



## City of Rochester

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

## PARKS & PUBLIC WORKS INTRODUCTORY NO.

Malik D. Evans  
Mayor

DES01

January 3, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Erdman Anthony and  
Associates, Inc. – City Hall Cooling Tower  
Replacement and HVAC System Assessment

Council Priority: Creating and Sustaining a Culture of  
Vibrancy

Transmitted herewith for your approval is legislation related to the City Hall Cooling Tower Replacement and HVAC System Assessment. This legislation will authorize an amendatory agreement with Erdman Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York). The original agreement authorized by Ordinance No. 2021-19 established maximum compensation at \$130,000. This amendment will increase the compensation by \$113,600, to a maximum total of \$243,600. The amendatory agreement will be financed from debt authorized by Ordinance No. 2021-18.

The project consists of the replacement of two existing cooling towers and the investigation, assessment, cost estimating and prioritization of additional City Hall mechanical systems for future capital planning. During preliminary design, it was determined that replacing the existing cooling towers in the same location was not feasible due to the need for increased capacity and to comply with current New York State Mechanical Code requirements. The amendment includes, but is not limited to, additional design services related to the change in location of the equipment and for expended assessments of related building systems.

Construction is anticipated to begin in late 2023.

The additional funding for the project will result in the creation and/or retention of the equivalent of 1.2 full-time jobs.

The term of the agreement shall remain unchanged, and shall extend until three (3) months after the completion of the (2) two year guarantee inspection of the project.

Respectfully submitted,

Malik D. Evans  
Mayor



**1**

Ordinance No.

**Authorizing an amendatory agreement relating to the City Hall Cooling Tower Replacement and HVAC System Assessment**

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 Erdman, Anthony and Associates, Inc. to provide design and construction oversight services for the City Hall Cooling Tower Replacement and HVAC System Assessment (Project). The amendatory agreement shall amend the agreement authorized in Ordinance No. 2021-19 by increasing the maximum compensation by \$113,600 to a new total of \$243,600 and by limiting the scope of services devoted to the cooling tower replacement to professional preliminary design services until such time as environmental impact review of the cooling tower replacement is completed in accordance with the State Environmental Quality Review Act and City Code Chapter 48. The amendatory compensation shall be funded from the proceeds of bonds appropriated to the Project in Ordinance No. 2021-18.

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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## PARKS & PUBLIC WORKS INTRODUCTORY NO.

Malik D. Evans  
Mayor

2

DES02

January 3, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Stantec Consulting Services, Inc., 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 & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Stantec Consulting Services, Inc. (James Hoffmann Jr, Rochester, NY) related to the Joseph A. Floreano RRCC South Terrace and Addition Project. This legislation will amend Section 2 of Ordinance No. 2021-53, which authorized \$950,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development (ESD) as maximum compensation for an agreement with Stantec Consulting Services, Inc. for engineering design services for the Project. This amendment will reduce \$475,000 in anticipated reimbursements for design only appropriated in Ordinance No. 2021-53 and replace the funds with \$475,000 in American Rescue Plan Act (ARPA) funds appropriated in Ordinance No. 2022-379. This amendment will not result in any change to the project scope or overall total design and construction project funding.

The anticipated reimbursements from ESD are limited to 50% for both design and construction. This amendment reduces the ESD amount being utilized for the design portion of the project and replaces it with ARPA funds to reflect the required 50% City match.

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 that participate in convention center events and enjoy the spectacular views of the Genesee River simultaneously. The project will also include, but is not limited to, RRCC building façade and 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.

Consultant services for design of the project began in spring 2021 and are in progress. The final design of project improvements shall not commence until such time as an environmental impact review of the Project, under the State Environmental Quality Review Act, is completed.



Construction is anticipated to begin in spring 2024 and be substantially complete in late 2026.

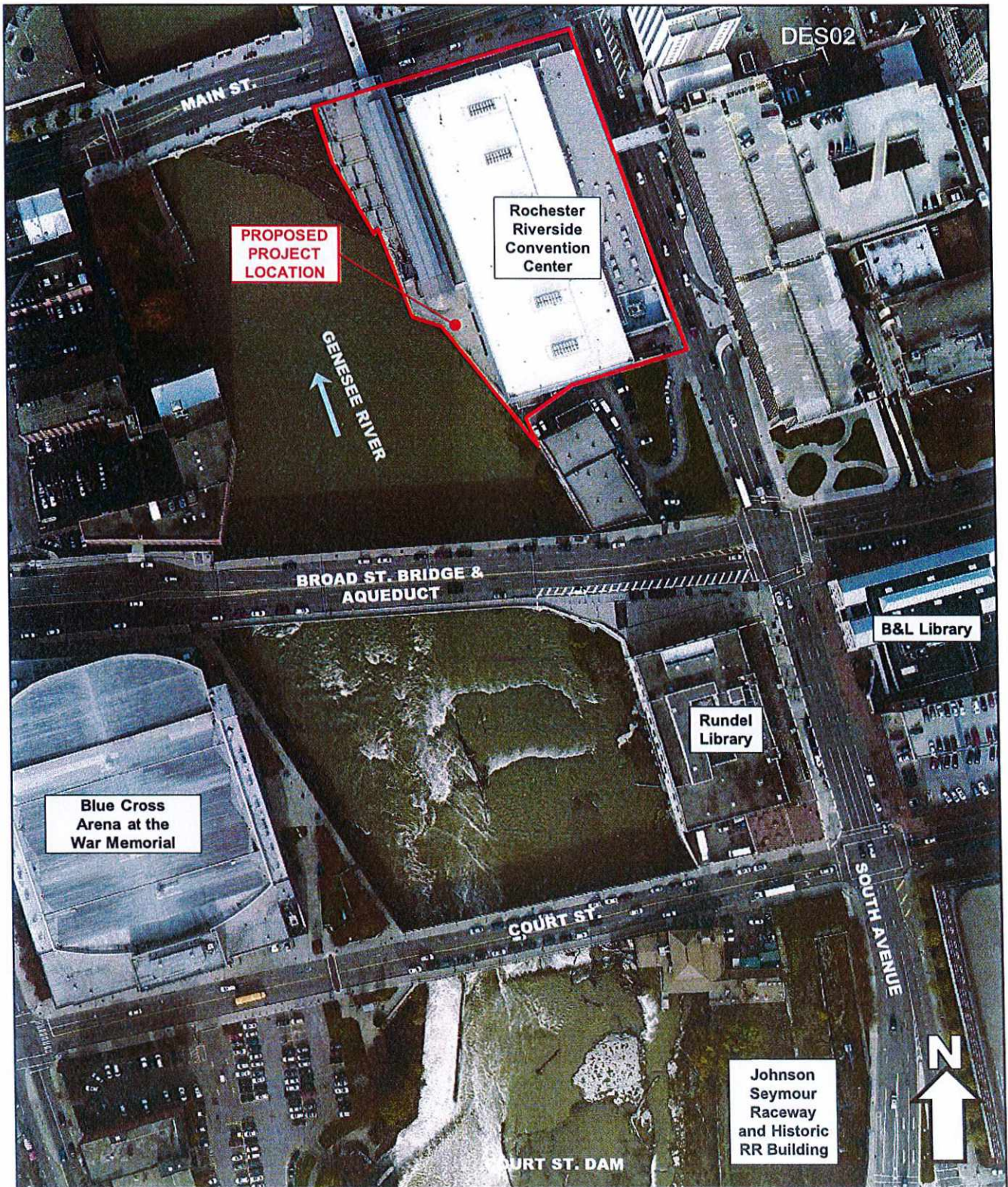
The term of the agreement shall be amended and shall extend until three (3) months after the completion of the (2) two year guarantee inspection of the Project, provided that the payment terms comply with the requirements of the American Rescue Plan Act of 2021 inclusive of the December, 2026 spending deadline.

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





**Project Location Aerial Map**  
**RRCC South Terrace and Addition Project**  
**City of Rochester, New York**



2

Ordinance No.

**Amending Ordinance No. 2021-53 relating to the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition**

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

Section 1. Sections 1 and 2 of Ordinance No. 2021-53, authorizing funding and an agreement for the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition, is hereby amended as follows:

Section 1. The Council hereby appropriates ~~\$950,000~~ \$475,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development to fund engineering and design services for the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition (Project). The Mayor is hereby authorized to execute an agreement and such other documents as may be necessary to receive and administer the funding.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. to provide site and engineering surveys, State Environmental Quality Review Act (SEQRA) review, programming, and design for the Project. The maximum compensation shall be \$950,000, which shall be funded from the appropriation authorized in Section 1 herein and from \$475,000 in American Rescue Plan Act funding appropriated for the Project in Ordinance No. 2022-379. The scope of services authorized herein shall be limited to professional preliminary design services until such time as environmental impact review of the Project is completed in accordance with SEQRA and City Code Chapter 48. The term of the agreement shall be two years extend until three months after completion of the two-year guarantee inspection of the Project, provided that the payment terms comply with the requirements of the American Rescue Plan Act of 2021.

