along the centerline of Mount Vernon Avenue to its intersection with the centerline of Caroline Street; Thence easterly along the centerline of Caroline Street to its intersection with the centerline of Meigs Street; Thence northerly along the centerline of Meigs Street to its intersection with the centerline of Interstate 490; Thence generally northwest along the centerline of Interstate 490 and the Inner Loop to the centerline of the Genesee River; Thence northerly along the centerline of the Genesee River to its intersection with the centerline of East Main Street and to the place of beginning.

C. The South District shall include all the area described within the boundaries as follows:

Beginning at the intersection of the westerly boundary of the City with centerline of the CSX Rochester Sub Line Railroad; Thence easterly along the centerline of the CSX Rochester Sub Line Railroad to its intersection with the centerline of Brown Street; Thence northeasterly along the centerline of Brown Street to its intersection with the centerline of Interstate 490; Thence easterly along the centerline of Interstate 490 to its intersection with the centerline of the Inner Loop; Thence northeasterly along the centerline of the Inner Loop to its intersection with the centerline of the Genesee River; Thence southerly along the centerline of the Genesee River to its intersection with the centerline of Interstate 490; Thence southeasterly along the centerline of Interstate 490 to its intersection with the centerline of Meigs Street; Thence southerly along the centerline of Meigs Street to its intersection with the centerline of Caroline Street; Thence westerly along the centerline of Caroline Street to its intersection with the centerline of Mount Vernon Avenue; Thence southerly along the centerline of Mount Vernon Avenue to its intersection with the centerline of Linden Street; Thence westerly along the centerline of Linden Street to its intersection with the centerline of South Avenue; Thence southerly along the centerline of South Avenue to its intersection with the centerline of Elmwood Avenue; Thence easterly along the centerline of Elmwood Avenue to its intersection with the easterly boundary of the City; Thence generally southerly along the easterly boundary of the City to the southerly boundary of the City; Thence generally westerly along the southerly boundary of the City, including Genesee Valley Park, to the westerly boundary of the City; Thence generally northerly along the westerly boundary of the City, including the Rochester Monroe County International Airport, to its intersection with the centerline of the CSX Rochester Sub Line Railroad and to the point of beginning.

D. The Northwest District shall include all the area described within the boundaries as follows:

Beginning at the intersection of the centerline of the Genesee River with the westerly extension of the centerline of Marina Drive; Thence southerly along the centerline of the Genesee River to its intersection with the centerline of Inner Loop; Thence southwesterly along the centerline of the Inner Loop to its intersection with the centerline of Interstate 490; Thence northwesterly along the centerline of Interstate 490 to its intersection with the centerline of Brown Street; Thence southwesterly along the centerline of Brown Street to its intersection with the centerline of the CSX Rochester Sub Line Railroad; Thence southwesterly along the centerline of the CSX Rochester Sub Line Railroad to its intersection with the westerly boundary of the City; Thence northerly following the westerly boundary of the City to its intersection with the shore of Lake Ontario; Thence easterly along the shore of Lake Ontario to the

easterly boundary of the City; Thence southerly along the easterly boundary of the City to the centerline of Marina Drive; Thence westerly along the centerline of Marina Drive and the westerly extension thereof to the centerline of the Genesee River and to the point of beginning.

Section 2. The enactment of this local law shall not affect the tenure of the incumbent elected or appointed Councilmembers. The intent of this local law is to change the Council district boundaries for the next municipal election following the enactment of this local law, and each succeeding election thereafter. The incumbent Councilmembers shall remain the lawful representatives of their respective districts as delineated in Local Law No. 5 of 2011 until the expiration of their present elective or appointive terms.

Section 3. This local law shall take effect immediately.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

FINANCE
INTRODUCTORY NO.

435

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution Establishing the
Schedule for the Regular Council
Meetings in 2023 and Amending the
Council Rules

Transmitted herewith for your approval is legislation establishing the 2023 City Council meeting schedule. The proposed schedule has been reviewed by Council staff and the Mayor's Office in order to eliminate any potential conflicts with either civic or religious holidays. Below is an outline of the proposed calendar. Although it is not formally part of this legislation, the dates for Referrals and Council Committee Meetings are also included:

<u>Referral Day</u>	<u>Committee Day 1*</u>	<u>Committee Day 2†</u>	<u>Public Hearings & Speak to Council‡</u>	<u>Full Council Meeting§</u>
January 3	January 11	January 12	January 19	January 24
January 31	February 8	February 9	February 16	February 21
February 28	March 8	March 9	March 16	March 21
March 28	April 12	April 13	April 20	April 25
May 2	May 10	May 11	May 18	May 23
May 30	June 7	June 8	June 15	June 20
June 27	July 5	July 6	July 13	July 18
August 1	August 9	August 10	August 17	August 22
August 29	September 6	September 7	September 14	September 19
September 26	October 4	October 5	October 12	October 17
October 24	November 1	November 2	November 9	November 14
November 28	December 6	December 7	December 14	December 19

*Parks and Public Works (3:30PM) and Neighborhood Business Development (4:00PM).

† Recreation and Human Services (3:30PM), Public Safety (4:00PM), and Finance (4:30PM).

‡Public Hearings begin at 6:00PM. Speak to Council follows once Public Hearings are concluded.

§The full Council Meeting will begin at 6:30PM.

In addition to updating the Council Meeting and Public Hearings dates, the City Council rules are being amended to:

1. Change the start time of the full Council meeting to 6:30PM.
2. Move the Speak to Council and Public Hearings to fall on the same day, and to start at 6:00PM.

Respectfully submitted,

Miguel A. Meléndez Jr.

Miguel A. Meléndez, Jr.
City Council President

INTRODUCTORY NO.
435

Resolution No.

Resolution adopting the Rules of Council

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

Section 1. The Council hereby adopts the following Rules of Council for the year 2023, and hereby revokes the Rules adopted in Resolution 2022-4 with regard to Council proceedings conducted in 2023.

- I. REGULAR MEETINGS - Regular meetings of the Council of the City of Rochester shall be held in the Council Chambers, City Hall, at 6:30 P.M., on the following dates in 2023:

January 24
February 21
March 21
April 25
May 23
June 20
July 18
August 22
September 19
October 17
November 14
December 19

and also at such other times as the Council may by adjournment to a day certain appoint. When the date for a regular meeting falls on a legal holiday the meeting shall be held on the following day.

- II. SPECIAL MEETINGS - Special meetings may be called at any time by the Mayor, the President of the Council, or any three Councilmembers. The City Clerk shall cause the written notice thereof, specifying the object of the meeting, to be served upon each member personally or to be delivered at the member's usual place of residence or City email address at least twenty-four hours before the time fixed for such meeting, except that if such notice is served prior to 5:00 P.M., the time for the special meeting may be fixed at any time after 9:00 A.M. the following day. Councilmembers may waive service of such notice in writing. At such special meeting no business other than that named in the notice of the meeting shall be transacted.
- III. EXECUTIVE MEETINGS - Whenever the Council or a duly constituted committee thereof shall determine to transact business in an executive session, it shall do so in accordance with the provisions of the Open Meetings Law, and the presiding officer shall direct all persons except members and designated officers of the City to withdraw.

- IV. QUORUM - The majority of the Councilmembers shall constitute a quorum; but a smaller number may adjourn from day to day.
- V. PRESIDING OFFICER - The President of the Council, and in the President's absence, the Vice President, shall preside over the meetings of the Council. In the absence of both the President and the Vice President, the City Clerk shall call the meeting to order and the Council shall appoint as presiding officer a President pro tempore.
- VI. ORDER OF BUSINESS - The following shall be the order of business at regular meetings:
 - 1. Roll Call.
 - 2. Moment of Silence & Pledge of Allegiance.
 - 3. Approval of the minutes of the preceding meeting or meetings.
 - 4. Communications to the Council from the Mayor, President of the Council, other corporate officers, boards and departments and miscellaneous communications.
 - 5. Presentation and reference of petitions and any other communications.
 - 6. Reports of standing committees, introduction of, and action upon local laws, ordinances and resolutions.
 - 7. Reports of standing committees on matters not addressed in Item 6 above and action thereon.
 - 8. Reports of special committees.
 - 9. Miscellaneous business.
 - 10. Adjournment.
- VII. PUBLIC HEARINGS – Each person wishing to speak at a public hearing with respect to a specific proposed item of legislation shall be allotted no more than 3 minutes. Speakers must relinquish the podium at the end of their allotted time. Public Hearings will take place beginning at 6:00 P.M. on the following dates.

January 19
February 16
March 16
April 20

May 18
June 15
July 13
August 17
September 14
October 12
November 9
December 14

The President may designate that a specific public hearing shall be held at a regular or special meeting of the Council, or at a special meeting of a Council Committee, by giving notice to all Councilmembers, following the same procedure outlined in Section II above.

- VIII. PERMISSION FOR PERSONS TO SPEAK BEFORE THE COUNCIL –
The President of the Council may allow any person to speak to the Council upon the following terms and conditions. Speak to Council will take place upon the conclusion of the Public Hearings provided for in Section VII on the following dates:

January 19
February 16
March 16
April 20
May 18
June 15
July 13
August 17
September 14
October 12
November 9
December 14

1. In order to speak, a citizen must notify the Clerk's Office before 4:30 P.M. on the day of the meeting.
2. The citizen must specify to the Clerk the subject of their remarks.
3. The Clerk will prepare two lists of scheduled speakers:
 - A. Those wishing to speak on items which are on the agenda for the next Council meeting (List A).
 - B. Those wishing to speak on items which are not on the agenda for the next Council meeting (List B).
4. The lists shall be in the order that citizens notified the Clerk's Office.

5. Each speaker will be allotted no less than two (2) minutes and no more than three (3) minutes. If there are less than 20 speakers, each speaker will be allotted three minutes to speak. If there are 20 or more speakers signed up, each speaker will be allotted two minutes to speak.
6. The President will call the speakers in order as listed on List A, and after completing List A, the speakers on List B, giving each the amount of time determined in paragraph 5 above.
7. Speakers must relinquish the podium at the end of their allotted time.
8. In the event that the President shall determine that any speaker is violating any of the Rules of Council, the President, in the President's discretion, may cause the meeting to be recessed.

Any person may also speak at meetings of duly constituted committees of the Council at the invitation of the Chairperson and upon such terms and conditions as the Chairperson may, from time to time, prescribe.

- IX. ROLL CALL VOTE - On the passage of every ordinance which is not adopted by unanimous vote, on the passage of any ordinance authorizing the issuance of bonds and notes, on the selection of any officer other than by unanimous vote, and on the enactment of any local law, the individual vote for or against the particular legislation before Council shall be entered in full upon the journal. In the case of an abstention from a vote, any member who abstains from voting shall state publicly the reasons for such abstention: such reasons shall be entered in full upon the journal. A roll call vote may be requested by the City Clerk or any member of Council.
- X. PRECEDENCE OF MOTIONS - When a question is before the Council no motion shall be entertained except: First, to adjourn; second, to fix the hour of adjournment; third, for the previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a day certain; seventh, to refer; eighth, to amend. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to vote without debate.
- XI. MOTION TO AMEND – A motion to amend shall not be voted upon until the text of the amendment is presented to the Councilmembers in writing.
- XII. RECONSIDERATION - After the decision of any question, a member who voted in the majority may move its reconsideration at the same or a subsequent meeting. If a motion for reconsideration be lost, it shall not be renewed without unanimous consent of the members present and no question shall a second time be reconsidered without similar unanimous

consent. After a local law or ordinance has been signed by the Mayor, or has been presented to the Mayor and more than thirty (30) days have expired, during which time the Mayor neither approved it nor returned it to the Clerk with objections, it shall not be reconsidered, but such local law or ordinance may be repealed, or amended.

- XIII. WITHDRAWAL OF MOTION - Any motion may be withdrawn by the maker before it has been amended or voted upon, but in such case any other member may renew the motion at that time.
- XIV. PROCEDURE ON RESOLUTIONS - All resolutions of the Council shall be adopted by the affirmative vote of a majority of the members present at the meeting at which action is taken thereon. Any member of the Council may introduce a resolution into the Council either (a) at any meeting of the Council, at which time the presiding officer shall refer the resolution to the appropriate standing committee, or (b) at any time until 5:00 p.m. the day before the appropriate committee meeting by submitting it to the President of the Council who shall promptly forward it to the Chair of the appropriate standing committee. The Council shall not vote upon any resolution until it has been discharged from one or more standing committees pursuant to Section XVII of these rules, provided, however, that the Council may vote upon a resolution without reference to or discharge from a standing committee if it is accompanied by a statement of necessity of immediate passage signed by the Mayor or the President of Council, or these rules are suspended as provided herein.
- XV. PROCEDURE ON LOCAL LAWS AND ORDINANCES - All legislative acts of the Council shall be by local law or ordinance adopted by the affirmative vote of five members of the Council, unless otherwise expressly required by law.

Any member of the Council or the Mayor may introduce a Local Law or Ordinance into the Council. By submitting proposed legislation to the President of the Council. The President shall forward such proposed legislation to the City Clerk, at which time the legislation shall be deemed introduced into the Council. The City Clerk shall note on the copy of the legislation the date of its introduction and its sequential introductory number.

Proposed legislation shall be similarly distributed to Councilmembers on "Referral Day" which shall be at least nineteen (19) days prior to the date of the Council meeting at which it is scheduled to be considered.

Following Referral Day and before Committee Meetings, additional legislation may be submitted to the President of Council for distribution to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted by the Mayor less than twelve (12) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration signed by the Mayor and stating the nature of the emergency. Proposed legislation submitted by any member of Council during this period may be distributed to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted less than five (5) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration stating the nature of the emergency and signed:

- a) by the Mayor and President of the Council, in the case of legislation submitted by the Mayor; or
- b) by the President of the Council, in the case of legislation submitted by a member of Council.

The Clerk shall keep a file of all proposed legislation until it is voted upon by the Council or until the expiration of each two-year term of Council.

A local law or ordinance amended after its introduction shall proceed to consideration by Council in the normal course unless such legislation as amended is ruled to be so substantially different from the original as to constitute a new local law or ordinance that that must be introduced and distributed anew for consideration at a subsequent meeting of Council. A ruling on whether amended legislation constitutes a new local law or ordinance shall be required only upon the motion of a Councilmember and the ruling shall be made by the presiding officer, or the Council on appeal from the presiding officer's ruling.

The Council shall not vote upon any local law or ordinance until it has been discharged from one or more standing committees of the Council pursuant to Section XVII of these rules, provided, however, that the Council may vote upon proposed legislation without reference to or discharge from a standing committee if:

- a) as to a local law, it is accompanied by a statement of necessity of immediate passage signed by the Mayor, and its adoption is by the affirmative vote of six (6) members of the Council, or
- b) as to an ordinance, (i) it is accompanied by a statement of necessity of immediate passage signed by the Mayor, or (ii) approval to vote upon it is given by six (6) members of the Council.

Whenever a public hearing is required to be held by the Council on an item of proposed legislation, the President may direct the City Clerk to

advertise the public hearing in the manner and for the period of time required by law so that such hearing may be held at the end of the final standing Committee Meeting; or if the hearing is to be held before a specific committee, such hearing shall be advertised so that it may be held at the next available regularly scheduled or special meeting of that committee; unless the Council provides otherwise by resolution.

Whenever the Mayor has disapproved a local law or ordinance and the City Clerk has presented the local law or ordinance to the Council with the Mayor's objections, the President or any member of Council may move for reconsideration of the same within thirty (30) days.

- XVI. CONSTITUTION OF COMMITTEES - The following standing committees shall be appointed by the President of the Council at the organization meeting of the Council:

Finance; Neighborhood & Business Development; Parks & Public Works; Public Safety; and Recreation & Human Services.

The first named member of each committee shall be Chair. The President and the Vice President shall be ex officio voting members of all committees.

A change in the personnel of the foregoing committees, including a change in the Chair thereof, may be effected at any time or times at the pleasure of the President of the Council with the concurrence of a majority of the Council, or in any case by a two-thirds vote of the Council. The President shall be empowered to constitute a Committee of the Whole, in place of any standing committee, to consider Mayoral appointments of Department Heads or for other resolutions, local laws, or ordinances considered to be of sufficient importance as to merit such treatment. Discharge from the Committee of the Whole shall fulfill the requirements variously stated in Sections XVI, XVII, and XIX, which call for the discharge of any proposed legislation from a standing committee before it can be acted upon by the Council.

- XVII. MEETINGS AND PROCEDURES OF STANDING COMMITTEES - A majority of a committee shall constitute a quorum. Each committee shall meet at the call of its Chair or any other two members, upon reasonable notice to all committee members. Regular meetings of the standing committees shall be scheduled no later than twelve (12) days before the date of a Council meeting.

A committee may hold a public hearing on any proposed legislation referred to it. A committee may amend any proposed legislation referred to it by majority vote of its members taken at a meeting, and if discharged, the Council shall consider the proposed legislation.

In discharging any proposed legislation referred to it, a committee shall specifically recommend the legislation for adoption, rejection or consideration by the Council in a written report signed by a majority of its members attending the committee meeting. Any proposed legislation discharged by a committee shall be placed by the City Clerk on the agenda of the next regular Council meeting, at which the Council shall vote upon each item of proposed legislation separately, a yes vote to indicate adoption of the legislation, and a no vote to indicate rejection of the legislation.

If a committee fails or refuses to discharge any proposed legislation referred to it or if the legislation is presented to Council less than 12 days prior to the regular meeting of Council in accordance with Section XV above, it may be discharged on a motion duly seconded by the affirmative vote of a majority of the Council.

In order to effectuate the provision of Section 120-190(C)(3)(a) of Chapter 120 of the Municipal Code, Zoning Code, that authorizes the City Council to initiate a proposal to amend the Zoning Code text, the Zoning Map, the Official Map or the Comprehensive Plan (collectively, a Proposal), any member of the Council may introduce a proposed ordinance. The Neighborhood & Business Development (NBD) Committee shall be authorized, upon approval of a motion by a majority vote, to submit a Proposal to the Director of Planning and Zoning (Director) for review by the Planning Commission in accordance with Zoning Code §120-190(C)(3)(c) on behalf of the Council without first discharging the Proposal to the Council. If the NBD Committee fails or refuses to refer a Proposal to the Director, the Council may refer the Proposal to the Director on a motion duly seconded by the affirmative vote of a majority of the Council. After the Planning Commission completes its review of a Proposal and transmits its recommendation to the City Clerk for Council action, the Proposal and the Planning Commission's recommendation shall be forwarded to the NBD Committee for review and discharge to the Council in the normal course as prescribed elsewhere in these rules and subject to the timely action, right of objection of affected and adjoining property owners, public hearing and notice requirements set forth in Zoning Code §120-190(C)(3)(d).

- XVIII. ROBERT'S RULES OF ORDER - The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the Council in all cases except as herein provided.
- XIX. SUSPENSION OF RULES - Any rule of the Council, except as otherwise specifically provided in such rule, may be temporarily suspended by a vote of two-thirds of all the members present, unless such rule is prescribed by law.
- XX. AMENDMENT OF RULES - No permanent alteration shall be made in

these rules except by means of a resolution that has been referred to a committee and adopted in accordance with Section XV.

- XXI. TIMING OF AMENDMENTS - Nothing in these rules shall prevent Council from choosing to amend any part of these rules during the course of the year, including but not limited to amendments to the structure and/or functioning of its committee system, provided such amendment is presented by means of a resolution in accordance with Section XX above and is not inconsistent with law.

Section 2. This resolution shall take effect immediately.



City of Rochester

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

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

436

Malik D. Evans
Mayor

December 1, 2022 NBD 11

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

All six properties are parcels are listed on the attached spreadsheet under the heading, I. Negotiated Sale - Unbuildable Vacant Land. The first lot at 82 Arnett Boulevard will be divided in half and sold to the two adjoining owners – Joyce A. Forbes-Smith of 18 Greenbriar Drive to the east and Harris Hill Realty LLC (Samuel Reger, Member, 964 Buffalo Road) to the west. The second lot at 197 Atkinson Street is also being sold to Harris Hill Realty LLC who is adjoining owner. The third lot at 225 Hawley Street is being sold to Travis K. Clark of 155 Fairgate Street. The fourth lot at 567-569 Hudson Avenue will be divided in half and sold to the two adjoining owners – Mustafa Rushdan of 573 Hudson Avenue to the north and Iglesia Cristiana Casa De Oracion Y Restauracion (Christopher Ortiz, Senior Pastor, 545 Hudson Avenue) to the south. The fifth lot at 25 Love Street is being sold to Nicole Robinson of 21 Love Street. The sixth lot at 58-58.5 Miller Street will be sold to William Daevon Nelson of 25 Cady Street. Each lot is being sold for \$1.00 (as per City policy) and will be combined with the primary parcel owned by the identified adjoining owner.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,844.