Section 2. This ordinance shall take effect immediately.

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## PARKS & PUBLIC WORKS INTRODUCTORY NO.

Malik D. Evans  
Mayor

3

DES03

January 3, 2022

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Barton & Loguidice, D.P.C. –  
Maplewood Park Trail Rehabilitation

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 Barton & Loguidice, D.P.C. (John F. Brusa, Jr., C.E.O., 443 Electronics Parkway, Liverpool, New York) for design services for the Maplewood Park Trail Rehabilitation project. The cost of the agreement will be financed from 2022-23 Cash Capital.

The project includes trail improvements and enhancements to the Maplewood Park segment of the Genesee Riverway Trail. The existing trail requires repairs and modifications to provide a safe and accessible user experience.

The consultant will provide preliminary engineering, State Environmental Quality Review Act (SEQRA) review, final design, and construction administration services. The final design of project improvements shall not commence until such time as an environmental impact review of the Project, under the State Environmental Quality Review Act, is completed.

Barton & Loguidice, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary.

Consultant services for design will commence in early spring 2023 with construction anticipated to begin in late 2024. The project will result in the creation and/or retention of the equivalent of 1.62 full-time jobs.

The term of the agreement shall extend until three (3) months after the completion of the (2) two year guarantee inspection of the project.

Respectfully submitted,

Malik D. Evans  
Mayor





### Vendor / Consultant Selection Process Summary

**Department:** DES/ Bureau of Architecture and Engineering  
**Project / Service Sought:** Maplewood Park Trail Enhancements  
**Consultant Selected:** Barton & Loguidice, 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 30, 2022

**2. The RFP was also sent directly to:** List of 25 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	180 Charlotte Street, Rochester, NY
GPI	150 State Street, Suite 100, Rochester, NY
LaBella Associates	300 State St, Suite 201, Rochester, NY

#### 4. Evaluation criteria

<u>Criteria</u>	<u>Weighting</u>	<u>Points possible</u>	<u>Average Points received by B&amp;L</u>
Technical Proposal	40%	40	34
Team Qualifications	50%	50	34
Firm Qualifications	10%	10	7
<b>TOTAL</b>		<b>100</b>	<b>75</b>

#### Bonus Criteria

City business	10% of total=	10
M/WBE firm	10% of total=	0
M/WBE utilization	10%-20% of total=	5
M/WBE utilization	>20% of total=	10
Minority Workforce	10% of total=	10

**TOTAL RATING WITH BONUS = 107**

**5. Review team included staff from:** DES/Architecture & Engineering (3), DES/Construction (1)

**6. Additional considerations/explanations:** All of the firms filled out the workforce utilization forms, only two firms showed capacity to meet workforce goals.

**7. MWBE Officer has reviewed the recommended firm's proposal for meeting MWBE and Workforce goals.** MWBE Officer Initials: *SMD* Date: 12/5/2022

# Maplewood park Trail Enhancements

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
Ms.	Jennie	Bills-Standard		Bergmann
Mr.	Peter	Vars	P.E.	BME Associates, PC
Mr.	James F.	Morrissey	P.E.	C&S Companies
Mr.	Frank	DeSignore	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
Mr.	Sean	Phelan	P.E.	Hunt Engineers, Architects & Land Surveyors
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
Mr.	Lisa	Fingar	RLA	SWBR
Ms.	Karlee	Danek		Wendel Companies
Mr.	Christopher	Kambar	P.E.	APD Engineering and Architecture, PLLC
Mr.	William	McCormick	P.E.	Erdman Anthony
Ms.	Krista	Greer	P.E.	JM Davidson, DPC
Mr.	Rodney	Prosser	P.E.	Lakeside Engineering
Mr.	Ram	Shrivastava	P.E.	Larsen Engineers
Mr.	Cletus	Ezenwa	P.E.	Lu Engineers
Mr.	Brian	Danker	P.E.	M/E Engineering, PC
Mr.	Robert	Bringley	P.E.	Marathon Engineering
Mr.	Greg	McMahon	P.E.	McMahon LaRue Associates PC
Ms.	Wendy	Meagher	P.E.	Meagher Engineering PLLC
Mr.	James	Oberst	P.E.	MRB Group
Ms.	Helen	Kashtan		Pathfinder Engineers & Architects, LLP
Ms.	Sara	Gilbert	P.E.	Pinewoods Engineering PC
Mr.	Jeffrey	Fick	P.E.	Popli Design Group
Ms.	Diana	Robinson	P.E.	Professional Engineer PC
Mr.	Philip	Thayaparan	P.E.	Prudent Engineering LLP
Mr.	Nagappa	Ravindra	P.E.	Ravi Engineering & Land Surveying
Mr.	Robert	Radley	P.E.	TY Lin International Co.
Mr.	Joe	Ardieta	P.E.	Vanguard Engineering PC



DES03



**PROPOSED VETERAN'S BRIDGE DIVERTER**

**EXISTING GENESEE RIVERWAY TRAIL**

**PROPOSED PAVING SECTION**

**PROPOSED SWITCHBACK TRAIL**

W RIDGE RD

LAKE AVE

DEWEY  
AVE

GENESEE RIVER

ST PAUL ST

EL CAMINO TRAIL

NORTON ST

ROUTE 104

DRIVING PARK AVE

LOWER  
FALLS  
PARK

## Maplewood Park Trail Rehabilitation

Project Location Map

Map Not To Scale





3

Ordinance No.

**Authorizing an agreement for the Maplewood Park Trail Rehabilitation project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Barton & Loguidice, D.P.C. to provide preliminary engineering, State Environmental Quality Review Act (SEQRA) review, final design and construction administration services for the Maplewood Park Trail Rehabilitation project to improve and enhance Maplewood Park's segment of the Genesee Riverway Trail (Project). The maximum compensation shall be \$150,000, which shall be funded from 2022-23 Cash Capital. The scope of services authorized herein shall be limited to preliminary design services until such time as environmental impact review of the Project is completed in accordance with SEQRA and City Code Chapter 48. The term of the agreement shall extend until three months after completion of the two-year guarantee inspection of the Project.

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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PARKS & PUBLIC WORKS  
INTRODUCTORY NO.

4, 5, 6, 7, 8

Malik D. Evans  
Mayor

DES04

January 3, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: 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:

1. Authorize the issuance of street bonds totaling \$500,000 and the appropriation of the proceeds thereof to finance the street portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Authorize the issuance of water bonds totaling \$50,000 and the appropriation of the proceeds thereof to finance the water portion of the construction and RPR services for the project; and,
3. Establish \$400,000 as maximum compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Joseph Dipico, C.E.O., 280 East Broad Street, Rochester, New York) for RPR services for the project. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
4. Authorize a change in the direction of traffic flow on Aqueduct Street between Bank Place and East Main Street from two-way to one-way southbound; and,
5. Authorize a change in the direction of traffic flow on Bank Place between Exchange Boulevard and Aqueduct Street from one-way eastbound to one-way westbound; and,
6. Authorize a change in the direction of traffic flow on Graves Street between Race Street and East Main Street from one-way northbound to two-way; and,
7. Authorize geometric changes in pavement width required as follows:
  - A. On Aqueduct Street:
    - i. A decrease from the existing variable pavement width of approximately 41 feet to 44 feet to a proposed pavement width of 20 feet, beginning at Bank Place and continuing northward approximately 140 feet; and,





- ii. A decrease from the existing variable pavement width of approximately 43 feet to 28 feet to a proposed pavement width of 12 feet, beginning approximately 140 feet north of Bank Place and continuing northward to Basin Street; and,
  - iii. A decrease in pavement width of approximately 6 feet, from approximately 18 feet to 12 feet, from Basin Street to approximately 25 feet south of East Main Street.
- B. On Bank Place, a decrease from the existing variable pavement width of 19.3 feet to 23 feet to a proposed variable pavement width of 14.3 feet to 23 feet, beginning at Exchange Boulevard and continuing eastward to Aqueduct Street.
- C. On Basin Street:
  - iv. An increase in pavement width of 0.4 feet, from 9.6 feet to 10 feet, from Exchange Boulevard to approximately 116 feet eastward; and,
  - v. An increase in pavement width of approximately 0.5 feet from approximately 17 feet to 17.5 feet, from, beginning approximately 116 feet east of Exchange Boulevard and continuing to Aqueduct Street.
- D. On Race Street:
  - vi. A decrease from the existing pavement width of approximately 15 feet to a proposed variable pavement width of 12 feet to 10 feet, beginning at Aqueduct Street and continuing approximately 39 feet east; and,
  - vii. A decrease in pavement width of approximately 5 feet from approximately 15 feet to 10 feet, beginning approximately 39 feet east of Aqueduct Exchange Boulevard and continuing to Graves Street.