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 property free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,

Malik D. Evans
Mayor



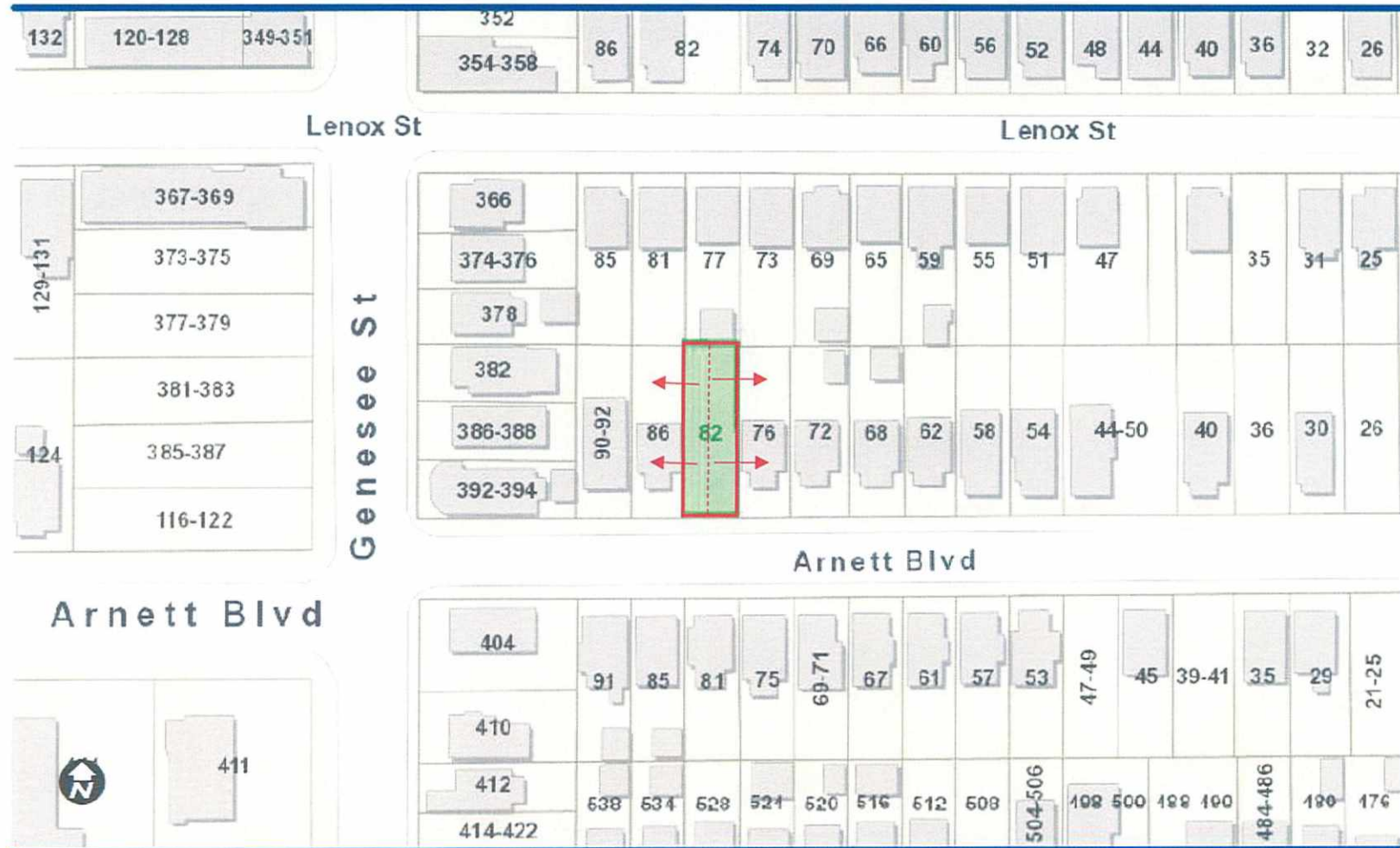
Sales to be Presented to Council
December 20, 2022

NBD 11
ATTACHMENT

II. Negotiated Sale - Unbuildable Vacant Land								
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>	
EH 82 Arnett Blvd	Portion of 120.66-2-27	16.5 x 106.8	1743	\$1	Joyce A. Forbes-Smith	Rochester, NY 14624	\$ 118	
WH 82 Arnett Blvd	Portion of 120.66-2-27	16.5 x 106.8	1,743	\$1	Harris Hill Realty LLC*	Rochester, NY 14624	\$ 118	
197 Atkinson St	120.44-3-5	24.7 x 82.5	2,037	\$1	Harris Hill Realty LLC*	Rochester, NY 14624	\$ 214	
225 Hawley St	120.76-1-66	35.5 x 102	3,622	\$1	Travis K. Clark	Rochester, NY 14606	\$ 451	
NH 567-569 Hudson Av	Portion of 106.33-1-29	17.5 x 124	2,170	\$1	Mustafa Rushdan	Rochester, NY 14605	\$ 151	
SH 567-569 Hudson Av	Portion of 106.33-1-29	17.5 x 124	2,170	\$1	Iglesia Cristiana Casa De Oracion Y Restauracion**	Rochester, NY 14605	\$ 151	
25 Love St	120.34-2-30	33 x 132.5	4,372	\$1	Nicole Robinson	Rochester, NY 14611	\$ 273	
58-58.5 Miller St	106.43-1-3	28.7 x 80	2,294	\$1	William Daevon Nelson	Rochester, NY 14611	\$ 367	
	*Samuel Reger, Member							
	**Christopher Ortiz, Senior Pastor							
						Subtotal	\$ 1,844	
						Total Tax Impact	\$ 1,844	

82 Arnett Blvd

NBD 11
ATTACHMENT



November 4, 2022

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

NBD 11
ATTACHMENT

Address of Lot: 82 Arnett Blvd
SBL#: 120.66-2-27 East Portion

Date 9/22/22 Initials: MG

Based on criteria below:

This is an Un-buildable Lot X

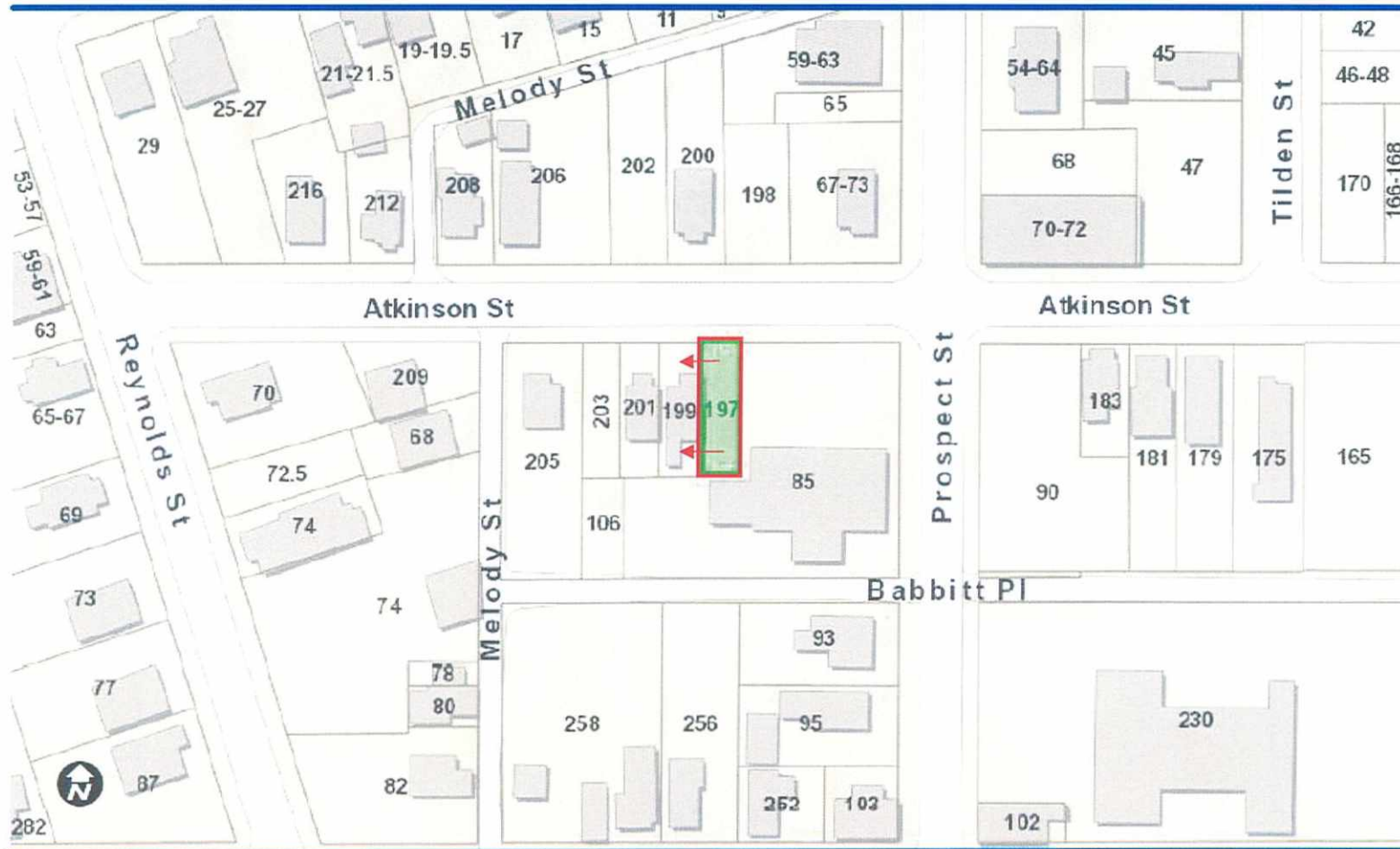
ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked and less than 4,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site	X	
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

4/25/2018

197 Atkinson St

NBD 11
ATTACHMENT



November 3, 2022

This map is intended for general reference only.

The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

NBD 11
ATTACHMENT

Address of Lot: 197 Atkinson St
SBL#: 120.44-3-5

Date 10/21/22 Initials: MG

Based on criteria below:

This is an Un-buildable Lot X

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked and less than 4,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site	X	
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

4/25/2018

NBD 11
ATTACHMENT



RESIDENTIAL UNBUILDABLE LOT ANALYSIS

NBD 11
ATTACHMENT

Address of Lot: 225 Hawley St
SBL#: 120.76-1-66

Date: 10/21/22 Initials: IV

Based on criteria below:

This is an Un-buildable Lot X

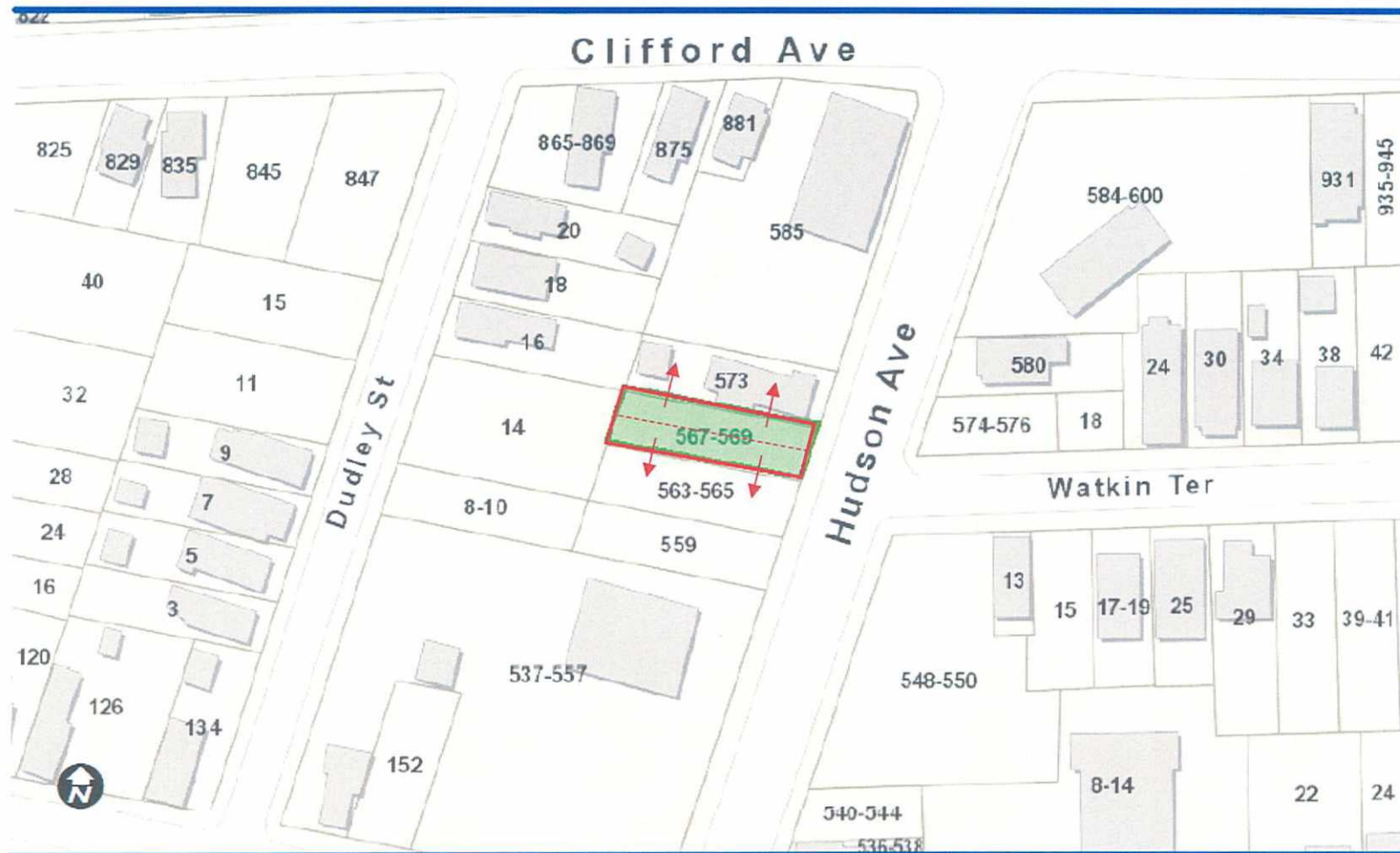
ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked or less than 4,000 sq. ft.?	X	
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site		X
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

12/23/2020

567-569 Hudson Ave

NBD 11
ATTACHMENT



November 3, 2022

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City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

NBD 11
ATTACHMENT

Address of Lot: 567-569 Hudson Ave
SBL#: 106.33-1-29

Date: 10/24/2022 Initials: CC

Based on criteria below:

This is an Un-buildable Lot X

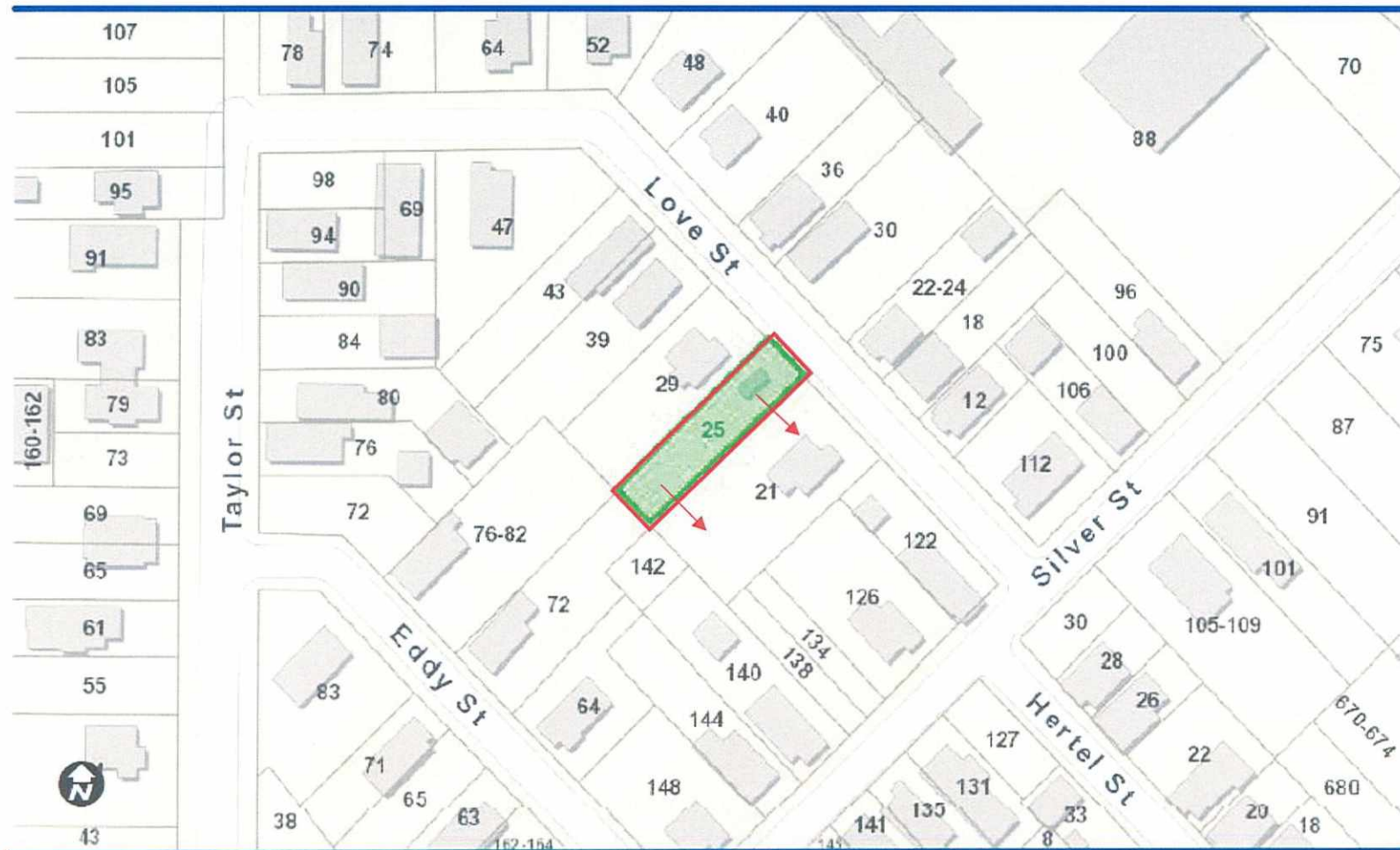
ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked or less than 4,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site	X	
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

12/23/2020

25 Love St

NBD 11
ATTACHMENT



November 3, 2022

This map is intended for general reference only.

The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

NBD 11
ATTACHMENT

Address of Lot: 25 Love St

SBL#: 120.34-2-30

Date 10/27/22 Initials: IV

Based on criteria below:

This is an Un-buildable Lot X

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked and less than 4,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site	x	
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

4/25/2018

58-58.5 Miller St

NBD 11
ATTACHMENT



November 3, 2022

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The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor

RESIDENTIAL UNBUILDABLE LOT ANALYSIS

NBD 11
ATTACHMENT

Address of Lot: 58-58.5 Miller St

SBL#: 106.43-1-3

Date 10/14/22 Initials: MG

Based on criteria below:

This is an Un-buildable Lot X

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		X
Is the lot landlocked and less than 4,000 sq. ft.?		X
Does the lot have severe topographical characteristics that hinder development?		X
Are utilities inaccessible for future development?		X
Is the lot encumbered with major easements which prohibit development?		X
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site	X	
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	X	
TOTAL	2	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

4/25/2018

436

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of each of the following unbuildable parcels of vacant land to the owner of an adjoining parcel for \$1:

Address	S.B.L. #	Dimensions	Sq. ft.	Purchaser
East half of 82 Arnett Blvd	Portion of 120.66-2-27	16.5 x 106.8	1,743	Joyce A. Forbes-Smith
West half of 82 Arnett Blvd	Portion of 120.66-2-27	16.5 x 106.8	1,743	Harris Hill Realty LLC
197 Atkinson St	120.44-3-5	24.7 x 82.5	2,037	Harris Hill Realty LLC
225 Hawley St	120.76-1-66	35.5 x 102	3,622	Travis K. Clark
North half of 567-569 Hudson Av	Portion of 106.33-1-29	17.5 x 124	2,170	Mustafa Rushdan
South half of 567-569 Hudson Av	Portion of 106.33-1-29	17.5 x 124	2,170	Iglesia Cristiana Casa De Oracion Y Restauracion
25 Love St	120.34-2-30	33 x 132.5	4,372	Nicole Robinson
58-58.5 Miller St	106.43-1-3	28.7 x 80	2,294	William Daevon Nelson

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.



City of Rochester

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

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

437

Malik Evans
Mayor

December 1, 2022

NBD 12

TO THE COUNCIL

Ladies and Gentlemen:

Re: Acquisition – 21 Essex Street

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition of real property by negotiation. The residential property located at 21 Essex Street is adjacent to contiguous City-owned properties in the Bull's Head neighborhood and is a strategic acquisition opportunity to add to the Bull's Head project. The property summary including appraised fair market value, is as follows:

Address	Reputed Owner	SBL No.	Type	Maximum Acquisition Amount
21 Essex Street	Omari H. Bowens	120.42-2-29	Duplex	\$65,000

The maximum acquisition amount is supported through an independent appraisal performed by Stropp Appraisal in August 2022. The price does not include any consideration for environmental or geotechnical conditions and assumes an environmentally clean site.

The structure will be demolished for future redevelopment. Acquisition of the property, necessary closing costs, any relocation costs, and demolition of the structure will be funded through 2019-20 Cash Capital. A property map is attached.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination regarding the environmental significance of this acquisition will be made prior to City Council approval.

Respectfully submitted,

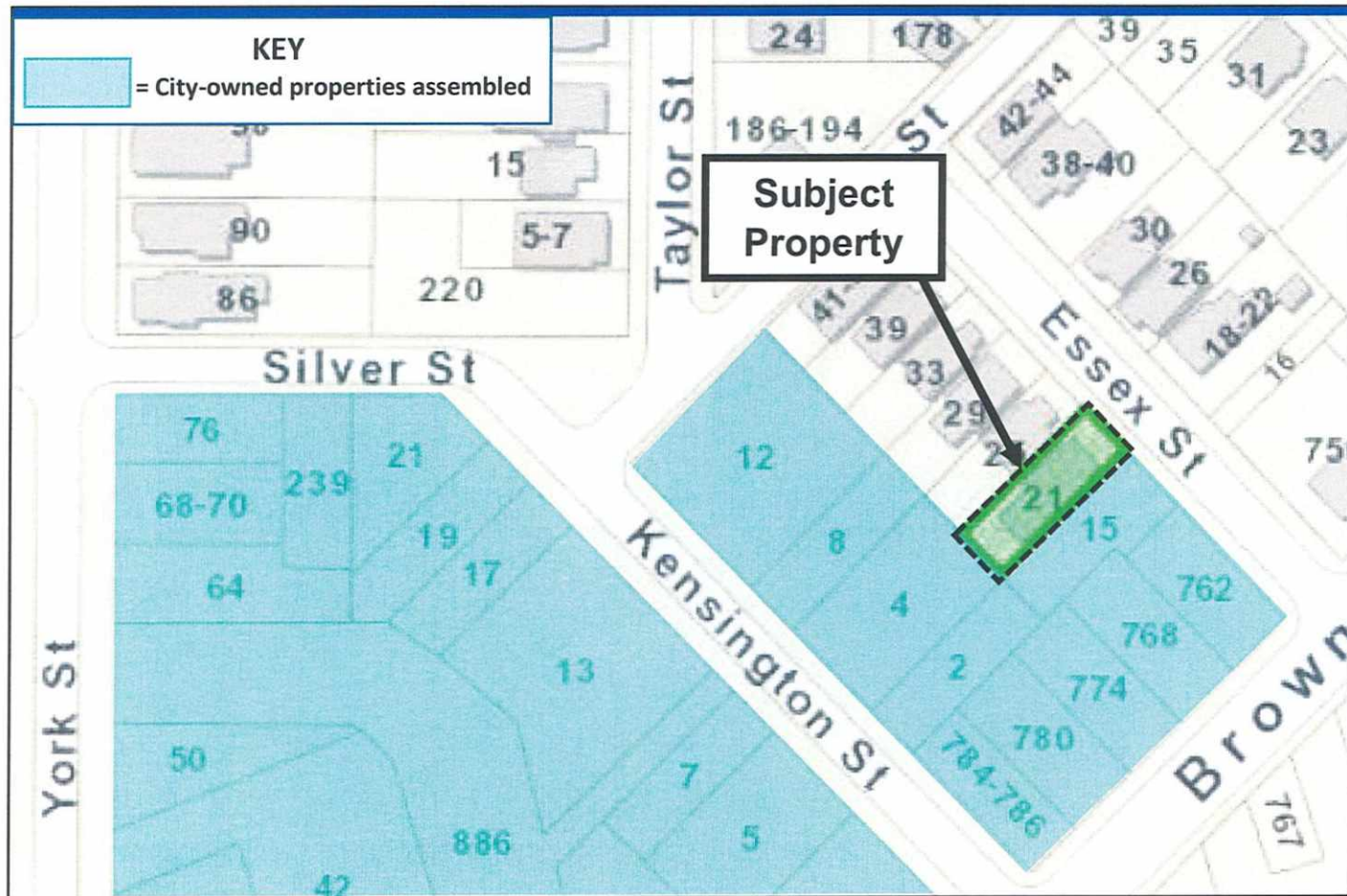
Malik Evans
Mayor



21 Essex Street

Property Location Map

NBD 12
ATTACHMENT



437

Ordinance No.

Authorizing the acquisition of 21 Essex Street

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 parcel described below for a maximum purchase price of \$65,000. The purchase price as well as necessary closing costs shall be funded from 2019-20 Cash Capital.

Address	Reputed Owner	SBL #	Lot Size	Type
21 Essex Street	Omari H. Bowens	120.42-2-29	34' x 112'	2-Family

Section 2. Upon the date of closing, any City taxes and other charges owed against said parcel shall be canceled. Any taxes levied after the date of closing, while the City owns the parcel, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens.

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
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NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

438, 439

Malik D. Evans
Mayor

December 1, 2022

NBD 14

TO THE COUNCIL

Ladies and Gentlemen:

Re: 2023-24 American Rescue Plan Act funding –
Asbestos Abatement and Demolition of City-owned
Property

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the receipt and use of American Rescue Plan Act (ARPA) funding to complete asbestos abatement and demolition of the structure (aka: Bull's Head plaza) at 835-855 West Main Street (Project); see attached project location map. This legislation will:

- 1) Appropriate \$720,000 from the American Rescue Plan Act allocation for the Project; and
- 2) Authorize the issuance of bonds totaling \$280,000 and the appropriation of the proceeds thereof to finance the Project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) established by the American Rescue Plan Act (ARPA). The Bull's Head revitalization project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This project is an eligible use of ARPA funding under expenditure category 6.1 Revenue Replacement: Provision of Government Services of the SLFRF Final Rule as adopted by the United States Department of the Treasury.