No additional right-of-way is required to accommodate the pavement width changes.

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 environment, 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 District 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)

A Stakeholder Group Meeting specific to the Aqueduct District Street Improvements was held on November 3, 2022. A copy of the meeting minutes is attached. The pavement width and traffic flow changes were endorsed by the Traffic Control Board at the December 7, 2022 meeting.

The project was designed by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. as authorized by Ordinance No. 2022-211.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. was selected for RPR services based on their overall familiarity with the project area, availability of qualified staffing, and the need to expedite this phase of the project in preparation for the opening

of Constellation Brands' headquarters. A full justification for not issuing a Request for Proposals is attached.

The project will be funded as follows:

Source of Funds	Construction	RPR	Amount
ARPA funds appropriated Ordinance No. 2022-378	2,000,000	0	\$2,000,000
Bonds Appropriated herein	150,000	350,000	\$500,000
Water bonds authorized herein	35,000	15,000	\$50,000
2022-23 Cash Capital	0	35,000	\$35,000
<b>Total</b>	<b>\$2,185,000</b>	<b>\$400,000</b>	<b>\$2,585,000</b>

Construction is anticipated to 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 28.1 full-time jobs.

The term of the RPR agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project.

A public hearing on the pavement width and traffic flow changes is required.

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:** ENVIRONMENTAL SERVICES

**Services(s):** RESIDENT PROJECT REPRESENTATIVE (R.P.R.)

**Project:** AQUEDUCT STREET GROUP PC# 23109

**Vendor/Consultant selected:** BERGMANN ASSOCIATES, D.P.C.

**How was the vendor selected?** A proposal / staffing plan was requested directly from the vendor.

**Why was no RFP issued for this service?**

The proposed vendor is the prime consultant on this multi-faceted and complex urban infrastructure project with extensive knowledge of the plans and specifications and related activities of adjacent development and utility work. This Consultant is also actively engaged in design of the adjacent Aqueduct Reimagined project in which there is an abundance of shared utilities and interrelated on-going design coordination between the two separate projects. The staffing available has showcased their experience on other projects that they have the experience and knowledge to provide the highest level of quality assurance and control, and maintenance and enforcement of the accelerated Aqueduct Street Group Schedule. The proposal includes a full plan to meet or exceed all M/WBE & Workforce goals.

**Compensation Amount:** \$400,000

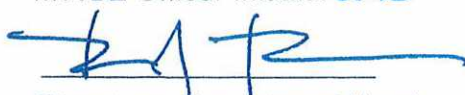
**How was this determined?**

A staffing & fee schedule was requested based on the projects anticipated timetable & overall needs. The vendor then submitted a proposal which meet the estimated budget & staffing requirements & qualifications.

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

MWBE Officer Initials: *SMD*

Date: *11/29/2022*



Signature: Department Head



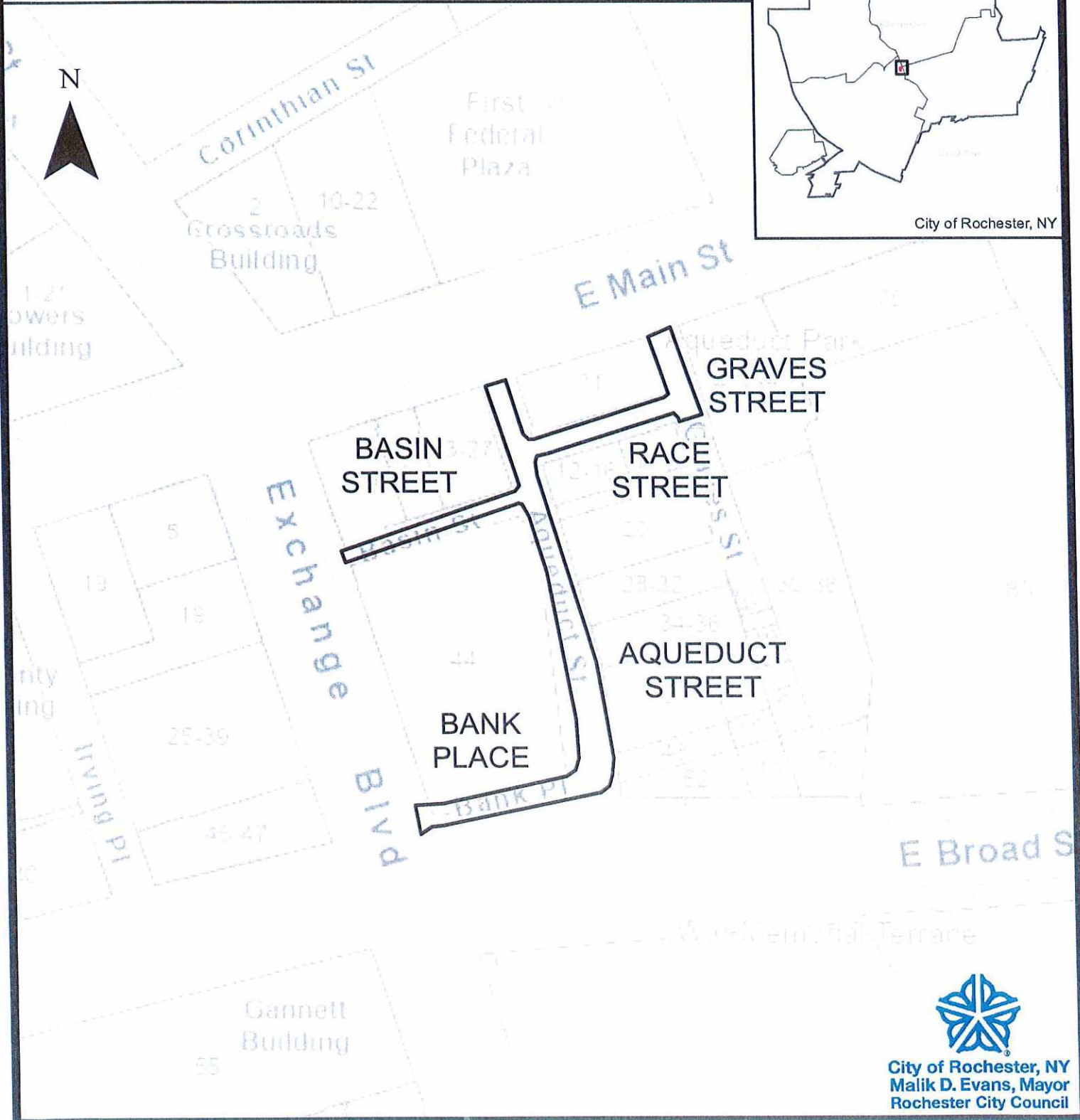
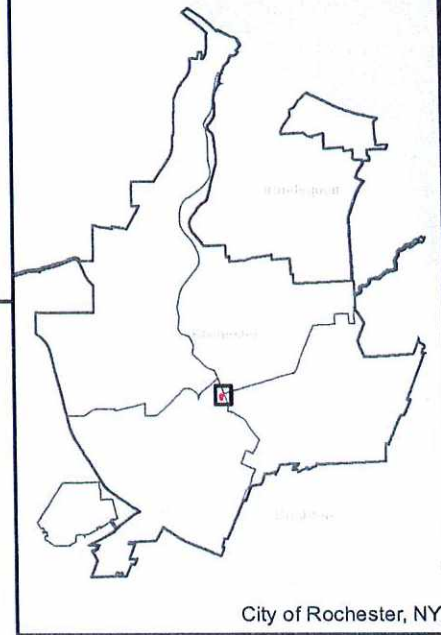
Date



DES04

# Aqueduct District Street Improvement Project

Aqueduct Street (East Main St to Bank Pl)  
Bank Place (Exchange Blvd – Aqueduct St)  
Basin Street (Exchange Blvd – Aqueduct St)  
Graves St (E Main St – Race St)  
Race Street (Aqueduct St – Graves St)