The total cost of the Project is estimated to be \$1,000,000. The funds will allow the City to complete the Project which will be implemented under a competitive bid process. The Project is anticipated to be completed in Spring 2023.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination regarding the environmental significance of the Project was made and a Negative Declaration was issued on July 29, 2021.

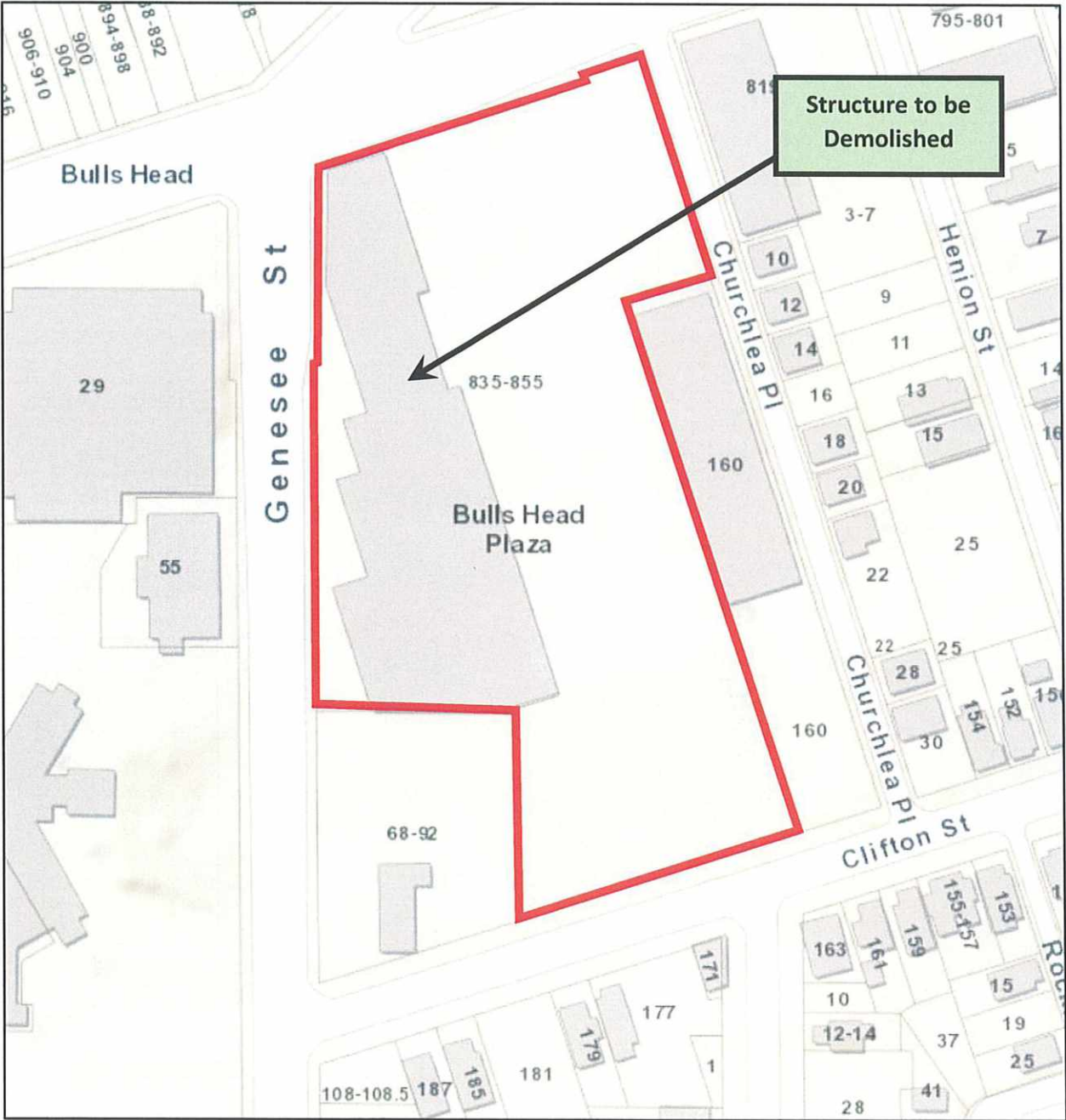
Respectfully submitted,

Malik D. Evans
Mayor



**Bull's Head Plaza at 835-855 West Main Street
Project Location Map**

NBD 14
ATTACHMENT



438

Ordinance No.

Appropriating American Rescue Plan Act funds for the demolition of Bull's Head Plaza

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

Section 1. The Council hereby appropriates the sum of \$720,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund demolition of the existing Bull's Head Plaza buildings located at 835-855 West Main Street, including the abatement of asbestos-containing building materials and any other tasks necessary to protect health and safety as part of the demolition process (the Project).

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

439

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$280,000 Bonds of said City to finance costs of the demolition of Bull's Head Plaza

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 costs of the demolition of the existing Bull's Head Plaza buildings located at 835-855 West Main Street, including the abatement of asbestos-containing building materials and any other tasks necessary to protect health and safety as part of the demolition process (the Project). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$280,000 bonds of the City, which are hereby appropriated to said Project, \$720,000 in American Rescue Plan Act funds appropriated to the Project 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 \$280,000 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 \$280,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.12-a(b) 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.



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

440

Malik D. Evans
Mayor

December 1, 2022 NBD 15

TO THE COUNCIL

Ladies and Gentlemen:

Re: Zoning Map Amendment –
2120 St. Paul Street

Council Priority: 4. Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
The Placemaking Plan

Transmitted herewith for your consideration is legislation amending the Zoning Map of the City of Rochester by rezoning the existing developed parcel at 2120 St. Paul Street from R-1 Low-Density Residential District to R-3 High-Density Residential District. The applicant, Rochester Housing Authority (Shawn Burr, Executive Director, 675 West Main Street, Rochester, NY 14611), seeks to renovate the existing nonconforming dwelling units on this parcel, known as Parliament Arms, including the demolition of an existing two-and-a-half-story senior housing apartment building and the construction of a new four-story senior housing apartment building.

2120 St. Paul Street is 2.54 acres containing the Parliament Arms Apartments in the northeast quadrant of the City of Rochester. The existing senior housing multifamily dwellings located on the subject property were constructed circa 1965. The applicant is requesting this action to facilitate the demolition of an existing 8-unit senior residential building and the construction of a new 15-unit apartment building with accessible units.

The current zoning district is R-1 Low-Density Residential District. Properties to the north and south are located within the R-1 Low-Density Residential District. The property to the west is located within the O-S Open Space District and properties to the east reside within the C-2 Community Center District. The applicant originally proposed a change to the C-2 district due to this adjacency. The application was revised to request a change to R-3 High-Density Residential District as a result of the public feedback and the City Planning Commission Recommendation. The subject property resides in the Low-Density Residential Character Area and is proposed to be zoned HDR High-Density Residential in the draft Zoning Alignment Project (ZAP) map.

The R-3 High-Density Residential District protects, preserves and enhances existing residential areas of higher density which include multifamily dwellings mixed with other housing types. The R-3 High-Density Residential District is intended to provide residential areas that accommodate higher-density housing while protecting, maintaining and enhancing existing residential areas. The R-3 High-Density Residential District may include various housing types ranging from single-family detached to high-density apartments.

Notification of the proposed rezoning was provided to the surrounding property owners and the official neighborhood contacts (IADC/EI Camino, The Vineyards Neighborhood Association, Unity NE Block). The City Planning Commission held an informational meeting on October 24, 2022. The applicant and their representatives spoke in support of the proposed action. One letter was received in support of the application. Two letters were received in opposition to the proposed



change to a commercial district. (These letters are attached.) No members of the public spoke in support or opposition at the

meeting. By a vote of 7-0-0 the City Planning Commission recommended approval of the change to the R-3 High-Density Residential District.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Malik D. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

**CITY PLANNING COMMISSION INFORMATIONAL MEETING
MEETING MINUTES (10/24/2022)
ZONING MAP AMENDMENT**

**NBD 15
ATTACHMENT**

**M-002-22-23
Page 1**

APPLICANT: Rochester Housing Authority

PURPOSE: To amend the Zoning Map of the City of Rochester by rezoning the existing developed parcel at 2120 St. Paul Street from R-1 Low-Density Residential district to R-3 High-Density Residential district to facilitate a forthcoming proposal to renovate the existing nonconforming dwelling units on this parcel, known as Parliament Arms, including the demolition of an existing two-and-a-half-story senior housing apartment building and the construction of a new four-story senior housing apartment building; an action requiring City Planning Commission recommendation to City Council.

Roseanne Khaleel (Staff): Okay. Next case, Case Number 2, another Zoning Map Amendment, M-002-22-23, 2120 St Paul St, which is in a R-1 low density residential district. Again, this is a Zoning Map Amendment, so this is an Informational Meeting.

David Watson (Chair): Hello.

Rebecca Spur (BME Associates): Alright -- me again. Rebecca Spur with BME Associates. Oh, go head.

Joan Roby-Davison: I would just like to disclose that I live extremely close to this project, and so I'm not going to recuse, but I did want to disclose that I live on Rutledge Dr., which is right there. Yeah.

Rebecca Spur (BME Associates): Thank you.

David Watson (Chair): Thank you. Yes, Ma'am. You may start now.

Rebecca Spur (BME Associates): Great. Alright, so as mentioned, the applicant is also looking to rezone their property at St Paul St, known as the Parliament Arms, senior apartment community complex. It's around, the parcel is around two and a half acres on the east side of St Paul St. It consists of 6 apartment buildings today, that are greater than two stories. Similar to Luther, RHA is proposing to rehabilitate the site and provide those ADA accessible units. In order to achieve this goal, a new building will need to be constructed on the site, in order to conserve the number of units that are on site today. The building that is getting reconstructed is in the rear of the property. It's an existing two and a half story building. And, we are proposing a new four story building to allow: again the units to stay as they are on site, much needed units throughout the city for seniors here, and to provide the ADA accessible units that are not on the site today for the seniors. There are 7 units, new units that are proposed on site, which are all within the proposed new build. There is no change in the residential use for the property. So, if those updates, those are triggering our rezoning that we are here for, the current parcel is zoned R-1, which does not support a multi-family use. And, it is proposed, and we are proposing to rezone it to C-2, which is adjacent to the east. So our parcel is R-1, the parcel to the south and the parcel to the north are also R-1, and then just to the east, between us and the residential community is a C-2. We believe this map amendment to be, to be justified to C-2. As I mentioned, the property to the east of us is zoned C-2, which allows us to proposed that zoning, and that district does allow for the multi-family use, which the existing community is. This map amendment is also, just like Luther, consistent with the City's Zoning Alignment Project map

that has been published to date. The zoning map has -- it depicts this parcel and a community as being zoned to a high density residential district, which does support the multi-family use that it is, as well as this map amendment. We do see this C-2 district, that we are (*word sounds seems to be "zoning 2." here on recording*) to today, as a stepping stone to allow for the parcel to be in compliance today, and to move forward with the site rehabilitation, prior to the Zoning Alignment Project being completed, and zoning to that HDR district. The site currently conforms with the character of the neighborhood and it is the intent of the applicant that it remains this way. We believe the site rehabilitation will actually enhance the neighborhood with all of the improvements. RHA is rehabilitating the site as a result of -- we believe these site rehabilitations are suitable for this site as a result of the zoning map amendment due to the much needed enhancements and site improvements that it would provide to the community. We did receive two public comments that were mostly concern with the C-2 zoning, and what that could provide, and if there's going to be commercial there, if the residential community would be taken down and commercial (*word sounds seems to be "in its" here on recording*) space. And, that is not the applicant's intent. They are putting a lot of, they're investing a lot in this project to, to make it ADA compliant to provide those needs to the community. And, they do believe it could be a great project. And, really just to reinforce the Zoning Alignment Project that it will, it seems that there is every intent that this project, this parcel will be high density residential when that project is complete, which, which is what they want to keep it residential. So, that's, that's the conclusion.

David Watson (Chair): Alright. Thank you Ma'am. Are there any questions for the applicant? Any questions? I guess just a couple.

Rebecca Spur (BME Associates): Yeah.

David Watson (Chair): And, one related probably to both properties, but more in general to RGH. How many pieces of property does -- do you currently have in operation?

Rebecca Spur (BME Associates): I'll turn it over to Shawn Burr.

David Watson (Chair): Either one. Whoever can answer the question.

Shawn Burr (Exec Dir RHA): Anybody that could answer right. We have twenty-three hundred and eleven units of public housing in the City of Rochester, from high rises to single family homes.

David Watson (Chair): Okay. And then second question. It was mentioned that there is no intention of selling any of those properties and converting them to different use, other than what they currently have.

Shawn Burr (Exec Dir RHA): Per say, but we do have, what's called HUD Section 32 Home Ownership Program that we're going to be implementing at RHA. There are no other (*word sounds seems to be "PHAs" here on recording*) in New York that currently that do that, but what it does is allow public housing scattered sites, single family homes, it could be others, but we're going to start with single family homes to be sold to the residents, public housing residents, and sometimes they'll be eligible for vouchers to assist them with the mortgage. So we are, but we also, that actually reserves a spot in what's called our (*word sounds seems to be "Fair Cloth Limit" here on recording*) of public housing, so we can replace that unit, and that would be our intent.

Person 1: David. Were you asking like what whether it would stay residential? Right? Or, not? Whether it'd become commercial?

David Watson (Chair): Yes. My basic question was that -- would they remain residential? Yes.

Shawn Burr (Exec Dir RHA): Oh yes. Yes. Yes. No, no, no, desire to anything commercial.

David Watson (Chair): Okay.

Roseanne Khaleel (Staff): And for, for purpose of recording. Could you reintroduce yourself again? Just state your name.

Shawn Burr (Exec Dir RHA): Yeah. Shawn Burr, Executive Director at the Rochester Housing Authority.

David Watson (Chair): Any other questions for the applicant?

Roseanne Khaleel (Staff): Mr. Chair.

David Watson (Chair): Yes, Ma'am.

Roseanne Khaleel (Staff): Just as a point, I was able to pull up property info, and 64 Luther Circle comes up as zero acres, and 65 comes up as .07 acres.

David Watson (Chair): Okay. Thank you Ma'am. Thank you Sir. Thank you Ma'am.

Shawn Burr (Exec Dir RHA): Thank you.

David Watson (Chair): At this time. Is there anyone would like to speak in favor of this application? Please step forward. Anyone in favor of this application? Please step forward at this time. Is there anyone in opposition of this proposal? Please step forward. Anyone in opposition? Seeing none. This case is closed.

HEARING ENDS

**CITY PLANNING COMMISSION
RECOMMENDATION
ZONING MAP AMENDMENT**

**NBD 15
ATTACHMENT**

Re: To amend the Zoning Map by rezoning the properties located at 2120 St Paul St. from R-1 Low-Density Residential to R-3 High-Density Residential to facilitate the Rochester Housing Authority redevelopment project; an action requiring a City Planning Commission recommendation to the Rochester City Council.

Case No: M-002-22-23

Resolution:

RESOLVED, the City Planning Commission **RECOMMENDS** approval of a request to amend the Zoning Map by rezoning the property located at 2120 St Paul St. from R-1 Low-Density Residential to R-3 High-Density Residential to facilitate the Rochester Housing Authority redevelopment project.

Vote: Motion Passes

Action: Recommend Approval

Meeting date: October 24, 2022

Record of vote: 7-0-0

Record of vote:

D. Watson	Recommend Approval
E. Marlin	Recommend Approval
B. Flower	Recommend Approval
M. Pichardo	Recommend Approval
K. Harding	Recommend Approval
N. Carlton	Recommend Approval
J. Roby-Davison	Recommend Approval

Action by City Council:

Pursuant to Zoning Code §120-190C(3)(d), within 40 days of the receipt by the City Clerk of this recommendation, the City Council shall conduct a public hearing and either approve the application by ordinance duly enacted or adopt the proposed amendment, with or without conditions, or deny the application; provided, however, that the deadline to act shall be extended to 120 days in the event that City Council, within the 40-day deadline, requests further information about the proposal from the Manager of Zoning. The failure of the City Council to act within the time limit herein specified shall be deemed a refusal of the proposed amendment.

Findings:

Pursuant to §120-190C(3)(c)[2], in making recommendations regarding amendments to the text of the Zoning Ordinance or to the Zoning Map, the Planning Commission shall consider and make findings on the following matters regarding the proposed amendment:

A. Consistency with the City's Comprehensive Plan and any other adopted special area plans.

The subject property is proposed to be HDR High-Density Residential district as part of the Zoning Alignment Project (ZAP). The HDR High-Density Residential district is intended to foster a vibrant, safe, live-work-play district by encouraging residential development and a broad range of commercial, office, institutional, public, cultural, and entertainment uses and activities. The regulations are intended to define and promote Downtown Rochester as the anchor for the region and as a desirable place with a dense, urban, pedestrian-oriented environment.

The HDR High-Density Residential -district protects, preserves, and enhances existing residential areas of higher density which include multifamily dwellings of five or greater units, mixed with other housing types. The HDR High-Density Residential -district is intended to provide residential areas that accommodate higher-density housing while protecting, maintaining, and enhancing existing residential areas. The HDR -district may include various housing types ranging from single-family detached to high-density apartments. The district adds to the urban character of Rochester and provides diversity in housing types, including high-rise apartment living.

B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.

Rezoning the 2.54 acres of developed land containing the Parliament Arms Apartments will create a parcel that is consistent with multifamily residential developments and eliminate the nonconforming status of the existing buildings. The site is bordered by the Seneca Park to the west, a home for the aged to the north, the Northridge church campus to the South and the El Camino Trail and a storage facility to the east. The scale of the proposed new four-story apartment building combined with the proposed renovations to the existing apartment buildings is compatible with the surrounding land uses.

C. Suitability of uses proposed by the zoning amendment for the property affected by the amendment.

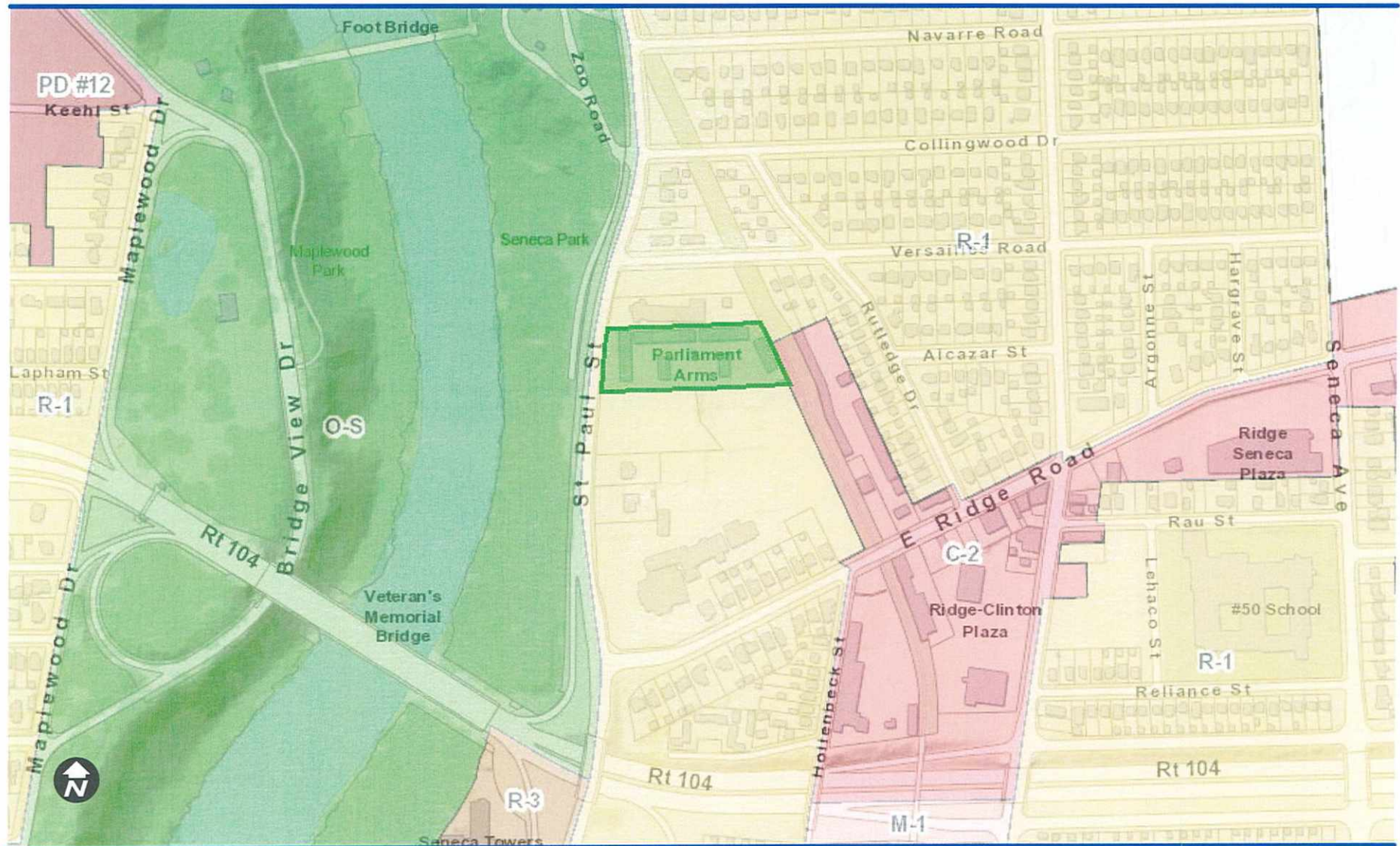
The proposed rezoning will facilitate the renovation of existing nonconforming apartment buildings for seniors as well as the construction of a new four-story accessible apartment building for seniors to replace one of the existing. This is suitable to the R-3 High Density Residential district as it is permitted as of right.

D. Availability of public services and infrastructure generally suitable and adequate for uses allowed within the proposed district.

The available public facilities, services and infrastructure are suitable and adequate for the uses allowed under the proposed amendment.

2120 St Paul St

NBD 15
ATTACHMENT



October 6, 2022

This map is intended for general reference only.

The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

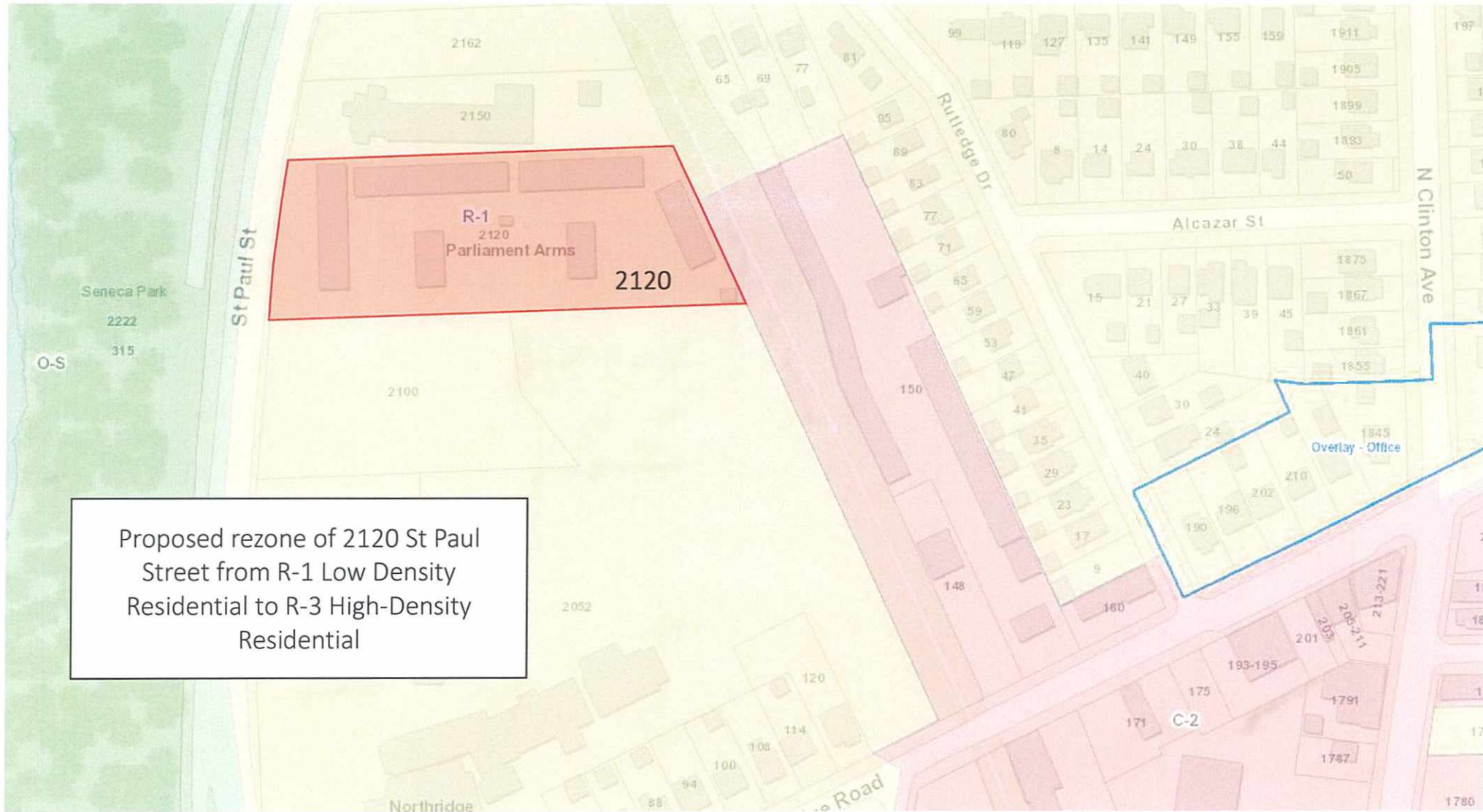
City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor

2120 ST. PAUL STREET

NBD 15
ATTACHMENT







Zoning Alignment Project (ZAP) Draft Swipe Map

Compare existing vs proposed districts.

NBD 15
ATTACHMENT

A Story Map  







This map shows Existing Zoning Districts to the left of the swipe bar and Proposed Districts (from the ZAP) to the right of the swipe bar. Drag the swipe bar back and forth to see how the Zoning Map is proposed to change. You can also pan, zoom, and search for an address in the top right.

Note that this only shows boundary changes and not all existing districts on the left have a similar new district on the right. All districts will have some changes to allowable uses and other regulations.





For more information on this project, please visit www.rochesterZAP.com.

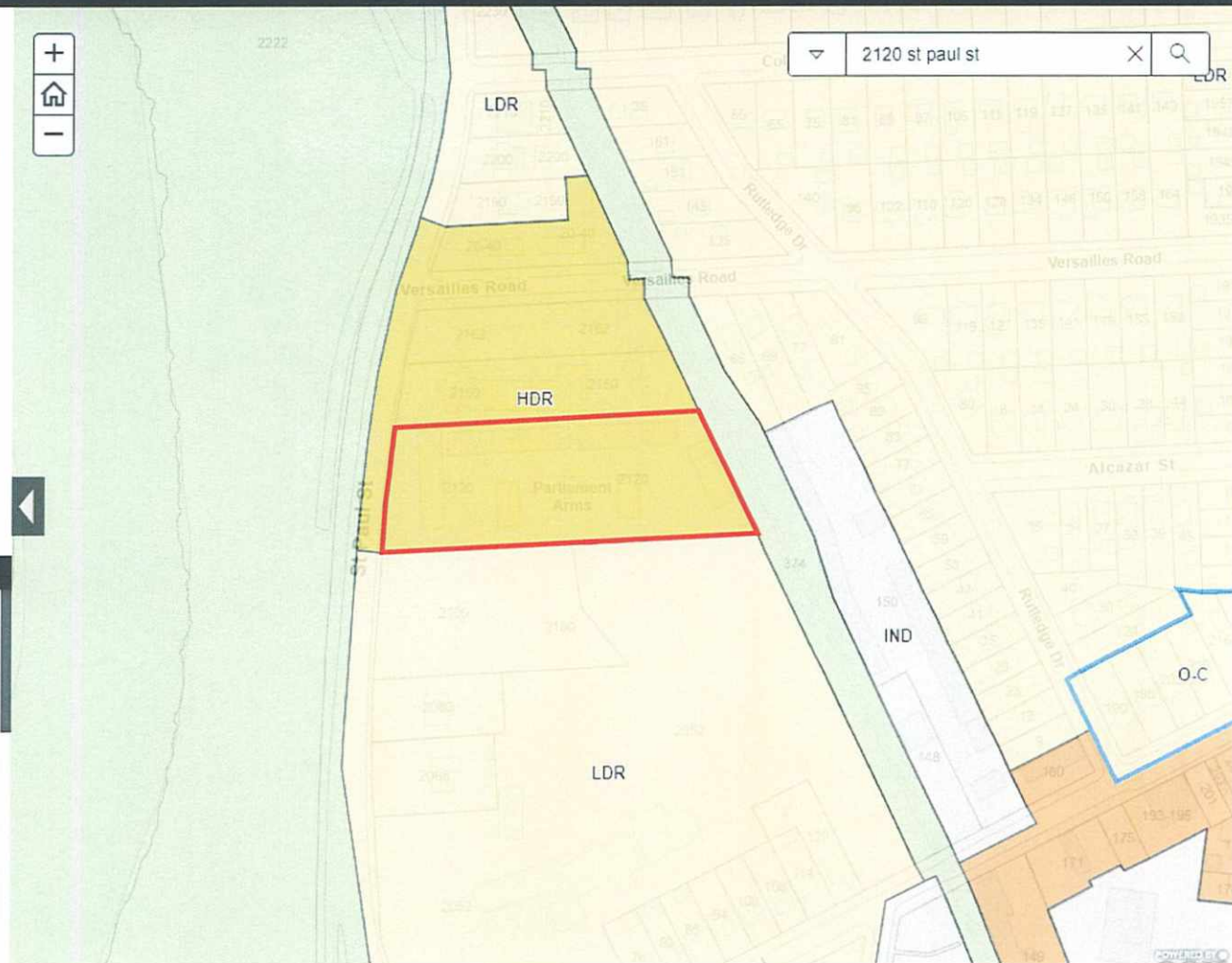
Legend

Existing Zoning Districts

-  Open Space
-  R-1 Low Density Residential
-  R-2 Medium Density Residential
-  R-3 High-Density Residential

Proposed Zoning Districts

-  OS Open Space
-  LDR Low Density Residential
-  MDR Medium Density Residential
-  HDR High Density Residential



<p>R-1 Low-Density District</p>	<p>The following uses are permitted in the R-1 District:</p> <ul style="list-style-type: none"> • Single-family detached dwellings • Single-family attached dwellings • Family and group family day-care homes • Adult family day-care homes • Places of worship, except in structures originally designed solely for residential purposes • Convents and rectories • Home occupations • Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m. <p>The following uses are allowed as special permit uses in the R-1 District:</p> <ul style="list-style-type: none"> • Ancillary parking lots • Bed-and-breakfast establishments • Day-care centers • Public and semipublic uses, including but not limited to schools, library, police stations and fire stations • Public utilities • Residential care facilities
<p>R-3 Low-Density District</p>	<p>The following uses are permitted in the R-3 District:</p> <ul style="list-style-type: none"> • Single-family detached dwellings. • Single-family attached dwelling. • Two-family dwellings. • Multifamily dwellings. • Live-work space, subject to the additional requirements for specified uses in § 120-142.1. • Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132. • Family and group family day-care homes. • Adult family day-care homes. • Day-care centers, subject to the additional requirements for specified uses in § 120-135. • Places of worship, except in structures originally designed solely for residential purposes. • Convents and rectories. • Home occupations, subject to the additional requirements for specified uses in § 120-139. • Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m. <p>The following uses are allowed as special permit uses in the R-3 District:</p> <ul style="list-style-type: none"> • Adaptive use of designated landmarks, subject to the additional requirements for specified uses in §120-130. • Ancillary parking lots, subject to the additional requirements for specified uses in § 120-131. • Community garages and parking lots. • First floor commercial uses in multifamily dwellings over 20 units, subject to the additional requirements for specified uses in § 120-134. • Nursing homes. • Public and semipublic uses. • Public utilities, subject to the additional requirements for specified uses in § 120-144. • Residential care facilities, subject to the additional requirements for specified uses in § 120-146. • Homeless residential facilities, subject to the additional requirements for specified uses in § 120-140. • Hospice. • Rooming houses, subject to the additional requirements for specified uses in § 120-147.

Khaleel, Roseanne

From: Jacob Thorp <jacob@greycapitalgroup.com>
Sent: Thursday, October 6, 2022 9:22 AM
To: City of Rochester Planning Commission
Subject: Public Comment Luther Circle

Wherever possible there should be a removal of R1 zoning. The city suffers from insufficient housing supply and the removal of R1 zoning helps add housing units, which helps reduce housing cost & increase quality by increasing competition. The new re-zoning is trying to add more R1, this will only hurt the residents of the city.

Jacob Thorp
Asset Manager | Grey Capital Group LLC
Rochester, NY
585.371.5030
www.greycapitalgroup.com



Khaleel, Roseanne

From: Beth Bailey <bbailey@harleyschool.org>
Sent: Sunday, October 16, 2022 2:34 PM
To: City of Rochester Planning Commission
Subject: Comment period response for 2120 St. Paul Street

Hello Kate,

As a resident at 2190 Saint Paul Street, I feel the proposed designation from an R-1 low density residential to a C-2 community center would have the potential to significantly alter the historic feel of this area near Seneca Park that is enjoyed by so many. In fact, one of the reasons my family chose to live in this section of the 14621 neighborhood after moving back to the City from Brighton is the prevalence of original architecture in the area.

After looking at the types of structures that are located in the nearby C-2 zoning I am struck by the overt commercial style of the spaces (not to mention all of the smoke shops within roughly a hundred feet of each other!). There is plenty of C-2 space already designated as such within a half mile. Perhaps the housing authority should look to those existing areas for their construction.

At a time in Rochester's history when we are actively trying to undo the harm of "urban renewal" (think Parcel 5 and the filling in of the Inner Loop) because of the way it literally tore through vibrant neighborhoods, I implore you not to allow this zoning change. We cannot "get back" what we erase. We cannot undo damage to neighborhoods wrought by ill-conceived commercial areas.

I hope you will not change this designation because it isn't benefiting the residents of the neighborhood, but rather a government entity. A designation of R-1 is appropriate for the area, C-2 is not.

Thank you for providing the opportunity for input.

--Beth

--
Beth Bailey
Director of Marketing & Communications
Pronouns: she, her, herself

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 **The Harley School**

Established 1917

The Harley School
[585-442-1770 x 1115](tel:585-442-1770)
1981 Clover Street
Rochester, NY 14618

Khaleel, Roseanne

From: mcbailey.mm@gmail.com
Sent: Wednesday, October 19, 2022 4:51 PM
To: City of Rochester Planning Commission
Subject: Rezoning project St Paul

Dear Commission,

As a resident of St Paul Street, I must express my opposition to the proposed amendment to rezone 2120 St Paul from R-1 to C-2.

I do agree with additional apartments and making the property accessible, but I believe rezoning would be a mistake. This is a fairly quiet residential neighborhood, with the river and park, and I would hate to see any commercial properties ruin that. It might not be part of this project but what about the future? A C-2 designation would allow for just about anything to happen. If having a 15 unit building requires a different zone, can't some sort of exception be made? You are the people in charge.

Parliament Arms is a great complex and I would love to see more people have an opportunity to live there, but please keep the the property residential.

Thank you for your time,
Melissa McHenry

440

Ordinance No.

Amending the Zoning Map by changing the zoning classification of 2120 St. Paul Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of 2120 St. Paul Street, S.B.L. # 091.38-1-94, from R-1 Low-Density Residential District to R-3 High-Density Residential District. The change in the parcel's classification shall extend to the center line of any adjoining street, alley, and right of way.

Section 2. This ordinance shall take effect immediately.



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

441

Malik D. Evans
Mayor

December 1, 2022 NBD 16

TO THE COUNCIL

Ladies and Gentlemen:

Re: Zoning Map Amendment –
30, 35, 64, 65, and 68 Luther Circle

Council Priority: 4. Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
The Placemaking Plan

Transmitted herewith for your consideration is legislation amending the Zoning Map of the City of Rochester by rezoning the existing developed parcels at 30, 35, 64, 65, and 68 Luther Circle from R-1 Low-Density Residential District to R-3 High-Density Residential District. The applicant, Rochester Housing Authority (Shawn Burr, Executive Director, 675 West Main Street, Rochester, NY 14611), seeks to renovate the existing nonconforming townhouse dwelling units on this parcel, known as Fairfield Village, including the reconfiguration of eight existing nonconforming townhouses to accommodate seven accessible apartments and a new community space. To this end, Rochester Housing Authority is requesting to rezone the subject properties from R-1 Low-Density Residential District to R-3 High-Density Residential District.

30, 35, 64, 65, and 68 Luther Circle are a total of 2.22 acres situated within Fairfield Village off South Plymouth Avenue in the southwest quadrant of the City of Rochester. The existing residential nonconforming townhouses located on the subject properties were constructed circa 1970. The applicant is requesting this action to facilitate the rehabilitation of the Fairfield Village townhouses, including the conversion of seven townhouses to three ADA-accessible apartments, four apartments, and a new community space.

The current zoning district is R-1 Low-Density Residential District. Properties to the north and east are located within the R-1 Low-Density Residential District and properties to the south and west are located within the R-3 High-Density Residential District. The subject properties reside in the High-Density Residential Placemaking Character Area and are proposed to be zoned HDR High-Density Residential in the draft Zoning Alignment Project (ZAP) map.

The R-3 High-Density Residential District protects, preserves and enhances existing residential areas of higher density which include multifamily dwellings mixed with other housing types. The R-3 High-Density Residential District is intended to provide residential areas that accommodate higher-density housing while protecting, maintaining and enhancing existing residential areas. The R-3 High-Density Residential District may include various housing types ranging from single-family detached to high-density apartments.

Notification of the proposed rezoning was provided to the surrounding property owners and the official neighborhood contact (Neighborhood United). The City Planning Commission held an informational meeting on October 24, 2022. The applicant and their representatives spoke in support of the proposed action. No public comment either in support or opposition has been received. By a vote of 7-0-0 the City Planning Commission recommended approval.



A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

**CITY PLANNING COMMISSION INFORMATIONAL MEETING
MEETING MINUTES (10/24/2022)
ZONING MAP AMENDMENT**

**NBD 16
ATTACHMENT**

M-001-22-23

Page 1

APPLICANT: Rochester Housing Authority

PURPOSE: To amend the Zoning Map of the City of Rochester by rezoning the existing developed parcels at 30, 35, 64, 65, & 68 Luther Circle from R-1 Low-Density Residential district to R-3 High-Density Residential district to facilitate a forthcoming proposal to renovate the existing nonconforming townhouse dwelling units on this parcel, known as Fairfield Village, including the reconfiguration of eight existing nonconforming townhouses to accommodate seven accessible apartments and a new community space; an action requiring City Planning Commission recommendation to City Council.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

David Watson (Chair): And, my name is Dave Watson, Southwest. Now, may we have the first case, please.

Roseanne Khaleel (Staff): Yes. Just briefly, there are sign-in sheets, over on that side of the space, if you could sign-in if you plan to speak on a case, that would be appreciated. And, just a note for the record, that all of the Board Members present did visit all of the Sites. Okay, and with that, I'm going to call Case Number 1, which is a Zoning Map Amendment, this is an Informational Meeting, M-001-22-23, at the address 30, 35, 64, 65 & 68 Luther Circle. Please state your name and address for the record.

Rebecca Spur (BME Associates): Awesome. My name is Rebecca Spurr with BME Associates. We're the Civil Site Engineers for this application. We're in Fairport, NY. I'm going to start with Shawn Burr with Rochester Housing Authority. He's going to give a brief introduction, and then I'll get into the specifics.

Shawn Burr (Exec Dir RHA): Thank you, Rebecca. And, thank you Commission for your time and consideration this evening. My name is Shawn Burr. I'm the Executive Director at the Rochester Housing Authority. These two projects presented to you tonight are, are part of our strategy to preserve our Public Housing Portfolio, as you know it's a vital resource for our community. And, we're, we're in a process of working on strategies to preserve this, this housing, and increase the *(word sound seems to be "path" here on recording)*, or increase the number of affordable housing units whenever possible, and also to increase the number of accessible units. Neither one of these sites have any accessible units currently, that's the way they were designed, they were built. So, they are in need of not only preservation, but some redevelopment as well. So for the *(seems to be an inaudible sound here on recording)* of time, I'll introduce you back to Rebecca, who's from BME Associates, who's one of our consultants. Thank you.

Rebecca Spur (BME Associates): Alright, so the Fair Field Village community consist of the 5 existing tax parcels. It's about 2.2 acres, and there along Luther Circle.

David Watson (Chair): Rebecca. Could you pull the microphone closer to you? Please.

Rebecca Spur (BME Associates): Sorry about that.

David Watson (Chair): You could move the whole thing closer if you want.

Rebecca Spur (BME Associates): Yeah. Sorry. There we go.

David Watson (Chair): No problem.

Rebecca Spur (BME Associates): I'm a little tall.

David Watson (Chair): We want to make sure that you're heard.

Rebecca Spur (BME Associates): Thank you. So, the multi-family community consist of the 7 existing buildings. There are 2 stories and they consist of 3 and 2 bedroom units. As Shawn mentioned, RHA is proposing to rehabilitate the site to allow those ADA accessible living units. Which will require three minor building additions to three of the existing buildings. If you can see this, they're outlined in red on the attached. They're in the rear of the buildings. An ADA accessible community space is proposed along with new parking spaces for ADA accessible, a playground is also proposed on site, and various interior and exterior building upgrades. No new units are proposed out here. These improvements that I just mentioned are triggering the rezoning that is before you tonight. All the parcels are currently zoned R1 low density residential. We are proposing to rezone all of the parcels to R3, which is high density residential. We believe this R3 to be justified, because R3 does allow the multi-family dwellings within the district in which this existing community is. R1 does not allow these multi-family uses. The parcel is also adjacent to the south and the west of the property that is zoned R3, which does allow us to propose the R3 zoning tonight. We believe this map amendment to also be consistent with the City of Rochester's high density residential place-making character area designation in the Comprehensive Plan as well as the Zoning Alignment Project maps that are available to date. The Zoning Alignment Project map does depict this community to be zoned eventually to high density residential at the completion of the project, which does, which does support what we are trying to do this evening in allowing that multi-family use. There is no change in use out here to as currently on the property, besides, there are the minor building additions and site improvements for the rehabilitation on the site, so we believe do believe the site will still conform with the character of the neighborhood, the residential character; and then, no major changes are proposed that would affect that character. The proposed improvements at the site, are, as Shawn mentioned, will also support an increase in accessible housings and preserve the much needed affordable housing in the area with the rezoning. The utility infrastructure is available on-site, we're not changing anything there. It also has the means to supply the building additions, so no improvements are there. Surrounding neighborhoods will provide that existing access to public transportation, parks, schools, etcetera in the area. We did receive one comment from the public on this application. And, I believe it was in regard to the R1 or maybe leaving R1. But, you know, just to reiterate that we are going to the R3 for the multi-family community to be allowed. And, that we believe that this would help the residents in the City and not hurt, as, as the individual mentioned. But, again the use is not changing. And, that's *(word sound seems to be "Fair" here on recording)*. That's Luther.

David Watson (Chair): That's it?

Rebecca Spur (BME Associates): That's it.

David Watson (Chair): Alright. We'll see if we have any questions for you. Any questions for the applicant? Any questions? I have one. The -- our staff report that we got.

Rebecca Spur (BME Associates): Mmhmm.

David Watson (Chair): That has, this particular.

Rebecca Spur (BME Associates): I have.

David Watson (Chair): This one. I know that 64 is a very small parcel.

Rebecca Spur (BME Associates): Yes.

David Watson (Chair): Do you know how, how small it actually is?

Rebecca Spur (BME Associates): I might.

David Watson (Chair): Because, I didn't see anywhere in the staff report of exactly. There was a total that was given for acreage, but not for the individual addresses. So that's first question.

Rebecca Spur (BME Associates): It'll be on our site plan. I can try to find that, but it's very small.

David Watson (Chair): Yes.

Rebecca Spur (BME Associates): But as, as Roseanne did mention, we believe it might be requirement with our site plan review to consolidate those parcels, the four parcels south of Luther.

David Watson (Chair): That one.

Rebecca Spur (BME Associates): Mmhmm.

David Watson (Chair): From one address. That was my second question. Thank you. Any other questions for the applicant? Thank you Ma'am. Thank you Sir. At this time, we would like to ask, is there anyone that would like to speak in favor of this application to please step forward. Anyone in favor of this application? Please step forward at this time. Is there anyone in opposition of this proposal? Please step forward. Anyone in opposition? Seeing none. This case is closed. May, we have the next case please. Thank you.

HEARING ENDS

**CITY PLANNING COMMISSION
RECOMMENDATION
ZONING MAP AMENDMENT**

**NBD 16
ATTACHMENT**

Re: To amend the Zoning Map by rezoning the properties located at 30, 35, 64, 65, & 68 Luther Circle from R-1 Low-Density Residential to R-3 High-Density Residential to facilitate the Rochester Housing Authority redevelopment project; an action requiring a City Planning Commission recommendation to the Rochester City Council.

Case No: M-001-22-23

Resolution:

RESOLVED, the City Planning Commission **RECOMMENDS** approval of a request to amend the Zoning Map by rezoning the properties located at 30, 35, 64, 65, & 68 Luther Circle from R-1 Low-Density Residential to R-3 High-Density Residential to facilitate the Rochester Housing Authority redevelopment project.

Vote: Motion Passes

Action: Recommend Approval

Meeting date: October 24, 2022

Record of vote: 7-0-0

Record of vote:

D. Watson	Recommend Approval
E. Marlin	Recommend Approval
B. Flower	Recommend Approval
M. Pichardo	Recommend Approval
K. Harding	Recommend Approval
N. Carlton	Recommend Approval
J. Roby-Davison	Recommend Approval

Action by City Council:

Pursuant to Zoning Code §120-190C(3)(d), within 40 days of the receipt by the City Clerk of this recommendation, the City Council shall conduct a public hearing and either approve the application by ordinance duly enacted or adopt the proposed amendment, with or without conditions, or deny the application; provided, however, that the deadline to act shall be extended to 120 days in the event that City Council, within the 40-day deadline, requests further information about the proposal from the Manager of Zoning. The failure of the City Council to act within the time limit herein specified shall be deemed a refusal of the proposed amendment.