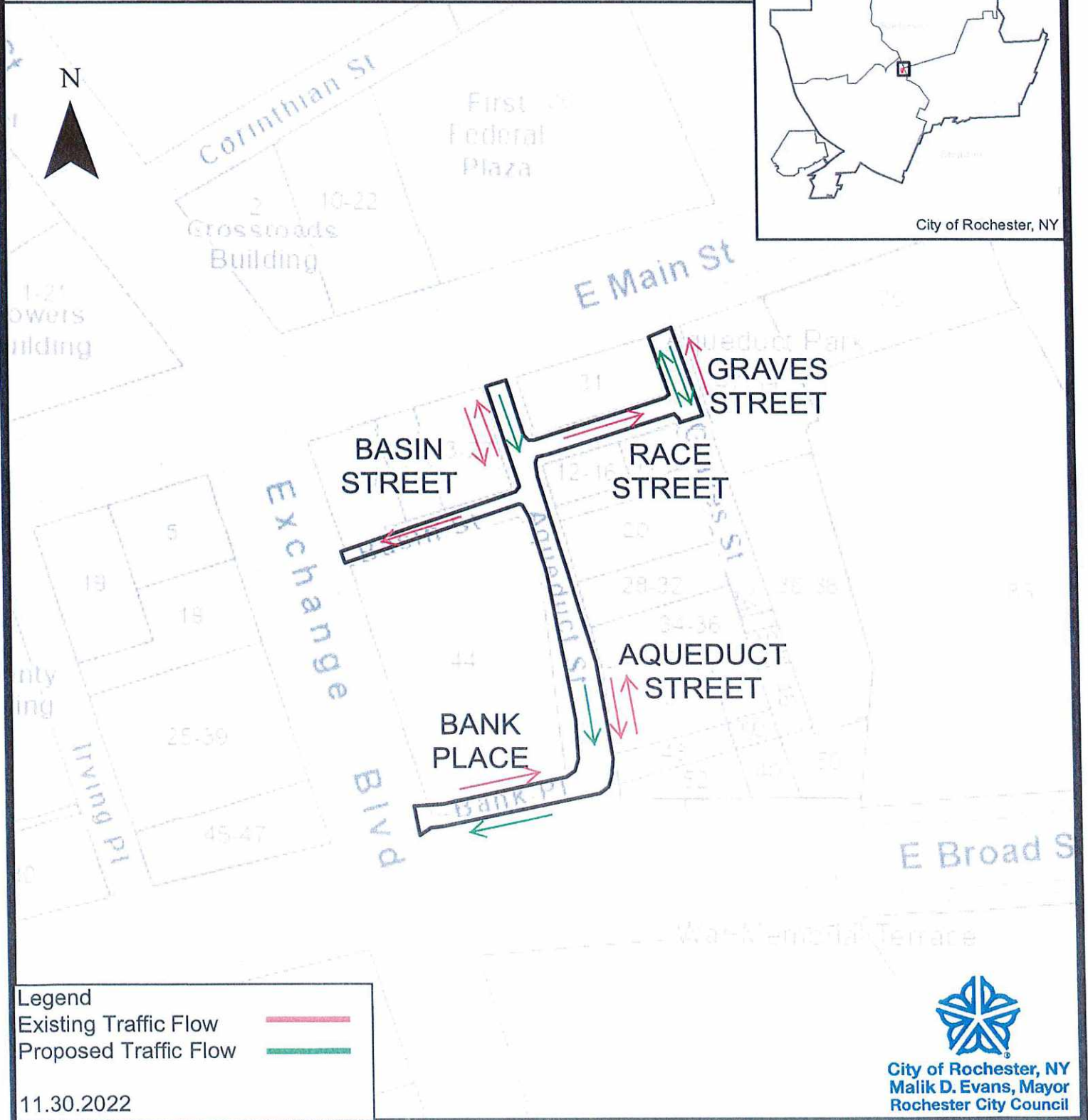
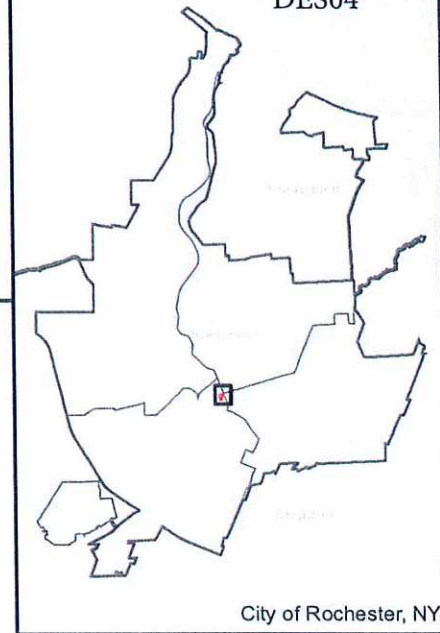


City of Rochester, NY  
Malik D. Evans, Mayor  
Rochester City Council

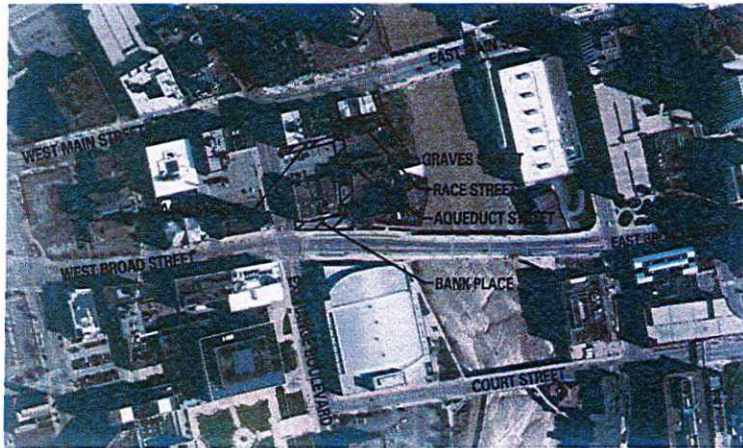
# Aqueduct District Street Improvement Project

Aqueduct Street (East Main St to Bank Pl)  
Bank Place (Exchange Blvd – Aqueduct St)  
Basin Street (Exchange Blvd – Aqueduct St)  
Graves St (E Main St – Race St)  
Race Street (Aqueduct St – Graves St)

DES04







44 EXCHANGE STREET

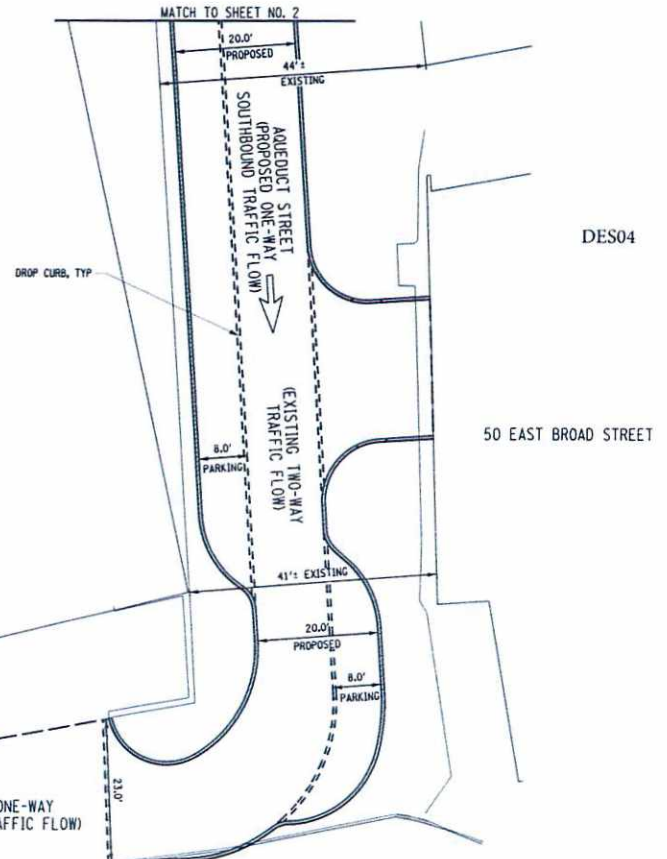
EXCHANGE BOULEVARD

PAVING LIMIT

BANK PLACE  
(PROPOSED ONE-WAY  
WESTBOUND TRAFFIC FLOW)

(EXISTING ONE-WAY  
EASTBOUND TRAFFIC FLOW)

EAST BROAD STREET

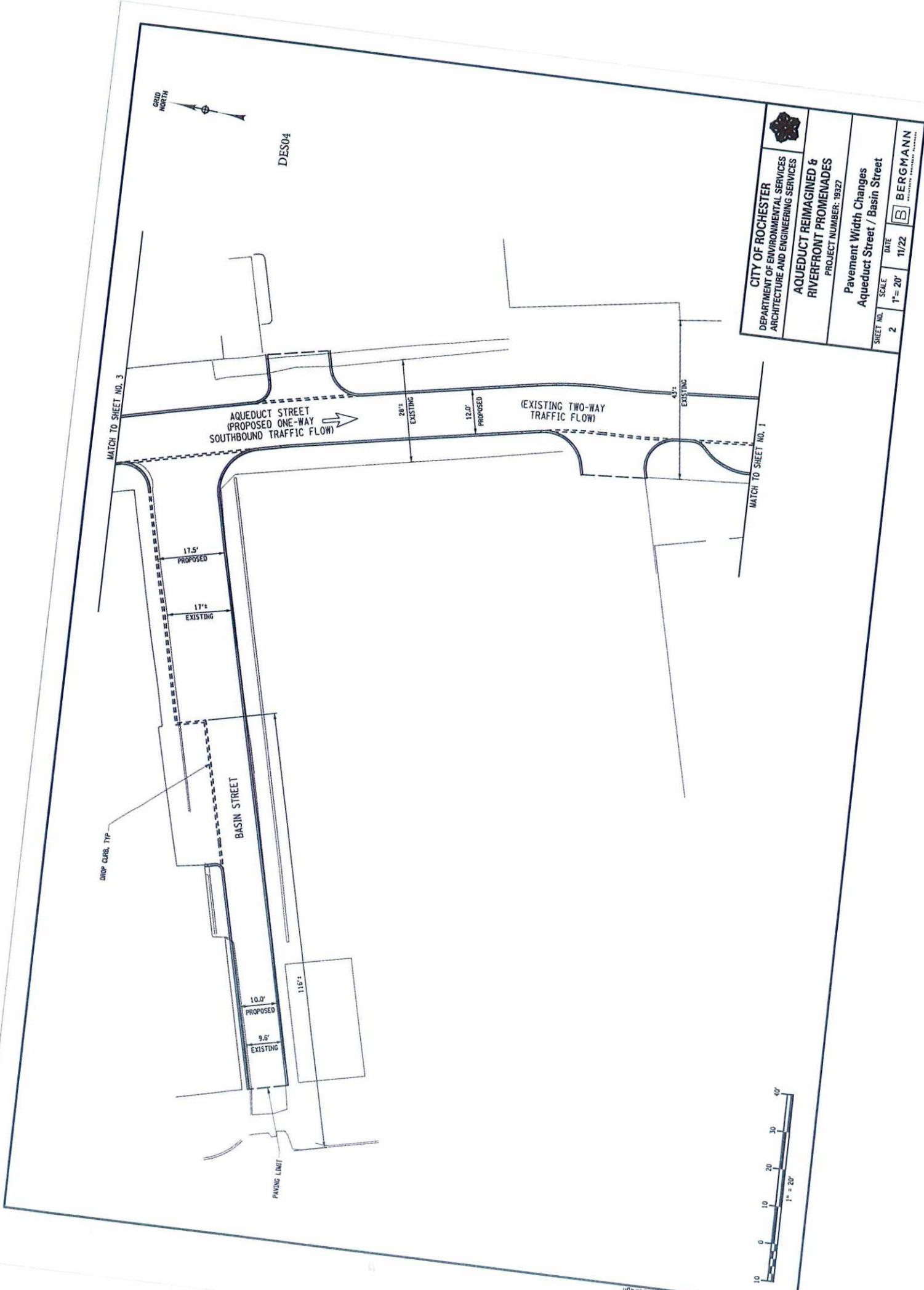




DES04

50 EAST BROAD STREET



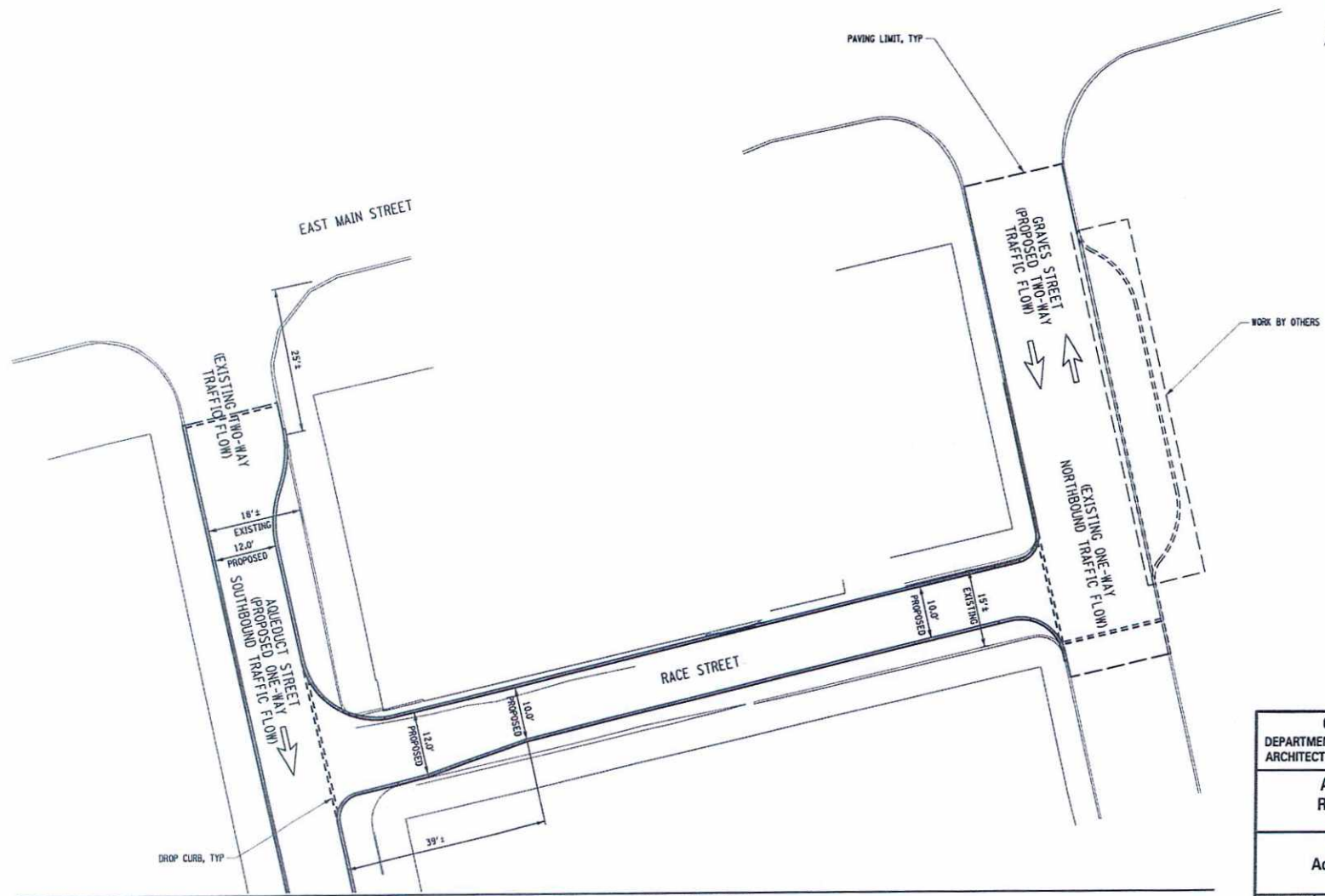
CITY OF ROCHESTER			
DEPARTMENT OF ENVIRONMENTAL SERVICES			
ARCHITECTURE AND ENGINEERING SERVICES			
AQUEDUCT REIMAGINED & RIVERFRONT PROMENADES			
PROJECT NUMBER: 19327			
Pavement Width Changes Bank Place / Aqueduct Street			
SHEET NO.	SCALE	DATE	BERGMANN ARCHITECTS ENGINEERS PLANNERS
1	1" = 20'	11/22	



 <b>CITY OF ROCHESTER</b> DEPARTMENT OF ENVIRONMENTAL SERVICES ARCHITECTURE AND ENGINEERING SERVICES	
<b>AQUEDUCT REIMAGINED &amp; RIVERFRONT PROMENADES</b> PROJECT NUMBER: 19327	
<b>Pavement Width Changes</b> <b>Aqueduct Street / Basin Street</b>	
SHEET NO.	DATE
2	11/22
SCALE	1" = 20'
 <b>BERGMANN</b> CONSULTING ENGINEERS	

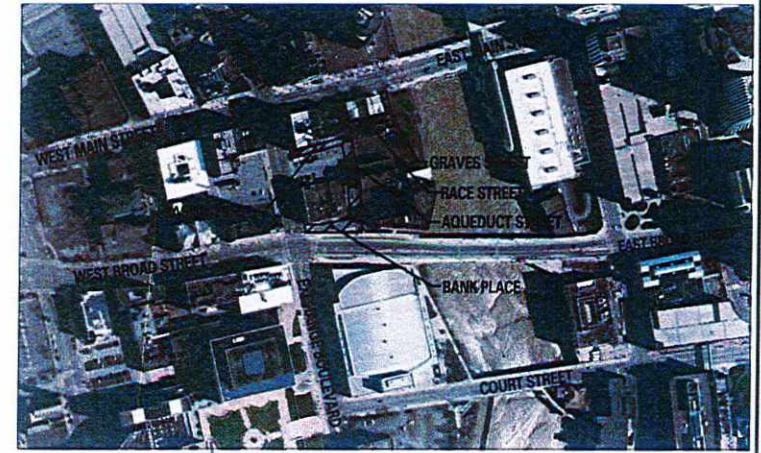


DES04



<p><b>CITY OF ROCHESTER</b>          DEPARTMENT OF ENVIRONMENTAL SERVICES          ARCHITECTURE AND ENGINEERING SERVICES</p>			
<p><b>AQUEDUCT REIMAGINED &amp;          RIVERFRONT PROMENADES</b>          PROJECT NUMBER: 19327</p>			
<p><b>Pavement Width Changes          Aqueduct Street, Race Street &amp;          Graves Street</b></p>			
<p>SHEET NO. 3</p>	<p>SCALE 1" = 20'</p>	<p>DATE 11/22</p>	<p> <b>BERGMANN</b>          ARCHITECTS ENGINEERS PLANNERS</p>