Findings:

Pursuant to §120-190C(3)(c)[2], in making recommendations regarding amendments to the text of the Zoning Ordinance or to the Zoning Map, the Planning Commission shall consider and make findings on the following matters regarding the proposed amendment:

A. Consistency with the City's Comprehensive Plan and any other adopted special area plans.

The subject property is proposed to be HDR High-Density Residential district as part of the Zoning Alignment Project (ZAP). The HDR High-Density Residential District protects, preserves, and enhances existing residential areas of higher density which include multifamily dwellings of five or greater units, mixed with other housing types. The HDR High-Density Residential District is intended to provide residential areas that accommodate higher-density housing while protecting, maintaining, and enhancing existing residential areas. The HDR District may include various housing types ranging from single-family detached to high-density apartments. The district adds to the urban character of Rochester and provides diversity in housing types, including high-rise apartment living.

B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.

As part of site plan review, the parcels will be combined to create two parcels through resubdivision. This will eliminate the unusually small parcels. Rezoning the 2.2 acres of developed land will create parcels that are consistent with multifamily residential developments and eliminate the nonconforming status of the existing buildings. The site is adjacent to the larger sized Riverview Apartments to the south/southwest and single-family residences to the north/northeast. The scale of the existing buildings combined with the proposed renovations sits comfortably between these existing land uses.

C. Suitability of uses proposed by the zoning amendment for the property affected by the amendment.

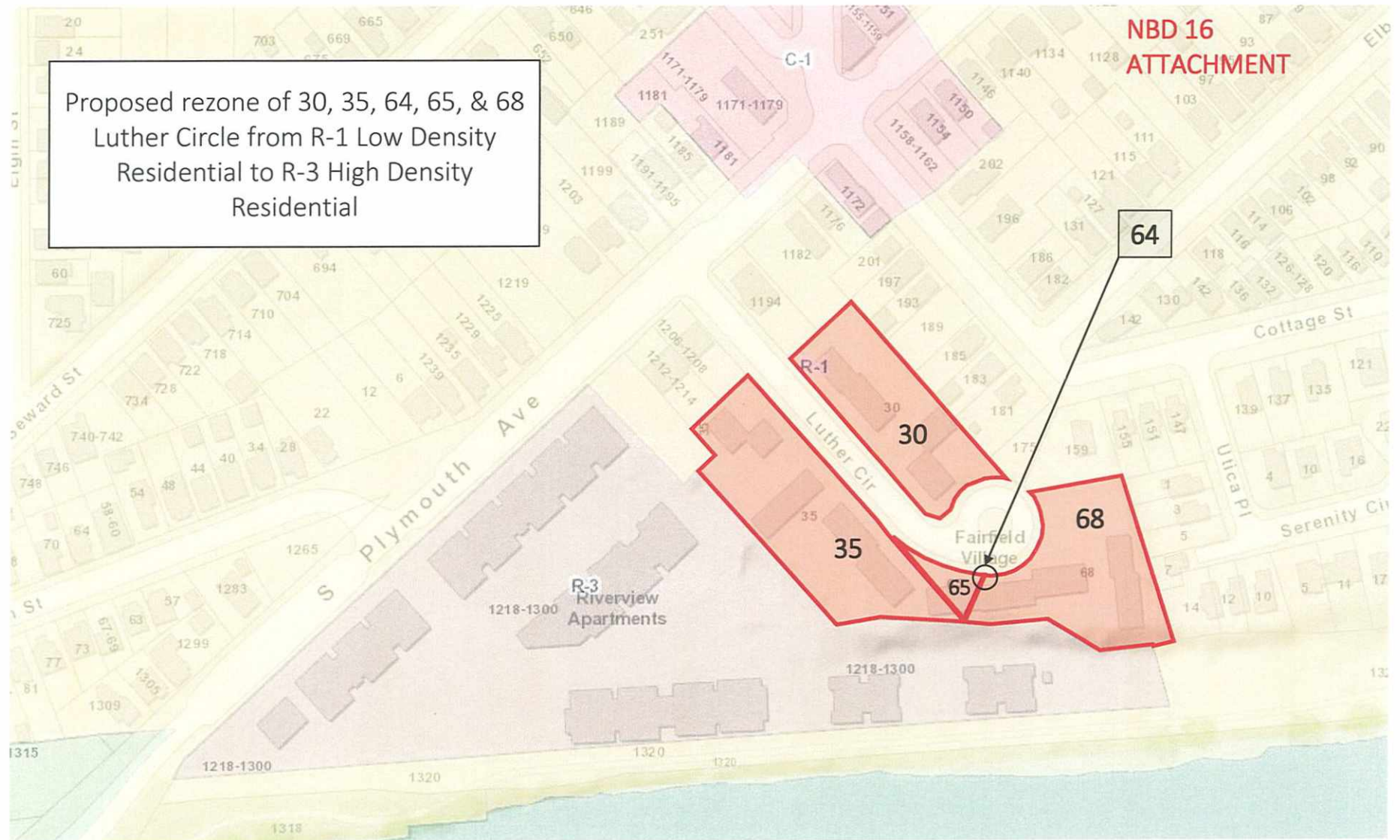
The proposed rezoning will facilitate the renovation of existing nonconforming townhouses and the redesign of same to create new accessible apartments and a community room. This will result in townhouse style apartments, on grade accessible apartments and walk up apartments. This diversity of housing options is suitable to the R-3 High-Density Residential district as it is permitted as of right.

D. Availability of public services and infrastructure generally suitable and adequate for uses allowed within the proposed district.

The available public facilities, services and infrastructure are suitable and adequate for the uses allowed under the proposed amendment.

**NBD 16
ATTACHMENT**

Proposed rezone of 30, 35, 64, 65, & 68
Luther Circle from R-1 Low Density
Residential to R-3 High Density
Residential





Zoning Alignment Project (ZAP) Draft Swipe Map

Compare existing vs proposed districts.

NBD 16
ATTACHMENT

A Story Map



This map shows Existing Zoning Districts to the left of the swipe bar and Proposed Districts (from the ZAP) to the right of the swipe bar. Drag the swipe bar back and forth to see how the Zoning Map is proposed to change. You can also pan, zoom, and search for an address in the top right.

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For more information on this project, please visit www.rochesterZAP.com.

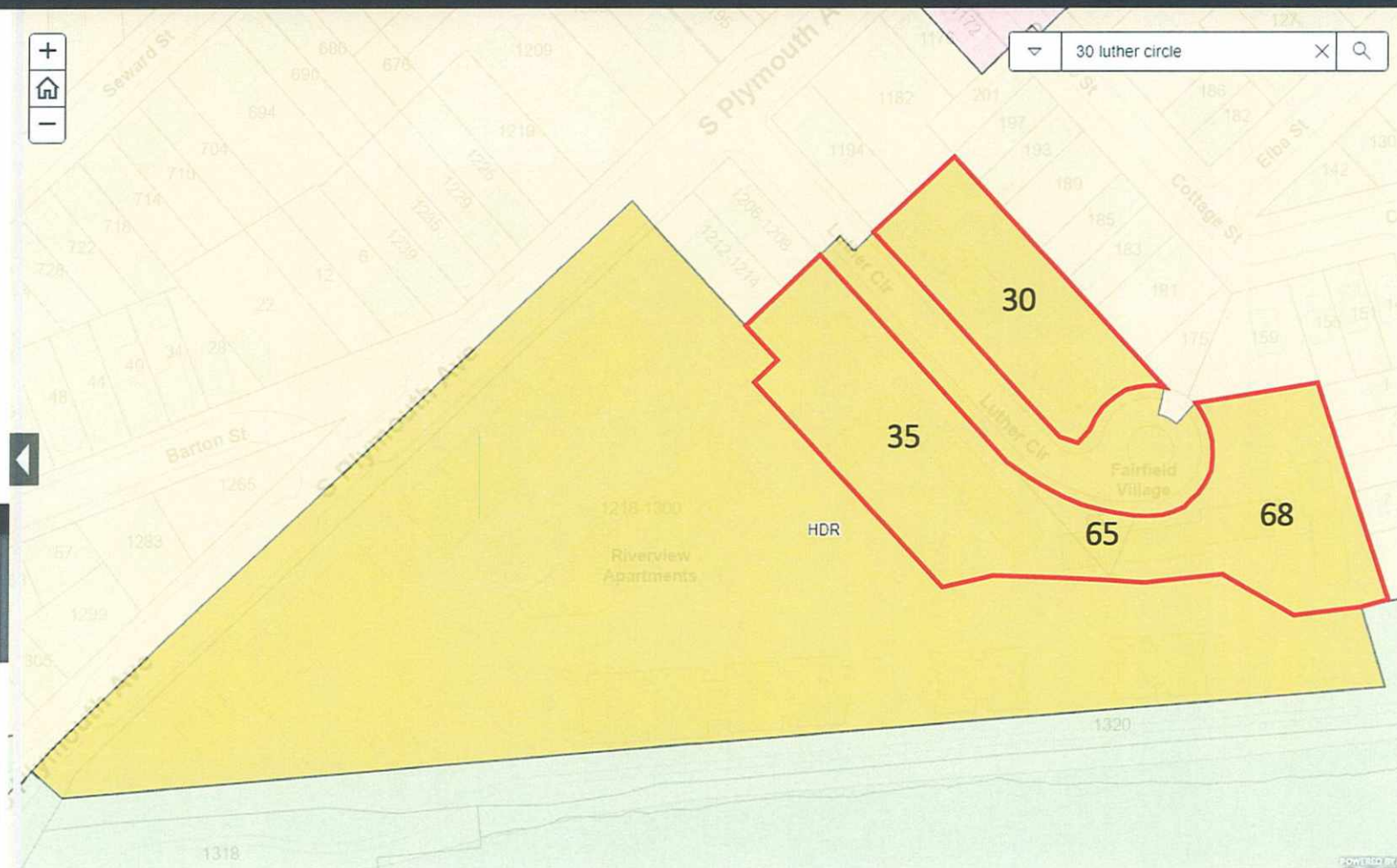
Legend

Existing Zoning Districts

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- R-2 Medium Density Residential
- R-3 High-Density Residential

Proposed Zoning Districts

- OS Open Space
- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential



<p>R-1 Low-Density District</p>	<p>The following uses are permitted in the R-1 District:</p> <ul style="list-style-type: none"> • Single-family detached dwellings • Single-family attached dwellings • Family and group family day-care homes • Adult family day-care homes • Places of worship, except in structures originally designed solely for residential purposes • Convents and rectories • Home occupations • Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m. <p>The following uses are allowed as special permit uses in the R-1 District:</p> <ul style="list-style-type: none"> • Ancillary parking lots • Bed-and-breakfast establishments • Day-care centers • Public and semipublic uses, including but not limited to schools, library, police stations and fire stations • Public utilities • Residential care facilities
<p>R-3 Low-Density District</p>	<p>The following uses are permitted in the R-3 District:</p> <ul style="list-style-type: none"> • Single-family detached dwellings. • Single-family attached dwelling. • Two-family dwellings. • Multifamily dwellings. • Live-work space, subject to the additional requirements for specified uses in § 120-142.1. • Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132. • Family and group family day-care homes. • Adult family day-care homes. • Day-care centers, subject to the additional requirements for specified uses in § 120-135. • Places of worship, except in structures originally designed solely for residential purposes. • Convents and rectories. • Home occupations, subject to the additional requirements for specified uses in § 120-139. • Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m. <p>The following uses are allowed as special permit uses in the R-3 District:</p> <ul style="list-style-type: none"> • Adaptive use of designated landmarks, subject to the additional requirements for specified uses in §120-130. • Ancillary parking lots, subject to the additional requirements for specified uses in § 120-131. • Community garages and parking lots. • First floor commercial uses in multifamily dwellings over 20 units, subject to the additional requirements for specified uses in § 120-134. • Nursing homes. • Public and semipublic uses. • Public utilities, subject to the additional requirements for specified uses in § 120-144. • Residential care facilities, subject to the additional requirements for specified uses in § 120-146. • Homeless residential facilities, subject to the additional requirements for specified uses in § 120-140. • Hospice. • Rooming houses, subject to the additional requirements for specified uses in § 120-147.

441

Ordinance No.

Amending the Zoning Map by changing the zoning classification of 30, 35, 64, 65 and 68 Luther Circle

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended by changing the zoning map classification of the following parcels from R-1 Low-Density Residential District to R-3 High-Density Residential District:

Address	SBL #
30 Luther Circle	135.28-2-58.001
35 Luther Circle	135.28-2-62
64 Luther Circle	135.28-2-58.002
65 Luther Circle	135.28-2-57.001
68 Luther Circle	135.28-2-61.001

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

Section 2. This ordinance shall take effect immediately.



City of Rochester

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NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

442

Malik D. Evans
Mayor

December 1, 2022 NBD 17

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment – Rochester Environmental
Commission

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member to the Rochester Environmental Commission. She is filling a vacant seat for a term that will expire on May 31, 2024.

<u>Name</u>	<u>District Represented</u>
Katherine Powers	East (14610)

Ms. Powers' resume is on file with the City Clerk.

Respectfully submitted,

Malik D. Evans
Mayor



442

Ordinance No.

Approving an appointment to the Rochester Environmental Commission

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

Section 1. The Council hereby approves the appointment to the Rochester Environmental Commission of Katherine Powers as member for a term which shall expire on May 31, 2024.

Section 2. This resolution shall take effect immediately.



City of Rochester

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PARKS & PUBLIC WORKS INTRODUCTORY NO.

443

Malik D. Evans
Mayor

DES01

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Milling and Resurfacing Project
Chestnut Street (East Broad Street to East Main
Street), East Avenue (East Main Street to Alexander
Street), North Goodman Street (Peck Street to Bay
Street and Clifford Avenue to City Line)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Milling and Resurfacing Project, which includes segments of Chestnut Street, East Avenue and North Goodman Street as described above. This legislation will authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C (Joseph Dipico, C.E.O., 280 East Broad Street, Rochester, New York) to provide additional engineering design and construction administration services for the project. The original agreement for \$355,000 was authorized in April 2021 (Ordinance No. 2021-113). This amendment will increase the maximum compensation by \$30,000 to a maximum total of \$385,000. The amendment will be funded with 2021-22 Cash Capital.

The amendatory agreement will provide additional design and construction support services related to expanded project limits on Chestnut Street, changes necessary to better accommodate new development opportunities on North Goodman Street and for various project adjustments.

The project includes, but is not limited to milling and resurfacing of the pavement, spot curb replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings and the addition of on-street bicycle facilities. 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.

Construction began in spring 2022 with substantial completion anticipated in fall 2022.

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.



The term of the agreement will not change and shall be three (3) months after completion of a two-year guarantee inspection of the project.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

2022 Milling and Resurfacing Project Bicycle Facilities

East Avenue - E Main St to Alexander St
Chestnut Street - E Main St to Elm St

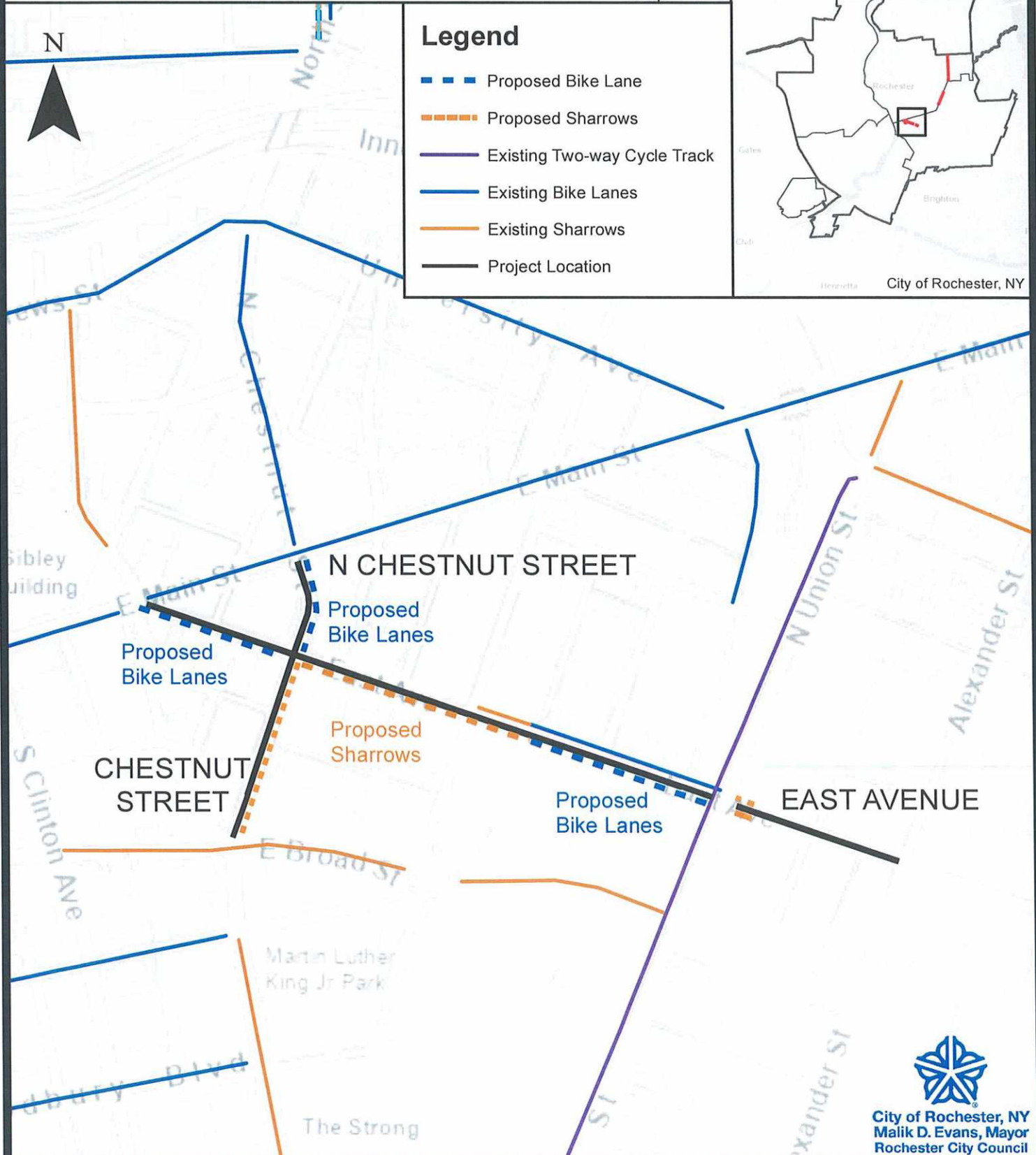
Map 1 of 2

DES01



Legend

- Proposed Bike Lane
- Proposed Sharrows
- Existing Two-way Cycle Track
- Existing Bike Lanes
- Existing Sharrows
- Project Location



City of Rochester, NY
Malik D. Evans, Mayor
Rochester City Council

2022 Milling and Resurfacing Project Bicycle Facilities

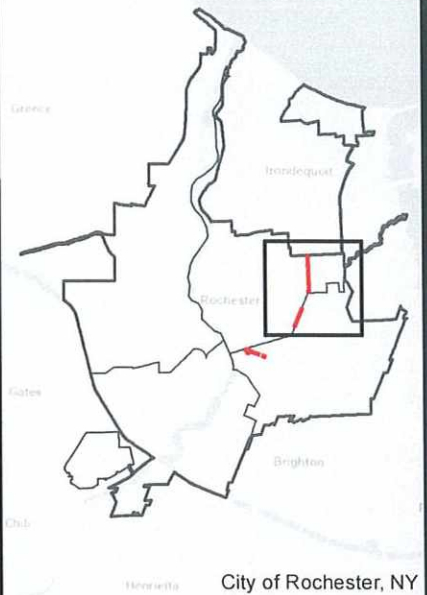
North Goodman Street - Peck Rd to Bay St
North Goodman Street - Clifford Ave to City Line

Map 2 of 2

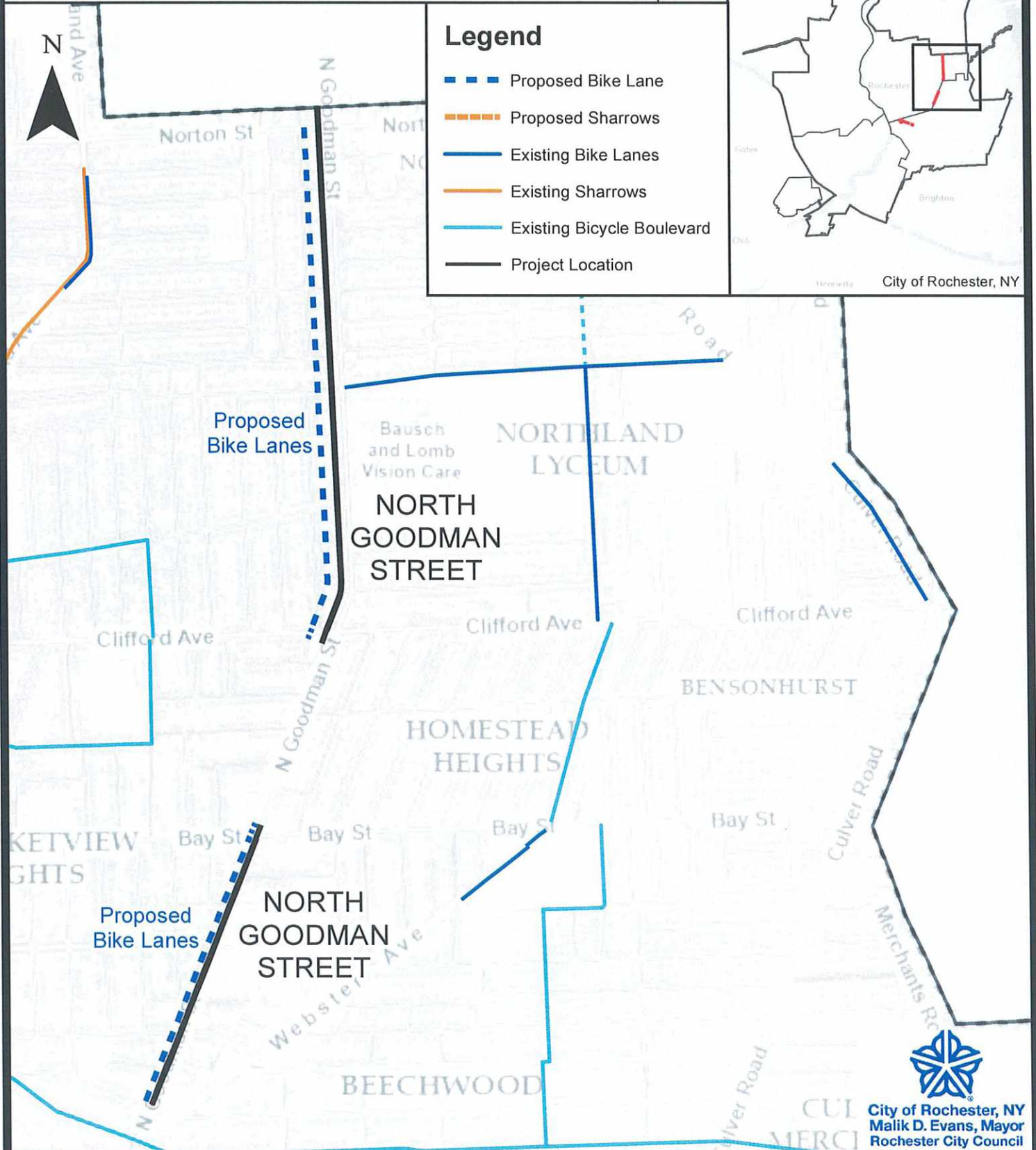
Legend

- Proposed Bike Lane
- Proposed Sharrows
- Existing Bike Lanes
- Existing Sharrows
- Existing Bicycle Boulevard
- Project Location

DES01



City of Rochester, NY



City of Rochester, NY
Malik D. Evans, Mayor
Rochester City Council

443

Ordinance No.