Print Date: 29-NOV-2022 20:37  
 File Name: 448061\_pavement\_width\_changes.dgn



<b>CITY OF ROCHESTER</b> DEPARTMENT OF ENVIRONMENTAL SERVICES ARCHITECTURE AND ENGINEERING SERVICES		
<b>AQUEDUCT REIMAGINED &amp; RIVERFRONT PROMENADES</b> PROJECT NUMBER: 19327		
<b>Pavement Width Changes</b> <b>Bank Place / Aqueduct Street</b>		
SHEET NO. 1	SCALE 1" = 20'	DATE 12/22
<b>BERGMANN</b> <small>ARCHITECTS ENGINEERS PLANNERS</small>		



JOHN SEIBOLD  
OR CURRENT RESIDENT  
12 AQUEDUCT ST  
ROCHESTER NY 14614

NANCY BLACKMUN  
OR CURRENT RESIDENT  
25 E MAIN ST STE 500  
ROCHESTER NY 14614

YULIA VABISHCHEVICH  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 301  
ROCHESTER NY 14614

MARTIN PHILIPPONE  
OR CURRENT RESIDENT  
31 E MAIN ST STE 4000  
ROCHESTER NY 14614

JOHN MARSZALEK  
OR CURRENT RESIDENT  
31 E MAIN ST STE 4000  
ROCHESTER NY 14614

DIANNA NEILON  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 303  
ROCHESTER NY 14614

ANTOINE SINKLER  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 205  
ROCHESTER NY 14614

ELAINA MANCUSO  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 201  
ROCHESTER NY 14614

TIANA SMITH  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 503  
ROCHESTER NY 14614

SABRINA BUI  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 204  
ROCHESTER NY 14614

DAVID HOLLOWAY  
OR CURRENT RESIDENT  
25 E MAIN ST STE 500  
ROCHESTER NY 14614

BERNADETTE CATALANA  
OR CURRENT RESIDENT  
1 E MAIN ST LBBY 2  
ROCHESTER NY 14614

KAYLA BEATTY  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 506  
ROCHESTER NY 14614

JAMIE SZYDLOWSKI  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 406  
ROCHESTER NY 14614

GREGORY LUDEK  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 405  
ROCHESTER NY 14614

RUDOLPH LEPORE  
OR CURRENT RESIDENT  
1 E MAIN ST STE 711  
ROCHESTER NY 14614

CHRISTOPHER SCHIANO  
OR CURRENT RESIDENT  
8 EXCHANGE BLVD STE 315  
ROCHESTER NY 14614

LILIANA RUIZ  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 306  
ROCHESTER NY 14614

MARK PATTERSON  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 501  
ROCHESTER NY 14614

MYCHAL GRANT  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 304  
ROCHESTER NY 14614

DAVID MURANTE  
OR CURRENT RESIDENT  
8 EXCHANGE BLVD STE 711  
ROCHESTER NY 14614

SHARON EGURE  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 302  
ROCHESTER NY 14614

SARAH BOROSKI  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 402  
ROCHESTER NY 14614

GEOFFREY O'CONNOR  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 406  
ROCHESTER NY 14614

JOSEPH SILVA  
OR CURRENT RESIDENT  
44 EXCHANGE BLVD APT 206  
ROCHESTER NY 14614

JOHN DIXON  
OR CURRENT RESIDENT  
31 E MAIN ST STE 4000  
ROCHESTER NY 14614

DAVID OWENS  
OR CURRENT RESIDENT  
1 E MAIN ST STE 850  
ROCHESTER NY 14614

MARY MURPHY  
OR CURRENT RESIDENT  
8 EXCHANGE BLVD STE 600  
ROCHESTER NY 14614

Forester Corp  
31 E Main St Ste 4000  
Rochester NY 14614

Rochesterville 2 LLC  
350 East Ave Ste 203  
Rochester NY 14604

EM17 LLC  
36 King St  
Rochester NY 14608

Wilder Partners LLC  
36 King St  
Rochester NY 14608

Riverview Rochester LLC  
4 Commercial St Fl 1st  
Rochester NY 14614

A50EB LLC - COMIDA  
PO BOX 18554  
Rochester NY 14618

Farkel Realty LLC  
12 Aqueduct St Fl 1  
Rochester NY 14614



**Aqueduct District Street Improvements  
City of Rochester, Monroe County, NY  
COR Project No. 23109**

**Stakeholders Meeting**

**Date:** November 3, 2022

**Time:** 3:00 PM to 4:30 PM

**Place:** Zoom Meeting

**Purpose:** The purpose of this meeting was to discuss the Aqueduct District Street Improvements Project with property owners.

**Action items in bold.**

**A. INTRODUCTIONS**

**City of Rochester - Lead Agency**

Kamal Crues, PE – Assistant City Engineer, Project Manager  
Jason Nebawaniec – City Street Design  
Tom Warth – City Law Department

**Bergmann - Prime Design Consultant**

Kimberly Baptiste – Project Manager  
Steven Ketch, PE – Project Engineer, Highways  
Tony Borrelli, PE – Bridge Practice Leader  
Kiernan Playford – Planning

**Urban American City – Design Subconsultant**

Laura Greenberg

**Property Owners**

Peter Landers – Developer, Aqueduct Building  
John Seibold – Seibold Security, 12 Aqueduct Street  
Vicki Page – Seibold Security, 12 Aqueduct Street  
Jeff Ashline – Canandaigua National Bank  
David Martin – Cocoro Development, 17 E. Main Street (Wilder Building)

**B. PROJECT OVERVIEW**

- Aqueduct District Street Improvements project includes improvements to Aqueduct Street, Race Street, Basin Street, Bank Place, and public portion of Graves Street. 2023 Construction.
- Aqueduct Reimagined project will repurpose the Broad Street bridge over the Genesee River. Construction starting late 2024.
- Stone Street and South Avenue project schedules will align with Aqueduct Reimagined.

**C. PUBLIC OUTREACH TO DATE**

**1. CAC, TAC, and PW Meetings**

- 3 Citizens Advisory Committee meetings, 3 Technical Advisory Committee meetings, and 3 Public Workshop meetings to date.
- Feedback:

- Maximize greenspace
- More parks, less parking
- Consider multi-modal and ADA accessibility
- Consider permeable pavement
- Street Design Principles resulting from feedback:
  - Pedestrians as a priority
  - Flexible spaces
  - Green streets
  - Cohesive identity

## 2. Technical Stakeholder Feedback

- 14-foot clear width to accommodate fire equipment
- Compliance with 2020 NYFC
- Access to parking areas
- Directionality of one-way streets is important
- Coordination with utilities / avoiding conflicts
- Accommodate maintenance / snow plowing

## D. EXISTING AND PROPOSED CONDITIONS

### 1. Existing Conditions

- Aqueduct Street is two-way
- Bank Place is one-way eastbound
- Basin Street is one-way westbound
- Race Street is one-way eastbound
- Graves Street is one-way northbound

### 2. Proposed Conditions

- **Aqueduct Street becomes one-way southbound**
- **Bank Place becomes one-way westbound**
- Basin Street remains one-way westbound
- Race Street remains one-way eastbound
- **Graves Street becomes two-way**

## E. QUESTIONS / COMMENTS / CONCERNS

- David Martin (17 E. Main Street) stated that they keep a dumpster on Basin Street behind their property. People often park behind the dumpster making it impossible for refuse trucks to empty it and creating an unsightly condition. Design of Basin Street should seek to discourage/prevent parking behind where the dumpster is kept. **Steve Ketch to follow up with David Martin.**
- John Seibold (12 Aqueduct Street) stated that someone dug several holes in Aqueduct Street, blocking traffic into and out of their parking lot for several hours. The person who dug the test holes was unable to tell Mr. Seibold what the holes were for. **The project team will communicate clearly with any contractors performing work on Aqueduct Street to make sure they are not causing problems.**

## F. ACTION ITEMS

- **(Bergmann) Follow up with David Martin on Basin Street dumpsters.**
- **(Project Team) Be sure to communicate with contractors not to unnecessarily block traffic.**



4

Ordinance No.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance the costs of the Aqueduct Street Group Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Aqueduct Street Group Project, including pavement reconstruction, pavement width changes, new curbs and bump-outs, curb ramps, sidewalks, and catch basins on the following street segments: 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) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,495,000. The plan of financing includes the issuance of \$500,000 in bonds of the City, which amount is hereby appropriated therefor, \$1,960,000 in reimbursements of American Rescue Plan Act of 2021 ("ARPA") funds appropriated in Ordinance No. 2022-378, \$35,000 from 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 \$500,000 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 \$500,000. 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 Section 11.00 a. 20 of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, pay-able 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.



## INTRODUCTORY NO.

5

Ordinance No.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$50,000 Bonds of said City to finance water main and water service improvements associated with the Aqueduct Street Group Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of water service improvements, including the installation of new hydrants and new water valve boxes, related to the Aqueduct Street Group Project on the following street segments: 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) (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 \$90,000. The plan of financing includes the issuance of \$50,000 bonds of the City, which amount is hereby appropriated therefor, \$40,000 in reimbursements of American Rescue Plan Act of 2021 ("ARPA") funds appropriated in Ordinance No. 2022-378, 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 \$50,000 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 \$50,000. 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.



## INTRODUCTORY NO.

6

Ordinance No.

**Authorizing an agreement relating to the Aqueduct Street Group 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 resident project representation services for the Aqueduct Street Group Project (Project). The maximum compensation for the agreement shall be \$400,000, which shall be funded in the amounts of \$350,000 from the proceeds of City street bonds authorized for the Project in a concurrent ordinance, \$15,000 from the proceeds of City bonds authorized for water main and water service improvements related to the Project in a concurrent ordinance, and \$35,000 from 2022-23 Cash Capital. The term of the agreement shall continue until three months after completion of the two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

7

Ordinance No.

**Authorizing changes in traffic flow relating to the Aqueduct Street Group Project**

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

Section 1. The Council hereby approves changes in the direction of the traffic flow on the following street segments as part of the Aqueduct Street Group Project:

- a. On Aqueduct Street between Bank Place and East Main Street, from two-way to one-way southbound;
- b. On Bank Place between Exchange Boulevard and Aqueduct Street, from one-way eastbound to one-way westbound; and
- c. On Graves Street between Race Street and East Main Street, from one-way northbound to two-way.

Section 2. This ordinance shall take effect immediately.



**Authorizing the alteration of pavement widths relating to the Aqueduct Street Group Project**

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

Section 1. Council hereby approves the following pavement width changes to be implemented as part of the Aqueduct Street Group Project:

A. On Aqueduct Street:

1. A decrease from the existing variable pavement width ranging from approximately 41 feet to 44 feet to a pavement width of 20 feet, beginning at Bank Place and continuing northward approximately 140 feet;
2. A decrease from the existing variable pavement width ranging from approximately 28 feet to 43 feet to a pavement width of 12 feet, beginning approximately 140 feet north of Bank Place and continuing northward to Basin Street; and,
3. A decrease in pavement width of approximately 6 feet, from approximately 18 feet to 12 feet, from Basin Street to approximately 25 feet south of East Main Street.

B. On Bank Street, a decrease from the existing variable pavement width ranging from approximately 19.3 feet to 23 feet to a variable pavement width ranging from approximately 14.3 to 23 feet, beginning at Exchange Boulevard and continuing eastward to Aqueduct Street.

C. On Basin Street:

1. An increase in pavement width of 0.4 feet, from 9.6 feet to 10 feet, beginning at Exchange Boulevard and continuing approximately 116 feet eastward;
2. An increase in pavement width of approximately 0.5 feet from approximately 17 feet to 17.5 feet, beginning approximately 116 feet east of Exchange Boulevard and continuing eastward to Aqueduct Street.

D. On Race Street:

1. A decrease from the existing pavement width of approximately 15 feet to a variable pavement width ranging from 10 feet to 12 feet, beginning at Aqueduct Street and continuing approximately 39 feet eastward; and,

2. A decrease in pavement width of approximately 5 feet from approximately 15 feet to 10 feet, beginning approximately 39 feet east of Aqueduct Street and continuing eastward to Graves Street.

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

Section 3. This ordinance shall take effect immediately.





## City of Rochester

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
[www.cityofrochester.gov](http://www.cityofrochester.gov)

### PARKS & PUBLIC WORKS INTRODUCTORY NO.

Malik D. Evans  
Mayor

9

DES05

January 3, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: South Avenue (Elmwood Avenue to Bellevue Drive)  
and Elmwood Avenue (Mt Hope Avenue to South  
Avenue) Street Improvement Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation which will amend the Official Map by dedicating the following parcel as public right-of-way for street purposes.

<u>Address</u>	<u>SBL#</u>	<u>Sq. Ft.</u>
955 Elmwood Avenue	136.540-2-90.2	10,760

The project will include, but is not limited to pavement reconstruction, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water services, hydrants, telecommunications conduit, street lighting, signal upgrades, signage, tree plantings, bicycle accommodations, and other various streetscape improvements. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

City Council approved the acquisition of the parcel from AI Sigl Center for Rehabilitation Agencies, Inc. on October 12, 2021 (Ord No. 2021-322) and the purchase of the parcel was completed by December 10, 2021.

The City Planning Commission recommended approval of this dedication by a vote of 7-0-0 at its November 28, 2022 meeting. Meeting minutes and application are attached.

A public hearing is required.

Respectfully submitted,

Malik D. Evans  
Mayor



## DES05

A map of the United Kingdom showing the outline of the country. A red box is drawn in the south-eastern part of the map, indicating the location of the study area. The box contains a red arrow pointing towards the south-east.



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



**CITY PLANNING COMMISSION INFORMATIONAL MEETING  
MEETING MINUTES (11/28/22)  
ZONING MAP AMENDMENT**

OMA-001-22-23

Page 1 of 1

**APPLICANT:** City of Rochester, City Engineer Tim Hubbard

**PURPOSE:** To amend the Official Map of the City of Rochester as follows: City owned parcel to be dedicated and combined with the adjacent South Avenue right of way in order to create a right turn lane for the South Avenue & Elmwood Avenue 131-K Reconstruction Project.

**APPLICANT AND/OR REPRESENTATIVE PRESENTATION:**

**Timothy Hubbard, Engineer, Applicant's Representative:**

Hi. My name is Tim Hubbard and I am with the City's Street Design division. A portion of 1600 Elmwood Av property is required for a right hand turn lane as well as a widened sidewalk. Just on the south side of Elmwood and along South Avenue.

**Watson:** Anything else you want to share?

**Mr. Hubbard:** No.

**Commissioner Watson:** Any questions? Again this is a recommendation to City Council for an official map amendment. Yes, ma'am

**Commissioner Roby-Davidson:** When I drove the site, which I did a couple of times to make sure I was looking at it correctly. Is the work already begun on it, or is that just because there's so much construction there already? It is hard to tell.

**Mr. Hubbard:** Yes, the right turn lane is completed and in and the sidewalk is completed.

**Zoning Analyst Mary Kerr:** And I just want to state for the record that all commissioners have visited the site.

**QUESTIONS FROM COMMISSION MEMBERS AND APPLICANT'S RESPONSE:**

**Commissioner Watson:** Anyone would like to speak in favor of this application, or opposition? Seeing none.

**PUBLIC TESTIMONY:** none

**HEARING ENDS**

**CITY PLANNING COMMISSION  
RECOMMENDATION  
OFFICIAL MAP AMENDMENT**

Re: To amend the Official Map of the City of Rochester as follows: City owned parcel to be dedicated and combined with the adjacent South Avenue Right-of-Way in order to create a right turn lane for the South Avenue & Elmwood Avenue 131-K Reconstruction Project. This proposed change will permit the creation of a right turn lane on South Avenue.

**Case No: OMA-001-22-23**

**Resolution:**

RESOLVED, the City Planning Commission RECOMMENDS approval of a request to amend the Official Map of the City of Rochester as follows: City owned parcel to be dedicated and combined with the adjacent South Avenue Right- of-Way in order to create a right turn lane for the South Avenue & Elmwood Avenue 131-K Reconstruction Project. This proposed change will permit the creation of a right turn lane on South Avenue.