Authorizing an amendatory agreement for the Milling & Resurfacing Project on Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line)

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide additional engineering design and construction administration services related to the Milling & Resurfacing Project for Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line) (the Project). The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-113 to increase the maximum compensation by \$30,000 to a new maximum total of \$385,000. The amendatory compensation shall be funded by \$30,000 from 2021-22 Cash Capital. The term of the agreement shall extend until three months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.



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Malik D. Evans
Mayor

PARKS & PUBLIC WORKS INTRODUCTORY NO.

444

DES02

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Summer 2022 Lead Service Replacement
Program 2B (Adjacent Street Maintenance)

Council Priority: Deficit Reduction and Long Term
Financial Stability

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Summer 2022 Lead Service Line Replacement Program 2B project. This legislation will authorize the issuance of street bonds totaling \$1,030,000 and the appropriation of the proceeds thereof to finance a portion of the construction for the project.

The project includes the chip seal of residential streets both with and without lead service line replacements. The project received American Rescue Plan Act (ARPA) funds for streets with lead service line replacements (Ordinance No. 2022-63). The streets without lead service line replacements are not eligible for ARPA funds. Additional funds in the amount of \$1,052,881.97 are required to finance chip seal treatment of those streets.

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

Bids for construction were received on October 27, 2022. The apparent low bid of \$9,534,523.30 was submitted by Ramsey Constructors, Inc. (Chris Ramsey, C.E.O., 5711 Gateway Park, Lakeville, New York).

The project will be funded as follows:

Source of Funds	Amount
ARPA (Ordinance No. 2022-63)	\$8,481,641.33
Bonds authorized herein	\$1,030,000.00
2022-23 Cash Capital	\$22,881.97
Total	\$9,534,523.30

Construction is anticipated to begin in winter 2022/2023 with substantial completion anticipated in fall 2024.




The construction of the chip seal treatment on residential streets without lead service line replacements will result in the creation and/or retention of the equivalent of 11.4 full-time jobs.

Respectfully submitted,

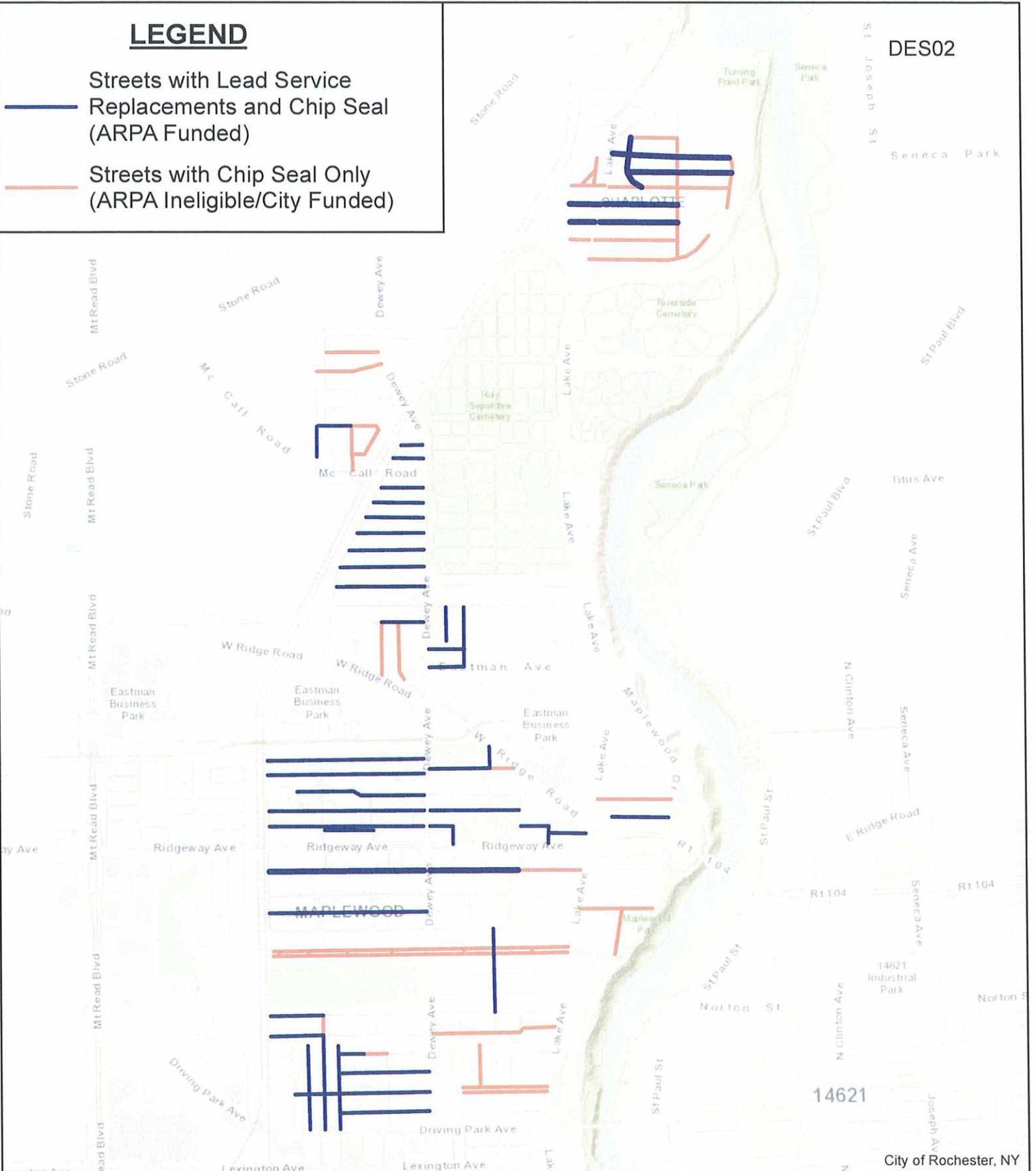
A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

LEGEND

 Streets with Lead Service Replacements and Chip Seal (ARPA Funded)

 Streets with Chip Seal Only (ARPA Ineligible/City Funded)



DES02

Seneca Park

Titus Ave

Seneca Ave

E Ridge Road

Seneca Ave

14621 Industrial Park

Norton St

City of Rochester, NY



2022 SUMMER-2B LEAD SERVICE LINE REPLACEMENT PROJECT

11/2/2022

0 0.2 0.4 Miles

1" = 0.4 miles

Water Bureau Contact Information

Customer Service - (585)428-5990
Water Bureau Dispatch Office - (585)428-7500
Water Bureau Maps & Records - (585)428-7562

444

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,030,000 Bonds of said City to finance the Summer 2022 Lead Service Replacement Program 2B (Adjacent Street Maintenance) 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 chip sealing the street segments noted on the attached Project Street List annexed hereto as Exhibit A, which comprise the Summer 2022 Lead Service Replacement Program 2B (Adjacent Street Maintenance) 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 \$1,052,881.97. The plan of financing includes the issuance of \$1,030,000 bonds of the City, which amount is hereby appropriated for the Project, \$22,881.97 in 2022-23 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 \$1,030,000 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 \$1,030,000. 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.b 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.

Exhibit A

Project Street List

Street Name	From	To
Flower City Pk	Primrose St	Lake Ave
Benwell Rd	City Line	Dewey Ave
Birr St	Dewey Ave	Lake Ave
Bryan St	~400' W of Archer St	Archer St
Burley Rd	Lake Ave	Cul-de-Sac
Burling Rd	West end	Dewey Ave
Cheltenham Rd	Lake Ave	Falleson Rd
Devitt Rd	W Ridge Rd	Dorothy Ave
Dove St	Birr St	Augustine St
Eastman Ave	Dewey Ave	Goodwill St
Falleson Rd	Burley Rd	Boxart St
Harding Rd	Lake Ave	N Burley Rd
Lakeview Pk	Dewey Ave	Lake Ave
Lakeview Ter	Lakeview Pk	Eldorado Pl
Leander Rd	Hopper Ter	Falleson Rd
Lyncrest Dr	McCall Rd	Shouthampton Dr
Mayflower St	Eastman Ave	Dorothy Ave
N Burley Rd	Cul-de-Sac	Cherry Rd
Palm St	Desmond St	W Ridge Rd
Parkview St	South End	Riverside St
Redwood Rd	Lake Ave	Maplewood Dr
Riverside St	Lake Ave	Maplewood Dr
Seneca Pkwy	West End	Lake Ave
Southampton Dr	Lyncrest Dr	Lyncrest Dr
W Boulevard Pkwy	West End	Lake Ave
W Boulevard Pkwy	Boulevard Pkwy	North End
W Boulevard Pkwy Ramp	Boulevard Pkwy	W Boulevard Pkwy
W Cheltenham Rd	West End	Lake Ave



City of Rochester

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PARKS & PUBLIC WORKS INTRODUCTORY NO.

445

Malik D. Evans
Mayor

DES03

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – SWBR Architecture, Engineering &
Landscape Architecture, D.P.C. – Multi-Site Parks
Master Plan

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum compensation for an agreement with SWBR Architecture, Engineering & Landscape Architecture, D.P.C. (Thomas R. Gears, C.E.O., 387 East Main Street, Suite 500, Rochester, New York) for design services for the Multi-Site Parks Master Plan project. The cost of the agreement will be financed from 2020-21 Cash Capital.

The project includes master planning services for exterior spaces at three City-owned parks and recreation facilities. The properties include: Willie Walker Lightfoot R-Center, Edgerton Park and R-Center, and La Grange Park. The Consultant will provide master planning services to enhance the usability, functionality, safety, and accessibility of the three sites for all users. Schematic plans and estimates will be developed for each site along with phasing recommendations to guide future investment.

The Consultant will provide schematic design, cost estimating, community engagement, and master planning services. SWBR Architecture, Engineering & Landscape Architecture, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary.

This proposed legislation has been developed by the Department of Environmental Services (DES) in collaboration with the Department of Recreation and Human Services (DRHS).

Consultant services will begin in early 2023; it is anticipated that the project will be complete in late fall 2023. The project will result in the creation and/or retention of the equivalent of 1.63 full-time jobs.

The term of the agreement shall extend until six (6) months after delivery of the finalized Master Plan.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

Department: DES/ Bureau of Architecture and Engineering
Project / Service Sought: Multi-Site Parks Master Plan
Consultant Selected: SWBR Architecture, Engineering & Landscape Architecture, D.P.C.
Method of Selection: X Request for Proposal [*Complete 1-6*]
 ___ Request for Qualifications [*Complete 1-6*]
 ___ From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-5*]

1. Date RFP issued (and posted on City web site): September 7, 2022

2. The RFP was also sent directly to: List of 21 landscape architecture and planning firms

3. Proposals were received from

<u>FIRM</u>	<u>Address/City/State</u>
Barton & Loguidice	11 Centre Park, Suite 203, Rochester, NY
Bergmann	280 E. Broad Street, Suite 200, Rochester, NY
Fisher Associates, P.E., L.S., L.A., D.P.C.	180 Charlotte Street, Rochester, NY
Hunt EAS	4 Commercial Street, Suite 300, Rochester, NY
LaBella Associates, D.P.C.	300 State St, Suite 201, Rochester, NY
SWBR	387 East Main Street, Rochester, NY

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting</u>	<u>Points possible</u>	<u>Average Points received by SWBR</u>
Technical Proposal	40%	40	35
Team Qualifications	50%	50	39
Firm Qualifications	10%	10	8
TOTAL		100	82

Bonus Criteria

City business	10% of total=	10
M/WBE firm	10% of total=	0
M/WBE utilization	5%-10% of total=	10
Minority Workforce	10% of total=	0

TOTAL RATING WITH BONUS = 102

5. Review team included staff from: DES/Architecture & Engineering (2), DRHS/Recreation (2)

6. Additional considerations/explanations: All of the firms filled out the workforce utilization forms, but none of the firms met the goals.

7. MWBE Officer has reviewed the recommended firm's proposal for meeting MWBE and Workforce goals. MWBE Officer Initials: *SMD* Date: *11/2/2022*

Multi-Site Parks Master Plan

DES03

Mailing to Firms Re: RFP

Title	First Name	Last Name	Suffix	Company Name
Ms.	Nicole	Cleary	RLA	Barton & Loguidice
Mr.	Mark	Bayer	RLA	Bayer Landscape Architecture, PLLC
Mr.	Andrew	Raus	AICP	Bergmann Associates, PC
Mr.	Peter	Vars	P.E.	BME Associates, PC
Mr.	James F.	Morrissey	P.E.	C&S Companies
Mr.	Frank	DelSignore	P.E.	CHA Consulting, Inc.
Mr.	Daniel D.	Duprey	Jr., P.E.	Clark Patterson Lee Associates
Ms.	Sarah	Costich King	RLA	Costich Engineering, Land Surveying & Landscape Architecture, PC
Mr.	Andy	Britton	RLA	EDR
Ms.	Emily M.	Smith	P.E.	Fisher Associates
Mr.	Thomas	Wolanski	P.E.	GPI/Greenman-Pedersen, Inc
Ms.	Tanya	Zwahlen	AICP	Highland Planning
Mr.	Sean	Phelan		Hunt Engineers, Architects & Land Surveyors
Mr.	Matthew	Ingalls		Ingalls Planning & Design
Mr.	Doug	McCord	RLA	LaBella Associates
Mr.	Jess	Sudol	P.E.	Passero Associates
Mr.	Ryan	Kelly	RLA	RPK Landscape Architecture
Mr.	James R.	Hofmann	Jr., P.E.	Stantec Consulting Services, Inc.
Ms.	Sue	Steele	RLA	Sue Steele Landscape Architecture
Ms.	Lisa	Fingar		SWBR
Mr.	Robert	Radley		TY Lin International Co.

Lake Ontario

**La Grange
Park**

**Edgerton
Park and
R-Center**

City of Rochester

**Willie
Walker
Lightfoot
R-Center**

MULTI-SITE PARKS MASTER PLAN

Project Location Map



Not To Scale

445

Ordinance No.

Authorizing an agreement relating to the Multi-Site Parks Master Plan

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 SWBR Architecture, Engineering & Landscape Architecture, D.P.C. to provide design services and recommendations for the Multi-Site Parks Master Plan (the Plan Recommendations). The maximum compensation for the agreement shall be \$150,000, which shall be funded by 2020-21 Cash Capital. The term of the agreement shall extend until six months after delivery of the final Plan Recommendations.

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

Section 3. This ordinance shall take effect immediately.



446

DES04

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation – American Rescue Plan
Act, Aqueduct Street Group

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 Aqueduct Street Group Project. This legislation will appropriate \$2,000,000 of American Rescue Plan Act (ARPA) funding to finance a portion of the project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project is an eligible use of ARPA funding under the 6.1 Provision of Government Services Expenditure Category.

In coordination with the ROC the Riverway Initiative and construction of the Constellation Brands headquarters, the Aqueduct District is being transformed into a more pedestrian friendly area, while still accommodating needs for vehicular access. Specifically, changes are being made to on-street parking, and the direction of traffic for Aqueduct Street, Graves Street, and Bank Place. Street improvements include, but are not limited to pavement reconstruction, sidewalks, curb ramps, catch basins, and adjustment and repair of manholes and water valve casings. 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.

The limits of the Aqueduct Street Group improvements include:

- a) Aqueduct Street (Bank Place to East Main Street)
- b) Bank Place (Exchange Boulevard to Aqueduct Street)
- c) Basin Street (Exchange Boulevard to Aqueduct Street)
- d) Graves Street (Race Street to East Main Street)
- e) Race Street (Aqueduct Street to Graves Street)



Final design phase of the project was authorized in July 2022 (Ordinance No. 2022-211). The expenditure of the ARPA funds appropriated herein shall be limited to the construction phase of the project.

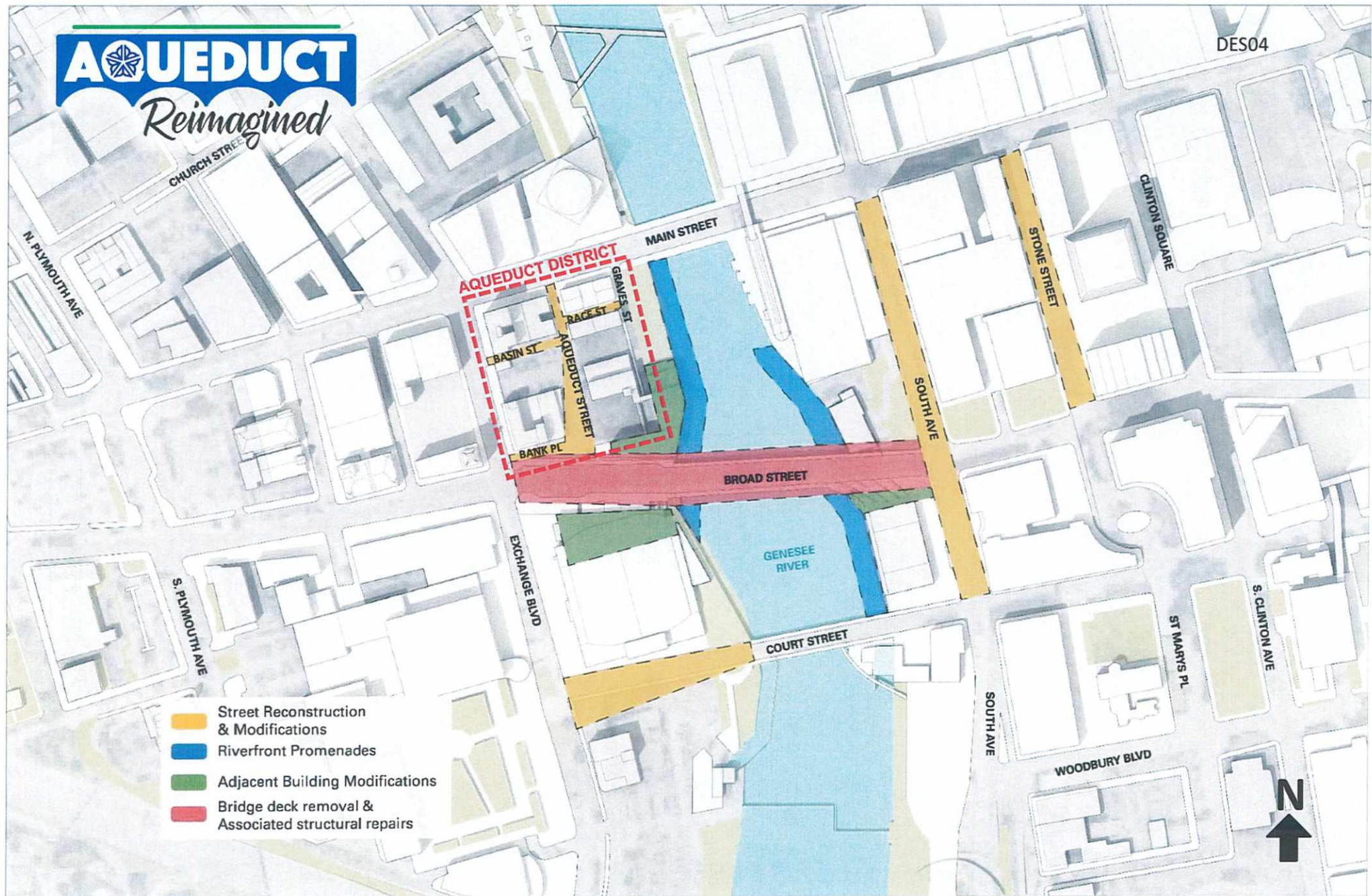
It is anticipated that construction will begin in spring 2023 and be substantially complete in late 2023. The funding will result in the creation and/or retention of the equivalent of 21.7 full-time jobs.

Respectfully submitted,

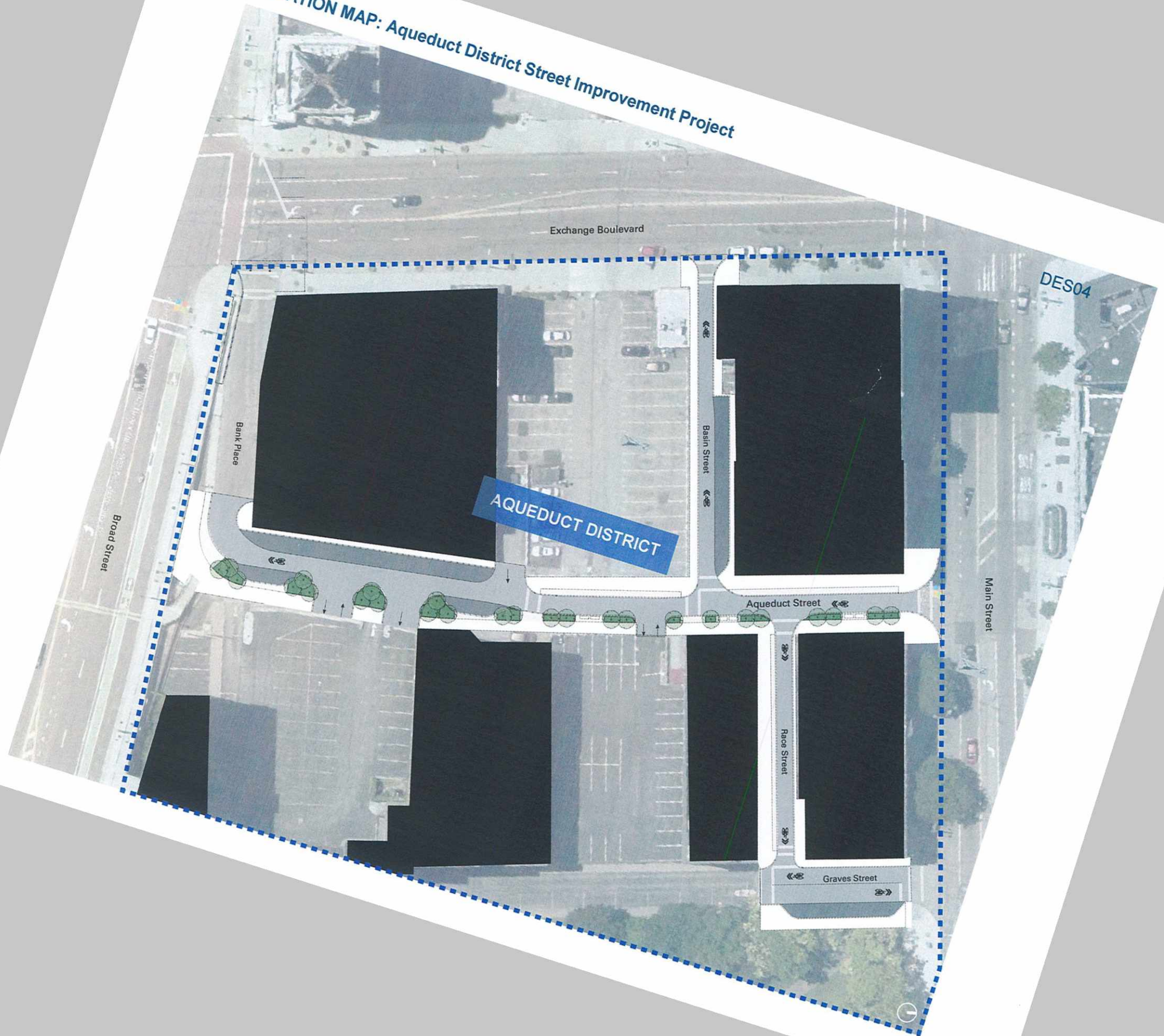
A handwritten signature in blue ink, appearing to read 'ME', followed by a long horizontal flourish.

Malik D. Evans
Mayor

Project Location Map



LOCATION MAP: Aqueduct District Street Improvement Project



Appropriating American Rescue Plan Act funds for the Aqueduct Street Group project

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

Section 1. The Council hereby appropriates the sum of \$2,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the Aqueduct Street Group project consisting of pavement reconstruction, other street and sidewalk improvements, and ancillary amenities on Aqueduct Street (Bank Place to East Main Street), Bank Place (Exchange Boulevard to Aqueduct Street), Basin Street (Exchange Boulevard to Aqueduct Street), Graves Street (Race Street to East Main Street) and Race Street (Aqueduct Street to Graves Street) (collectively, the Project).

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund said Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.



City of Rochester

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PARKS & PUBLIC WORKS INTRODUCTORY NO.

Malik D. Evans
Mayor

447

DES05

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation – American Rescue Plan Act, Joseph A. Floreano Rochester Riverside Convention Center (RRCC) South Terrace and Addition

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 Joseph A. Floreano RRCC South Terrace and Addition Project. This legislation will appropriate \$6,000,000 of American Rescue Plan Act (ARPA) funding to finance a portion of the project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project is an eligible use of ARPA funding under the 6.1 Provision of Government Services Expenditure Category.

This ROC the Riverway project encompasses a building addition and modernization to the southwest face of the RRCC along the river to create a new and revitalized event space that directly engages with the downtown riverfront. The expanded space will enable RRCC patrons to participate in convention center events and enjoy the spectacular views of the majestic Genesee River simultaneously. The project will also include, but is not limited to, RRCC building façade repairs and strategic river wall repairs. This project meets essential ROC the Riverway goals including repair and maintenance of critical infrastructure, and re-orientation of internal and external building spaces towards the water and riverfront public spaces. The expenditure of the ARPA funds appropriated herein shall be limited to the procurement of professional design services until such time as an environmental impact review of the Project, under the State Environmental Quality Review Act, is completed.

It is anticipated that construction will begin in spring 2024 and be substantially complete in late 2026. The additional funding will result in the creation and/or retention of the equivalent of 65.2 full-time jobs.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

447

Ordinance No.

Appropriating American Rescue Plan Act funds for the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition Project

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

Section 1. The Council hereby appropriates the sum of \$6,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition Project (the Project). The expenditure of the ARPA funds appropriated herein shall be limited to the procurement of professional preliminary design services until such time as environmental impact review of the Project is completed in accordance with the State Environmental Quality Review Act and City Code Chapter 48.

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund said Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.



City of Rochester

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PARKS & PUBLIC WORKS INTRODUCTORY NO.

448

Malik D. Evans
Mayor

DES06

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: USEPA Brownfields Job Training Program
Professional Services Agreement – Occupational Health
and Safety Training Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: More Jobs and
Neighborhood Development/Reinforcing Strong
Neighborhoods

Transmitted herewith for your approval is legislation related to the City's Brownfields Job Training (BJT) program.

This legislation will establish \$75,000 as maximum compensation for an agreement with Yehl Environmental Incorporated, dba Cornerstone Training Institute, (Darren Yehl, C.E.O., 460 State Street, Rochester, NY) to provide occupational health and safety training services as part of the City's REJob 3.0 Training Program (REJob 3.0).

REJob 3.0 is a comprehensive, multi-partner effort designed to lead to sustainable, long-term environmental employment and to ensure affected residents share in the economic benefits derived from brownfield redevelopment. REJob 3.0 will once again specifically target dislocated workers, severely underemployed individuals, and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education.

REJob 3.0 will recruit and train up to 60 unemployed or underemployed City residents in core occupational and environmental areas that provide certifications to work in the asbestos abatement, hazardous waste remediation, and environmental cleanup fields. Cornerstone Training Institute will provide training to all students as well as additional training for certifications for high achieving students after the core training is completed.

The cost of the agreement will be financed from \$75,000 in United States Environmental Protection Agency (USEPA) BJT grant funds authorized under Ordinance 2022-345. The City issued a request for proposals (RFP) for occupational health and safety training services in October 2022 and received two (2) proposals. Cornerstone Training Institute was selected based on the experience and expertise of the proposed project team, their ability to meet the City's schedule, and the quality and cost of their proposal.

It is anticipated that the project will begin in the winter of 2023.



The proposed agreement will have an initial term of two (2) years with a provision for a one-year extension based on mutual written agreement.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'ME', followed by a long horizontal flourish.

Malik D. Evans
Mayor

Vendor / Consultant Selection Process Summary

Department: DES/Division of Environmental Quality

Project / Service Title: Brownfields Job Training Program

Consultant Selected:

Firm	Address
Cornerstone Training Institute	460 State Street, Rochester, NY 14608

Method of selection: X Request for Proposal [*Complete 1-7*]

 Request for Qualifications [*Complete 1-7*]

 From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-7*]

1. Date RFP / RFQ issued (and posted on City web site): RFP issued on October 6, 2022 and posted to City's website on October 6, 2022.

2. The RFP / RFQ was also sent directly to:

Firm	Address
Cornerstone Training Institute	460 State Street, Rochester, NY 14608
EAST Centers of NY, LLC	1555 Lyell Avenue, Suite 122, Rochester, NY 14606
Sexton Services Incorporated	1025 Chili Avenue, Rochester, NY 14611
Rochester Environmental Center	574 West Ridge Road, Rochester, NY 14615

3. Proposals were received from

Firm	Address
Cornerstone Training Institute	460 State Street, Rochester, NY 14608
EAST Centers of NY, LLC	1555 Lyell Avenue, Suite 122, Rochester, NY 14606

4. Evaluation criteria

Criteria	Project Experience	Training Staff	References	Scheduling/ Workload	Project Cost	Total Score
Max Points	10	10	4	4	12	40
Points Received	7.9	7.9	4	2.2	11	33

Bonus Points

City business: 10% of total .10 x TT

Prime is an MWBE: 10% of total .10 x TT

Prime uses 10% - 20% MWBE subs .05 x TT

Prime uses 20%+ MWBE subs .10 x TT

Workforce goals for M & W met .10 x 33

BONUS POINTS SUBTOTAL 3.3

TOTAL POINTS RECEIVED by the Firm: (TT) 33 + (BP) 3.3 = 36.3

5. Review team included staff from: Three (3) DES/Division of Environmental Quality staff members

6. Additional considerations/explanations: NA

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: *SMD* Date: *10/27/2022*

Form date 1/4/19

448

Ordinance No.

Authorizing an agreement for occupational health and safety training services relating to the REJob 3.0 Training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Yehl Environmental Incorporated to provide occupational health and safety training services as part of the Rochester Environmental Job (REJob 3.0) Training program. The maximum compensation for the agreement shall be \$75,000, which shall be funded from the United States Environmental Protection Agency (USEPA) Brownfields Job Training grant funds appropriated in Ordinance No. 2022-345. The term of the agreement shall be two years with the option to extend for one additional year upon mutual agreement.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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

PARKS & PUBLIC WORKS INTRODUCTORY NO.

449

Malik D. Evans
Mayor

DES07

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: USEPA Brownfields Job Training Program
Professional Services Agreement – Occupational Health
Screening Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: More Jobs
and Neighborhood Development/Reinforcing Strong
Neighborhoods

Transmitted herewith for your approval is legislation related to Occupational Health Screening Services as part of the City's Brownfields Job Training Program (BJT).

This legislation will establish \$23,000 as maximum compensation for an agreement with WorkFit Medical, LLC (Brian Banas, Chief Executive Officer, 1160 Chili Avenue, Suite 200, Rochester, NY) to provide occupational health screening services including drug and alcohol testing and independent medical examinations to candidates selected to participate in the City of Rochester REJob 3.0 Training Program (REJob 3.0). Drug testing parameters, which include THC, are determined by United States Environmental Protection Agency (USEPA).

REJob 3.0 is a comprehensive, multi-partner effort designed to lead to sustainable, long-term environmental employment and to ensure affected residents share in the economic benefits derived from brownfield redevelopment. REJob 3.0 will once again specifically target dislocated workers, severely underemployed individuals, and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education.

The cost of the agreement will be financed from \$23,000 in USEPA BJT grant funds authorized under Ordinance 2022-345. The City issued a request for proposals (RFP) for occupational health screening services in October 2022 and received three (3) responses. WorkFit Medical, LLC was selected based on the experience and expertise of the proposed project team, their ability to meet the City's schedule, and the quality and cost of their proposal.

It is anticipated that the project will begin in the winter of 2023.

The agreement will have an initial term of two (2) years with a provision for a one-year extension based on mutual written agreement.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

Department: DES/Division of Environmental Quality

Project / Service Title: Brownfields Job Training Program

Consultant Selected:

Firm	Address
WorkFit Medical, LLC	1160 Chili Avenue, Suite 200, Rochester, NY 14624

Method of selection: ☒ Request for Proposal [Complete 1-7]
☐ Request for Qualifications [Complete 1-7]
☐ From the NY State Department of Transportation list of pre-approved regional engineering firms [Complete 4-7]

1. Date RFP / RFQ issued (and posted on City web site): RFP issued on October 6, 2022 and posted to City's website on October 6, 2022.

2. The RFP / RFQ was also sent directly to:

Firm	Address
WorkFit Medical, LLC	1160 Chili Avenue, Suite 200, Rochester, NY 14624
Finger Lakes Occupational Health Services	400 White Spruce Blvd., Suite B, Rochester, NY 14623
Northern Star Medical	60 Finn Road, Suite A, Henrietta, NY 14467
WellNow Urgent Care	18 Courtney Drive, Fairport, NY 14450
Rochester General Hospital	100 Kings Highway South, Rochester, NY 14617
Occupational Safety On Site	1600 Lyell Avenue, Suite C, Rochester, NY 14606

3. Proposals were received from

Firm	Address
WorkFit Medical, LLC	1160 Chili Avenue, Suite 200, Rochester, NY 14624
Finger Lakes Occupational Health Services	400 White Spruce Blvd., Suite B, Rochester, NY 14623
Northern Star Medical	60 Finn Road, Suite A, Henrietta, NY 14467

4. Evaluation criteria

Criteria	Project Experience	Training Staff	References	Scheduling/ Workload	Project Cost	Total Score
Max Points	8	8	4	10	10	40
Points Received	7	6	4	7.5	7.5	32

Bonus Points

City business: 10% of total	.10 x TT
Prime is an MWBE: 10% of total	.10 x TT
Prime uses 10% - 20% MWBE subs	.05 x TT
Prime uses 20%+ MWBE subs	.10 x TT
Workforce goals for M & W met	.10 x 32
BONUS POINTS SUBTOTAL	3.2

TOTAL POINTS RECEIVED by the Firm: (TT) 32 + (BP) 3.2 = 35.2

5. Review team included staff from: Three (3) DES Division of Environmental Quality staff members

6. Additional considerations/explanations: NA

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: **SMD** Date: **10/27/2022**

Form date 1/4/19

Authorizing an agreement for occupational health screening services relating to the REJob 3.0 Training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with WorkFit Medical, LLC to provide occupational health screening services including drug and alcohol testing and independent medical examinations to candidates selected to participate in the City of Rochester Environmental Job (REJob 3.0) Training program. The maximum compensation for the agreement shall be \$23,000, which shall be funded from the United States Environmental Protection Agency (USEPA) Brownfields Job Training grant funds appropriated in Ordinance No. 2022-345. The term of the agreement shall be two years with the option to extend for one additional year upon mutual agreement.

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

Section 3. This ordinance shall take effect immediately.



450

DES08

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Bergmann Associates,
Architects, Engineers, Landscape Architects &
Surveyors, D.P.C. - Conduit Modernization
Project

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$1,200,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Joseph Dopico, C.E.O., 280 East Broad Street, Suite 200, Rochester, New York) for services that include, but are not limited to evaluation, preliminary design, final design, bid phase services, and construction administration for the Conduit Modernization Project. The cost of this agreement will be funded from the 2019-20 (\$293,000) and 2020-21 (\$907,000) Cash Capital Budget.

The three conduits (Conduits 1, 2 and 3) are the main transmission source of drinking water to the City of Rochester. They were installed in phases between 1874 through 1918 and have been rehabilitated in phases over the years. This project will focus on the area of the conduits located south of Rush Reservoir (between West Bloomfield and Honeoye) and the section of conduits crossing underneath the NYS Thruway to improve pressure and flow control. Extensive research has shown the conduits have been experiencing severe corrosion pitting, causing leaks and costly repairs. This project is intended to extend the City's operation and reliability of the conduits to provide clean potable water to its residents for drinking water, fire protection and other uses into the foreseeable future.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. was selected through a request for proposal process as described in the attached summary. Bergmann has successfully completed projects for the City in the past, including the Water Supply Planning Study Rush Reservoir to City in 2006. Bergman has extensive experience in conducting hydraulic modeling, corrosion analysis, and piping rehabilitation/replacement for water systems.

Design is anticipated to begin in winter of 2023 and construction to begin in spring of 2024.

The term of the agreement shall remain until 2 years after the completion of the project.

Respectfully submitted,

Malik D. Evans
Mayor



Vendor / Consultant Selection Process Summary

Department: Environmental Services / Water Bureau

Project / Service Title: Conduit Modernization

Consultant Selected: Bergmann

Method of selection: X Request for Proposal [*Complete 1-7*]
 Request for Qualifications [*Complete 1-7*]
 From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-7*]

1. Date RFP issued (and posted on City web site): June 13, 2022

2. The RFP was also sent directly to:

ARCADIS Costich Engineering, Land Surveying and Landscape Architecture, D.P.C. Erdman Anthony Fisher Associates, P.E., L.S., L.A., D.P.C. Larsen Engineers Marques & Associates Land Surveyors PC MRB Group Pathfinder Engineers & Architects LLP Popli, Architecture + Engineering & LS, DPC Ramboll Razak Associates Architecture, Engineering & Land Surveying PLLC T Y LIN International	Bergmann CPL EDR Companies Labella Associates DPC Joseph C. Lu Engineering, P.C. Meagher Engineering, PLLC Passero Associates Pinewoods Engineering, P.C. Prudent Engineering LLP Ravi Engineering & Land Surveying, PC Stantec Vanguard Engineering PC
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3. Proposals were received from

<u>FIRM</u>	<u>City/ST</u>
ARCADIS	Rochester 14604
Bergmann	Rochester 14604
Ramboll	Rochester 14604

4. Evaluation criteria

<u>Criteria</u>	<u>Weighting Points (%) (possible)</u>	<u>Points received by FIRM (%)</u>
<i>Firm Qualifications</i>	10	8.9
<i>Technical Proposal</i>	40	33.4
<i>Project Team Qualifications</i>	50	41.9
SUBTOTAL (TT)	100	84.2
 <u>Bonus Points</u>		
City business: 10% of total	.10 x TT	10
Prime is an MWBE: 10% of total	.10 x TT	0
Prime uses 10% - 20% MWBE subs	.05 x TT	5

Prime uses 20%+ MWBE subs	.10 x TT	0
Workforce goals for M & W met	.10 x TT	0
BONUS POINTS SUBTOTAL	BP	15

TOTAL POINTS RECEIVED by the Firm: TT + BP = 99.2

5. Review team included staff from: DES/Water Bureau

6. Additional considerations/explanations: This project is required to modernize sections of the Water Bureau's Upland Supply water transmission conduit system (conduits). The conduits are old and have experienced several leaks over the years. This project will focus on the area of the conduits located south of Rush Reservoir (between West Bloomfield and Honeoye) and the section of conduits crossing underneath the NYS Thruway. Extensive research has shown the conduits have been experiencing severe corrosion pitting causing leaks and costly repairs. This project includes evaluation, design, and construction administration of the selected alternative to further extend the City's operation and reliability to provide its residents with drinking water. Bergmann has specific relevant experience in conducting hydraulic modeling, corrosion analysis, and piping rehabilitation for water systems.

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals. MWBE Officer Initials: SMD Date: 10/27/2022

Form date 1/4/19

CITY OF ROCHESTER

CONDUIT - THRUWAY CROSSING
REHAB + PRESSURE
& FLOW CONTROLS

NYS THRUWAY

RUSH
RESERVOIR

CONDUITS

CONDUIT PRESSURE & FLOW
CONTROL IMPROVEMENTS

2022 CONDUIT MODERNIZATION PROJECT

NOTE: The water main locations as shown on this drawing are approximate and should be used for planning purposes only. Prior to any construction, field locations should be verified by calling Dig Safely New York at 1-800-962-7962.

1" = 12,500'

Water Bureau Contact Information

Customer Service - (585)428-5990
Water Bureau Dispatch Office - (585)428-7500
Water Bureau Maps & Records - (585)428-7562

450

Ordinance No.

Authorizing an agreement for the Conduit Modernization 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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide services including but not limited to evaluation, preliminary design, final design, bid phase services and construction administration for the Conduit Modernization Project involving the three main conduits conveying potable water to the City (the Project). The maximum compensation for the agreement shall be \$1,200,000, which shall be funded in the amounts of \$293,000 from 2019-20 Cash Capital and \$907,000 from 2020-21 Cash Capital. The term for the agreement shall continue until two years after completion of the Project.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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

PARKS & PUBLIC WORKS INTRODUCTORY NO.

451

Malik D. Evans
Mayor

DES09

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Bond Authorization – 2023 Water Main
Cured in Place Pipe Project

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,375,000 and appropriating the proceeds thereof to fund a portion of the 2023 Cured in Place Pipe (CIPP) Project.

The 2023 CIPP project will structurally rehabilitate 0.625 miles of deteriorated water mains on the following streets:

Street Name	Limits	Rehabilitation Reason
State Street (Holly System)	Platt St. to 300' South of Platt St.	2 Water Main Breaks Years: 1993 - 1997
South Avenue	Elmwood Ave. to Fort Hill Ter.	6 Water Main Breaks Years: 2004 - 2022
Cynthia Lane	Sandra Lane to North dead end	5 Water Main Breaks Years: 1984 - 2015
Branch Street	Norton Street to North dead end	4 Water Main Breaks Years: 2015 - 2022

This is a trenchless rehabilitation process where a certified installer inserts a felt tube impregnated with a polymer resin into the existing water main. After the material has cured it forms a fully structural close fitting liner pipe within the existing water main, thus extending its useful life.

The total cost of the project is estimated to be \$1,500,000. The balance of funding will be \$125,000 from 2019-20 Cash Capital.

Work is expected to be performed during the spring and summer of 2023. Project design, administration, and construction inspection will be performed by Water Bureau staff.



This project results in the creation and/or retention of the equivalent of 16 full-time jobs.

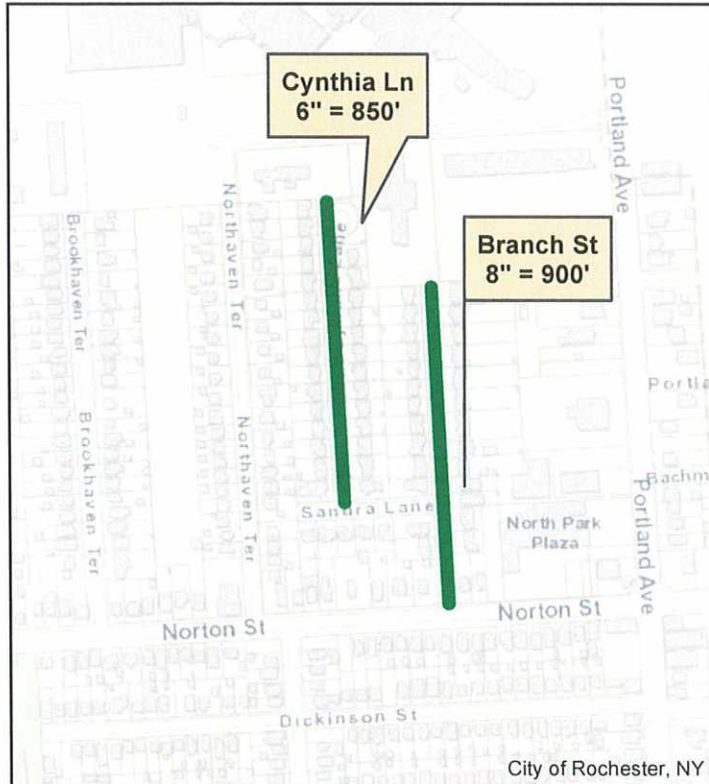
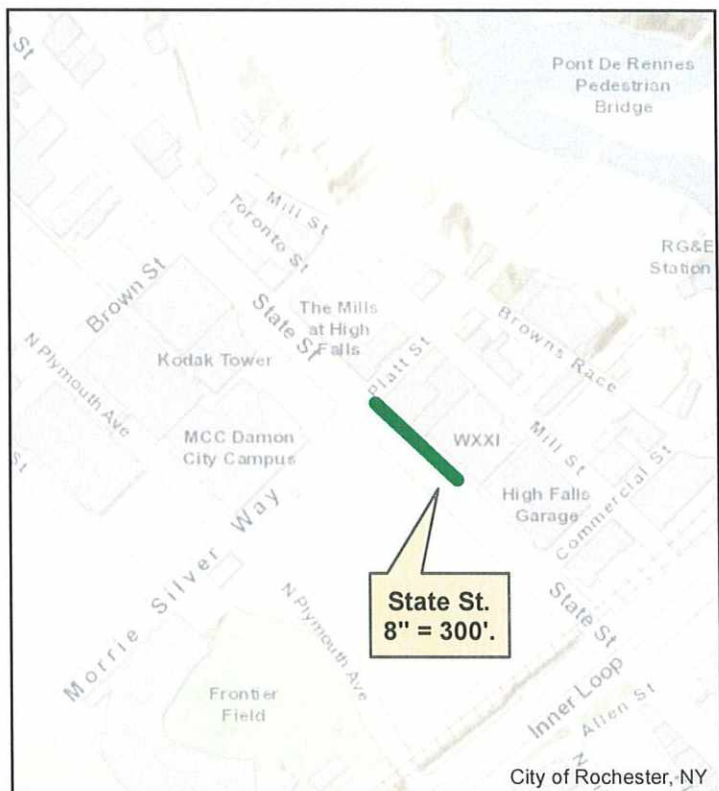
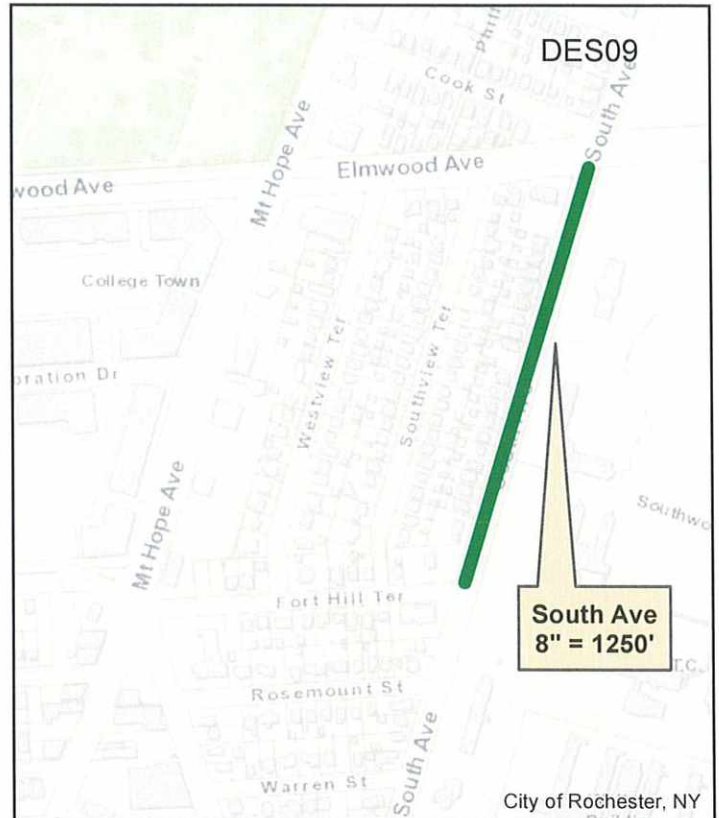
Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans
Mayor

LEGEND

STREETS INVOLVED IN THE
WATER MAIN REHABILITATION



2023 CURED IN PLACE REHABILITATION OF WATER MAINS

10/18/2022

0 250 500
Feet

1" = 500 feet

Water Bureau Contact Information

Customer Service - (585)428-5990
Water Bureau Dispatch Office - (585)428-7500
Water Bureau Maps & Records - (585)428-7562

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,375,000 Bonds of said City to finance a portion of the City's 2023 Water Main Cured in Place Pipe 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 the structural rehabilitation of approximately 0.625 miles of deteriorated water mains through the City's 2023 Water Main Cured in Place Pipe Project, including mains beneath the portions of those streets segments designated on the attached Schedule A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,500,000. The plan of financing includes the issuance of \$1,375,000 bonds of the City, which amount is hereby appropriated for the Project, \$125,000 in 2019-20 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,375,000 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 \$1,375,000. 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.

Schedule A

Street Name	Limits
State Street (Holly System)	Platt Street to 300 feet South of Platt Street
South Avenue	Elmwood Avenue to Fort Hill Terrace
Cynthia Lane	Sandra Lane to North dead end
Branch Street	Norton Street to North dead end



City of Rochester

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

PARKS & PUBLIC WORKS INTRODUCTORY NO.

452

Malik D. Evans
Mayor

DES10

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Bond Authorization – 2023 Water Mains
Extensions & Improvements Project

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$900,000 and appropriating the proceeds thereof to fund a portion of the 2023 Water Mains Extensions and Improvements Project.

This project will replace 1,300 feet of deteriorated and deficient 6-inch water main on State Street between Lyell Avenue and Brown Street. This section of water main has experienced 4 water main breaks between the years of 1999 and 2021. This project will also include replacement of lead services as identified during the project.

The funds provided will be used to replace the existing water main and residential lead services to increase the safety and reliability of the water system, and to reduce the amount of lead in the drinking water.

The total cost of the project is estimated to be \$1,000,000. The balance of funding will be \$100,000 from 2019-20 Cash Capital.

Work is expected to be performed during the spring and summer of 2023. Project design, administration, and construction inspection will be performed by Water Bureau staff.

This project results in the creation and/or retention of the equivalent of 10 full-time jobs.

Respectfully submitted,


Malik D. Evans
Mayor





DES10

LEGEND

 WATER MAIN TO BE REPLACED

STATE ST.
LYELL AVE TO BROWN ST.
NEW 6" MAIN
1300 ft.



**2023 WATER MAIN RENEWAL
WATER MAIN
EXTENSIONS AND IMPROVEMENTS**

10/4/2022

0 250 500
Feet

1" = 500 feet

Water Bureau Contact Information

Customer Service - (585)428-5990
Water Bureau Dispatch Office - (585)428-7500
Water Bureau Maps & Records - (585)428-7562

452

Ordinance No.

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$900,000 Bonds of said City to finance the costs of the 2023 Water Mains Extensions and Improvements 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 costs of replacing approximately 1,300 linear feet of water main located on State Street between Lyell Avenue and Brown Street (the "Project"). The estimated maximum cost of this portion of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$900,000 bonds of the City, which amount is hereby appropriated for the Project, \$100,000 in 2019-20 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$900,000 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 \$900,000. 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.



City of Rochester

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

PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

453

December 1, 2022

POLICE21

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – RASE Funds – Early Warning
Software for RPD

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$100,000 annually for up to five years for an agreement with Benchmark Analytics & Consulting, Inc. (Principal: Ron Huberman), Chicago, IL, for the annual software licensing, integration fees, project management, training, and technical support costs of the Benchmark personnel management system. The system consists of three integrated modules: Benchmark Management System, First Sign Early Intervention, and Case Action Response Engine. The cost of this agreement will be funded from the 2022-23 Budget of Undistributed RASE allocations for the first year, and from future budgets of the Police Department upon approval for the additional years. The term of the agreement will be for three years with the option to renew for two additional one-year periods.

The RASE Commission recommended that the Rochester Police Department review its early warning and risk management workflows to ensure any personnel concerns are identified and addressed as quickly as possible. Benchmark Analytics' system is a comprehensive, top-to-bottom software platform offering several analytics-driven, integrated management modules designed to capture all of the day-to-day operational data points in one location. Specifically, the First Sign Early Intervention module is the only existing software-enabled, research-based early warning and intervention model available today.

Benchmark Analytics' system is scalable and configurable to address the specific requirements, policies, goals and mission of the department and can be designed to integrate with RPD's existing systems. Furthermore, it provides a complete view of the police department to ensure the integrity and safety of all officers, units and supervisors.

A No RFP Justification Statement is attached.

Respectfully submitted,

Malik D. Evans
Mayor



NO RFP JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$10,000, and
2. To the contract record when entered in Munis.

Department: Rochester Police Department

Services(s): Technology Application and Professional Services

Vendor/Consultant selected: Benchmark Analytics & Consulting, Inc.

How was the vendor selected?

Why was no RFP issued for this service?

(Your rationale should include the following information when applicable)

- Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.

It is in the City's best interest to procure Benchmark Analytics' personnel management system because it advances our reviewer's recommendations (RASE Commission, Executive Order 203, etc.) advocating for a more robust risk management tool to enable RPD to provide greater transparency and accountability. Benchmark Analytics' proprietary and patented system would provide RPD the ability to more efficiently assimilate and analyze data. Three modules in their system provide a comprehensive picture of officer performance and progress, alerts RPD management when the Benchmark predictive algorithm shows an officer to have indicators of potential harm to themselves or someone else and provides tailored case planning to address the officer's risk factors.

- Are there **unique** or **emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.

For RPD to become more responsive and improve officer performance, the Department needs to advance its technological capacity to integrate data sources that provide a complete picture of officer work inputs. An RFP process would unnecessarily delay RPD's ability to analyze all those disparate data to produce an accurate picture of officer performance and to prevent potential harm to the community and officers. The public demand for a fundamental change in public safety should not be delayed further to run a competitive process which will yield Benchmark as the only vendor able to provide this service.

-
- Is the service **specialized and unique**? Is the number of **qualified providers limited**? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.

The First Sign Early Intervention module is a unique product, developed from years of research by the University of Chicago. Benchmark Analytics has the sole distribution rights with the University of Chicago for the algorithm developed with this research, representing an evidence-based best practice in identifying warning signs that officers could hurt themselves or someone else. There is currently no other company offering this system to integrate our myriad siloed data sources and perform specific analyses for assessing and altering behavior that may result in harm to themselves or someone else.

- *Benchmark Analytics is partially owned by the University of Chicago and is the exclusive licensee and sole distributor of the University of Chicago Center for Data Science and Public Policy's Early Warning/Intervention model.*
 - *The University of Chicago's multi-year research base as well as the corresponding copyrighted, proprietary predictive models have been commercialized in the marketplace by the licensee, Benchmark Analytics, as First Sign Early Intervention. As such, First Sign is the only existing software-enabled, research-based Early Warning/Intervention model available for purchase in the market today.*
 - *Benchmark has a unique patent on Systems and Methods for Identifying an Officer at Risk of an Adverse Event – Patent Number US2021/0216927*
 - *Benchmark has a unique patent on Systems and Methods for Generating Use of Force Indicators – Patent Number US2022/0012669*
- Does the project include **multi-year State or Federal funding**? Explain why it is in the best interest of the project and the City to continue with the same consultant (e.g. where the design consultant on a project is retained for resident project representation services).

The project does not include multi-year State or Federal funding. This would be the City's initial contract with Benchmark Analytics.

Compensation

Amount: \$100,000 annually for three-years with the option to renew for two one-year periods.

How was this determined? Explain how it is a reasonable and best value for the City.

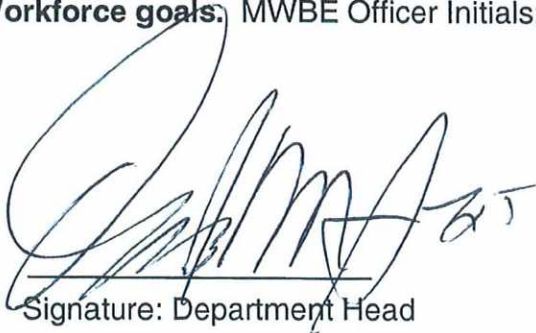
We feel this solution would put RPD in the best position to deliver on our reviewer's recommendations advocating for a more robust risk management tool to enable RPD to provide greater transparency and accountability. A single, scalable solution

capable of meeting RPD's growing data modernization needs provides additional value for enhanced data governance and process fidelity. While other vendors may offer a small subset of the functionality offered by Benchmark, they

cannot offer a single comprehensive system that looks at all aspects of officer performance that managers need to monitor in a police organization. Purchase of multiple systems that don't talk to each other or integrate existing RPD data is an inefficient way to monitor performance, and likely an unsuccessful one. Furthermore, working with multiple vendors to acquire, maintain, and integrate into RPD systems, would be duplicative of internal IT personnel time, and expensive to maintain.

The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals. MWBE Officer Initials: **SMD**

Date: **11/10/2022**



Signature: Department Head

11/14/22
Date

Form date 1/7/19

453

Ordinance No.

Authorizing an agreement relating to Early Warning Software for the Police Department

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 Benchmark Analytics & Consulting, Inc. to provide software licensing, integration, project management, training and technical support to establish a personnel management system for the Rochester Police Department that includes First Sign Early Intervention and a Case Action Response Engine (the System). The agreement shall have a term of three years, with the option to extend for up to two additional periods of one year each. The maximum annual compensation shall be \$100,000, which shall be funded from the 2022-23 Budget of Undistributed Expenses for the first year and from a future year's Budget of the Police Department for each subsequent year, contingent upon approval of the future year's budget.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
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PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

454

FIRE 24

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement Amendment– City of Rochester
Alerting System

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Bryx, Inc. (Rochester, NY, David Earl Thomas, President) to upgrade the City's Fire Station Alerting System. The legislation will increase the maximum compensation for the existing agreement, which was authorized by Ordinance No. 2020-77 and amended by Ordinance No. 2021-323, by \$382,363 to a new total of \$1,434,363. All other terms and conditions of the agreement will remain the same, including the 3-year term.

In 2020, the Rochester Fire Department embarked upon an upgrade to the Fire station alerting system that automates the dispatch and alerting process for fire and rescue personnel to respond to emergency incidents. This amendment will enable a modification of hardware infrastructure discovered of 15 firehouse locations during installation. The hardware discovered is outdated and will become obsolete over time if not replaced with new hardware that is compliant with the Bryx fire alerting system. The modification of hardware will improve software and hardware compliance with the new fire alerting system, to further ensure seamless functioning of the system.

The amendatory amount will be funded from bond proceeds authorized for this project in Ordinance No. 2020-249.

Respectfully submitted,

Malik D. Evans
Mayor



454

Ordinance No.

Authorizing an amendatory agreement for the 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 an amendatory agreement with Bryx, Inc. to provide additional services, hardware and software for the Fire Station Alerting System (System). The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2020-277 and amended in Ordinance No. 2021-323 by increasing the maximum compensation by \$382,363 to a new total of \$1,434,363. The amendatory amount shall be funded from bond proceeds appropriated for the Project in Ordinance No. 2020-249.

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

Section 3. This ordinance shall take effect immediate.



City of Rochester

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PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

455

December 1, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Inter-Municipal Agreement - Monroe County,
Firearms Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675. The term of the agreement is January 1, 2023 through December 31, 2023.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2022-23 Budget of the Police Department.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

455

Ordinance No.

Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe in the amount of \$55,675 to reimburse the City for providing firearms instruction to Monroe County police agencies through the Firearms Instruction Program. The term of the agreement shall be January 1, 2023 through December 31, 2023.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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RECREATION & HUMAN SERVICES COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

456

December 1, 2022 DRHS 18

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Asure Software, Inc.

Council Priority: Support the Creation of Effective
Education Systems

Comprehensive Plan 2034 Initiative Area: Fostering
Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$17,000 as maximum annual compensation for an agreement with Asure Software, Inc. (Patrick Geopel, CEO, Austin, TX) for payroll processing services related to the Summer of Opportunity Youth Employment Program (SOOP). The cost of this agreement will be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) and future budgets of DRHS, contingent upon approval. The term of the agreement will be for one year with the option to renew for two additional one year terms.

Asure Software, Inc., a USA Payroll Company, has been a partner of the Summer of Opportunity (SOOP) program for the past five years. Under this agreement, Asure Software, Inc. will execute payroll processing that includes setting up direct deposit; processing time and attendance; printing and delivering stipends; printing and delivering 1099s for summer and school year youth participants.

The Youth Employment Services program subsidizes youth internship placements at external agencies, in addition to City Departments. Due to the volume and frequency of stipend payments it is necessary to work with an external payroll company to ensure time and attendance are recorded accurately to ensure that stipends are processed and paid out in a timely manner. Through the relationship with Asure Software, Inc. DRHS has been able to expand the number of partner companies that we work with to provide a variety of internships to City youth.

The Summer of Opportunity program employed 264 unduplicated youth last year.

This agreement was last authorized on December 14, 2021 through City Council Ordinance 2021-416.

Respectfully submitted,

Malik D. Evans
Mayor



NO RFP JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$10,000, and
2. To the contract record when entered in Munis.

Department: DRHS **Services(s):** Summer of Opportunity and School year payroll processing

Vendor/Consultant selected: Asure Software

How was the vendor selected? This vendor was selected based on prior experience with DRHS.

Why was no RFP issued for this service?

(Your rationale should include the following information when applicable)

- Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.

The SOOP program has been working with Asure Software, formerly knowns as USA Payroll for the past 5 years. The vendor has served as the payroll processing contractor for the Summer of Opportunity program and the school year program. It is in the best interest of the City to continue with this vendor as it is the most cost-effective and will avoid a gap in service and paying youth for their employment. Since we employ youth year-round, a change in vendor at any point in the year could interrupt services and jeopardize youth getting paid or recording their employment hours.

- Are there unique or **emergency circumstances**? Describe how an RFP process would jeopardize the success of the project.

The Youth Employment Services program employs youth at worksites outside of City Departments. Due to the volume and frequency of payroll, it is necessary to work with an external payroll company to ensure time and attendance are recorded accurately and payroll is processed in a timely manner.

- Is the service **specialized and unique**? Is the number of **qualified providers limited**? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.

Asure Software provides payroll processing at a much lower rate than its competitors. In, addition, competitors charge processing fees even when services are not being rendered.

- Does the project include **multi-year State or Federal funding**? Explain why it is in the best interest of the project and the City to continue with the same consultant (e.g. where the design consultant on a project is retained for resident project representation services).

NO

Compensation Amount: \$16, 563.00

How was this determined? Explain how it is a reasonable and best value for the City.

One-time system setup fee: \$109

Per Payroll Frequency: \$7,785.44 (\$0.76 per employee)

One-time employee set-up: \$2,232.01 (\$11.33 per employee)

Monthly processing fee: \$6,435.99 (\$2.72 per employee)

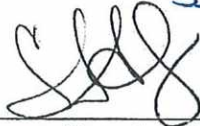
It is in the best interest of the City to continue with this vendor as it is the most cost-effective; Asure Software provides payroll processing at a much lower rate than its competitors and will save the City money as this vendor does not charge fees during periods when services are not rendered.

The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals.

MWBE Officer Initials:

SMD

Date: 11/10/2022



11.10.22

Signature:

Department Head

Date

INTRODUCTORY NO.

456

Ordinance No.

Authorizing an agreement for payroll processing services related to the Summer of Opportunity program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Asure Software, Inc. to provide payroll software and services for the Summer of Opportunity Youth Employment program. The term of the agreement shall be one year with the option to extend for up to two additional periods of one year each. The maximum annual compensation for the agreement shall be \$17,000, which shall be funded in the amount of \$17,000 from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the first year, and in the amount of \$17,000 from future budgets of DRHS for each optional extended year, contingent upon the approval of said future budgets.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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RECREATION & HUMAN SERVICES COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

457

December 1, 2022 DRHS 19

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Takiyah Butler, Consultant for
Flower City AmeriCorps Program

Council Priority: Jobs and Economic Development;
Support the Creation of Effective Educational
Systems

Comprehensive Plan 2034 Initiative Area: Fostering
Prosperity and Opportunity

Transmittal herein for your approval is legislation establishing \$10,000 as maximum annual compensation for an agreement with Takiyah Butler, dba Excelsior Performance Group (Rochester, NY) for providing support, professional development, and program evaluation assistance for the Flower City AmeriCorps (FCA) program.

The term of the agreement will be for one year, starting January 1, 2023 to December 31, 2023, with an option to renew for a second one year term. The cost of this agreement will be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) and the 2023-24 Budget of DRHS contingent upon approval. This expense was included in the budget of the grant the City received from the New York State Office of Child and Family Services to run the FCA program, which was approved by Council via Ordinance No. 2022-320 on October 18, 2022.

This agreement needs Council approval as it will put the vendor over the \$10,000 threshold for agreements for the fiscal year.

Takiyah Butler of the Excelsior Performance Group has been working the FCA staff and members over the past year, meeting individually with FCA members to review their professional goals, conducting monthly professional development trainings with members, and reviewing members' goals with FCA staff. Additionally, the Excelsior Performance Group will be working with FCA staff to complete the grant-required program evaluation on the affect that the program has on members' professional growth and development.

The Excelsior Performance Group was selected for these services based on the personal experience of being an AmeriCorps member and being able to engage the members in their professional development journey. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,

Malik D. Evans
Mayor



NO RFP JUSTIFICATION STATEMENT

Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$10,000, and
2. To the contract record when entered in Munis.

Department: DRHS/Flower City AmeriCorps

Services(s): Consulting

Vendor/Consultant selected: Excelsior Group

How was the vendor selected? Based upon the Consultant's previous experience providing similar experience and the City's experience working with the consultant

Why was no RFP issued for this service?

(Your rationale should include the following information when applicable)

- Is there **previous experience** with the vendor?
 - Yes, Flower City AmeriCorps (FCA) has been working with the Excelsior Group for the past year in a similar capacity. Specifically, Takiyah Butler of the Excelsior Group has shown to have a unique skill set that applies to AmeriCorps Program Design and focus. She is extremely knowledgeable in AmeriCorps policies, procedures, and grant expectations and has made an impact on both the FCA members and program.
- Are there unique or **emergency circumstances**?
 - The funder of this program, New York State Office of Children and Family Services, expects AmeriCorps programs to work with a coach/consultant to assist with the members and the program evaluation. The expectation includes sharing program outcomes within a certain timeframe. The RFP process will jeopardize the City's ability to meet that deadline.
- Is the service **specialized and unique**? Is the number of **qualified providers limited**?
 - Yes, the service is unique which limits the number of qualified providers for this service. The service from the consultant entails the ability to work with AmeriCorps members, staff and community partners to develop an impact evaluation of members as it relates to FCA's program design. The service entails understanding the unique FCA quad model and the use of team leaders to leverage community members and how their projects impact community and themselves. This is year 8 of FCA, which means our program is obligated by our funders to provide an evaluation. We decided to provide an impact evaluation to show how FCA members are impacted by the program overall. This will require a coach working with quad teams, facilitating coaching, leadership and team building strategies during training days, and working one on one with members creating personalized goal action plans, to create a good program impact evaluation. Additionally, since FCA has existed for 8 years, there is understanding of the array of potential

consultants that will impact the program and members, which is why the Excelsior Group was chosen.

- Does the project include **multi-year State or Federal funding**? Explain why it is in the best interest of the project and the City to continue with the same consultant (e.g. where the design consultant on a project is retained for resident project representation services).
 - FCA is funded through a three-year grant from the New York State Office of Children and Family Services, starting 11/1/2022-1/31/2025. The consultant has already delivered quality service for the past year, which includes developing a great rapport with FCA staff and members. The funders like to see a final program impact evaluation at the end of the 3 years, so it makes sense to have the same consultant for the life of the grant.

Compensation Amount: \$10,000

How was this determined? Explain how it is a reasonable and best value for the City.

- The Consultant provided her EPG Scope which included a breakdown of her \$600.00 an hour fee or an annual fee of \$10,000. This is a market-based rate for the same or similar services. The cheaper option for the City was to pay the \$10,000 for the annual fee.

The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals.

MWBE Officer Initials:

SMD

Date: 11/10/2022

SMD

11.10.22

Signature: Department Head

Date

457

Ordinance No.

Authorizing an agreement relating to the Flower City AmeriCorps program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Takiyah Butler to provide support, professional development, and program evaluation assistance for the Flower City AmeriCorps program. The term of the agreement shall be one year, with the option to extend for one additional one-year period. The maximum annual compensation for the agreement shall be \$10,000, which shall be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the initial term, and from the 2023-24 Budget of DRHS for the optional one-year extension contingent upon approval of said budget.

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

Section 3. This ordinance shall take effect immediately.



RECREATION & HUMAN SERVICES COMMITTEE INTRODUCTORY NO.

Malik D. Evans
Mayor

458

December 1, 2022 DRHS 20

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreements – New York State Department of
Health, Comprehensive Adolescent Pregnancy
Prevention Grant

Council Priority: Support the Creation of Effective
Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State Department of Health Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant program to address unintended teen pregnancy. This legislation will:

1. Authorize an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$299,204 for the January 1 through June 30, 2023 program period.
2. Amend the 2022-23 Budget of the Departments of Recreation and Human Services by \$90,100 and Undistributed Expenses by \$47,800 to reflect \$137,863 in grant funds apportioned to personnel expenses for four full-time employees for January 1 through June 30, 2023.
3. Establish \$116,208 as total maximum compensation for the following agreements, funded from the grant authorized herein, for a term of January 1 through June 30, 2023:

Anthony L. Jordan Health Center (Dr. Janice Harbin, President and CEO)	\$10,000
Baden Street Settlement, Inc. / Metro Council for Teen Potential (Ron Thomas, Executive Director)	\$41,621
Society for the Protection and Care of Children (Laurie Valentine, CEO)	\$36,295
YWCA of Rochester and Monroe County (Dr. Myra Henry, President and CEO)	\$28,292

4. Appropriate the remaining \$45,133 in grant funding that will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, and apparel as well as indirect expenses.

The goal of the NYSDOH CAPP Grant program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to provide evidence based curricula in the Rochester City School District (RCSD), Charter schools, R-Centers and community based agency settings, reduce adolescent pregnancy and sexually transmitted infection rates in the City of Rochester and improve high school graduation rates.



The City has received this grant for more than ten years. This was last authorized by City Council Ordinance 2022-34.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'ME', followed by a long horizontal flourish.

Malik D. Evans
Mayor

458

Ordinance No.

Authorizing agreements and funding and amending the 2022-23 Budget for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$299,204 in funding for the Comprehensive Adolescent Pregnancy Prevention Program (Program) for the January 1, 2023 to June 30, 2023 Program period.

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Human Services (DRHS) by \$90,100 and to the Budget of Undistributed Expenses by \$47,800.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with each of the following organizations to provide Program services for a term of one year and for a maximum compensation amount specified as follows:

Anthony L. Jordan Health Center	\$10,000
Baden Street Settlement, Inc. / Metro Council for Teen Potential	\$41,621
Society for the Protection and Care of Children	\$36,295
YWCA of Rochester and Monroe County	\$28,292
TOTAL	\$116,208

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into an amendatory agreement with one or more of the other providers to use the unexpended funds to provide additional Program services. The agreements shall be funded from the Program grant authorized in Section 1 herein.

Section 4. Funds in the amount of \$45,133 from the Program grant authorized in Section 1 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

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

Section 6. This ordinance shall take effect immediately.