Vote: Motion Passes

Action: Recommend Approval

Filing date: January 3, 2023

Record of Vote: 7-0-0

Record of Vote:

David Watson (chair)	Recommend Approval
Eugenio Marlin (vice-chair)	Recommend Approval
Kimberly Harding	Recommend Approval
Nicholas Carleton	Recommend Approval
Bradley Flower	Recommend Approval
Milton Pichardo	Recommend Approval
Joan Roby-Davidson	Recommend Approval



## DES05

1170 Park Ave LLC  
PO BOX 25575  
Rochester NY 14625

121 Southview Terrace LLC  
117 Southview Ter  
Rochester NY 14620

1286 Mt Hope Avenue Llc  
PO BOX 18667  
Rochester NY 14618

1541 And 1545 South Ave LLC  
PO BOX 25575  
Rochester NY 14625

2008 Morris Family Trust Udt Dtd  
8/14/2008  
1159 Glendora Av  
Oakland CA 94602

47 Gold Street Llc  
6 Ferncliff Dr  
West Hartford CT 06117

797 Elmwood Ave Llc  
550 Latona Rd Bldg E #501  
Rochester NY 14626

Affordable Luxury Rentals-CM LLC  
25 Adams St  
Brockport NY 14420

Al Sigl Center For Rehabilitat  
1000 Elmwood Av  
Rochester NY 14620

Al Sigl Center For Rehabilitat Ion  
Agencies  
1000 Elmwood Av  
Rochester NY 14620

Al Sigl Center For Rehabilitation  
Agencies Inc  
1000 Elmwood Ave  
Rochester NY 14620

Andy Kaptein Llc  
514 Whiting Rd  
Webster NY 14580

Beaumont Daniel E  
134 Southview Ter  
Rochester NY 14620

Benfante Patrick G  
22 Sunset Blvd  
Pittsford NY 14534

Benwitz Donna M  
73 Southview Ter  
Rochester NY 14620

Bhattacharya Soumyaroop  
16 Westview Ter  
Rochester NY 14620

Black & White Property Holdings Llc  
64 Erie Cres  
Fairport NY 14450

Blender Jennifer A Teisl Michael J  
23 Simsbury Ln  
Pittsford NY 14534

Bluefin Rentals LLC  
17 Crest Wood Cir  
Pittsford NY 14534

Blum Frederick G  
499 Mendon Rd  
Pittsford NY 14534

Boomerang Asset Mgmnt LLC  
2604 Elmwood Ave Ste 113  
Rochester NY 14618

Bradbury Michelle  
122 Southview Ter  
Rochester NY 14620

Brightful Jason Brightful Ana  
19 Poplar Way  
Rochester NY 14618

Brightful Jason Brightful Ana  
75 Gold St  
Rochester NY 14620

Brightful Jason Brightful Ana T  
19 Poplar Way  
Rochester NY 14618

Brightful Jason R Brightful Ana T  
19 Poplar Way  
Rochester NY 14618

Burke Deborah J  
207 Knights Trl W  
Rochester NY 14624

Carlton Daniel  
1685 South Ave  
Rochester NY 14620

Carroll Carol J  
88 Westview Ter  
Rochester NY 14620

Caselli John & Diane G  
PO BOX 1112  
Pittsford NY 14534

## DES05

Cgmf Associates Llc  
141 Gregory Hill Rd  
Rochester NY 14620

Chappell Mazieola E  
1753 South Av  
Rochester NY 14620

Chen Sherman  
1210 Culver Rd Ste 1  
Rochester NY 14609

Chen Wen Luan  
80 Chesapeake Lndg  
W Henrietta NY 14586

Clar Automotive Inc  
870 Elmwood Av  
Rochester NY 14620

Cloos Edward J Jr/trustee Edward J  
Cloos Revoc Trus  
44 Southview Ter  
Rochester NY 14620

Conteh Princess Z R & Conteh Abib T Jr  
1679 South Ave  
Rochester NY 14620

County Of Monroe Almshouse  
39 W Main St Rm 304  
Rochester NY 14614

Danmare Llc  
203 Overlook Dr  
Schwenksville PA 19473

Davis Leslie Jr & Goldia  
54 Westview Ter  
Rochester NY 14620

Dean Paul Jr  
1256 Mt Hope Av  
Rochester NY 14620

Deciantis Frank  
22 Ramsey Pk  
Rochester NY 14610

Deciantis Properties Llc  
22 Ramsey Pk  
Rochester NY 14610

Devanney J Patrick  
49 Helmsford Way  
Penfield NY 14526

DLLC Properties LLC  
3 Inverness Cir  
Fairport NY 14450

Dukelow Nancy  
0062 Southview Ter  
Rochester NY 14620

During Genevive J  
12308 Firth Of Tae Dr  
Ft Washington MD 20744

Dykes Robert A Dykes William J  
46 Plains Rd  
Honeoye Falls NY 14472

Ebersman Howard G & Karen  
8 Filkins St  
Fairport NY 14450

Eick Marilyn Eick Charles E  
39 Cook St  
Rochester NY 14620

Frederick Chandler R Rugelis Robert  
75 Westview Ter  
Rochester NY 14620

French Hill Properties Llc  
2850 Elmwood Av  
Rochester NY 14618

Gaige Samuel D Christine  
96 Southview Ter  
Rochester NY 14620

Gaige Samuel D/brown Christine  
96 Southview Ter  
Rochester NY 14620

Genesee Park Properties Llc  
724 Post Av  
Rochester NY 14619

Gerew Karen K  
0111 South View Ter  
Rochester NY 14620

Gillette Joshua Taylor  
833 Elmwood Ave  
Rochester NY 14620

Girvin Alicia  
31 Westview Ter  
Rochester NY 14620

Glor Russell  
287 Caroline St  
Rochester NY 14620

Goerlich Steven M Heather J  
139 Wilshire Rd  
Rochester NY 14618



## DES05

Gow David J 56 Southview Ter Rochester NY 14620	Gunther Susan M 0090 South View Ter Rochester NY 14620	Hartman Michael F & Sara 1364 Highland Av Rochester NY 14620
Hatler Nicole 1349 Brace Rd Victor NY 14564	Hessong Nicol 1701 South Av Rochester NY 14620	Hinchcliffe Zachary 59 Westview Ter Rochester NY 14620
Holm Carl W & Crystal A 40 Southview Ter Rochester NY 14620	Honeycutt David K Stephanie J 77 Fort Hill Ter Rochester NY 14620	Hood Marcia L 51 Southview Ter Rochester NY 14620
Hudzinski David J & Amy M 75 Langslow St Rochester NY 14620	Hunt Barbara & Bruce 6042 Medalist Ln Canandaigua NY 14424	Hurley Daniel J 95 Southview Ter Rochester NY 14620
Jake Tech Associates LLC 1210 Culver Rd Ste 1 Rochester NY 14609	Jake Tech Associates Llc 1210 Culver Rd Ste 1 Rochester NY 14609	Johnson Paulette 92 Westview Ter Rochester NY 14620
Kathleen G Doody Supple- Mental Needs Trust 0105 Southview Ter Rochester NY 14620	Kaupp Michelle 2871 Twin Oaks Way Wellington FL 33414	Lako Christopher 48 Westview Ter Rochester NY 14620
Lako Gjergji & Kristina 58 Woodsmeadow Ln Rochester NY 14623	Langford Delores 60 Cook St Rochester NY 14620	Lin Howard 17 Gravel Hill Ln Honeoye Falls NY 14472
Lmgc Group Llc 5 Baynard Ct Pittsford NY 14534	Lucco James J Lucco Michelle J 124 Corwin Rd Rochester NY 14610	Luz Aaron J 69 Gold St Rochester NY 14620
Maclaren Marci K 1635 South Av Rochester NY 14620	Marasco Lidia M 1675 South Ave Rochester NY 14620	Marchese Joseph Virginia 83 Westview Ter Rochester NY 14620
Mchugh William & Wegman Debra 101 Southview Ter Rochester NY 14620	Michaelides Joy 29 W Ham Cir N Chili NY 14514	Mihalitsas Income Ltd Partnshp 1021 Spencerport Rd Rochester NY 14606

DES05

Mikel Donald F  
84 Rosemount St  
Rochester NY 14620

Miller Erik G Miller Susan Kay  
118 Southview Ter  
Rochester NY 14620

Minges John F  
1603 South Ave  
Rochester NY 14620

Miralem Istok  
128 Southview Ter  
Rochester NY 14620

Montgomery Lisa  
55 Redfern Dr  
Rochester NY 14620

Montgomery Vera  
55 Redfern Dr  
Rochester NY 14620

Mortensen Lance E  
106 Southview Ter  
Rochester NY 14620

Naradikian Souren M Iordanka  
4007 E Cannon Dr  
Phoenix AZ 85028

Nash Samuel J  
175 Long Pond Rd  
Rochester NY 14612

Nesser Helen  
6 Esternay Ln  
Pittsford NY 14534

Olszewski Jeffrey M Callinan Meredith  
56 Cook St  
Rochester NY 14620

Paprocki Rosemary  
0050 Southview Ter  
Rochester NY 14620

Park Won Woong & Kwang Hee  
2 Cavan Way  
Pittsford NY 14534

Parsons Matthew J & Sue H  
768 Valley View Pkwy  
Webster NY 14580

Patalano David G  
127 Southview Ter  
Rochester NY 14620

Pauling Ryan  
1497 South Av  
Rochester NY 14620

People Of The State Of Ny  
Corning Tower 26Th Fl  
Albany NY 12242

People Of The State Of Ny  
Corning Tower 26Th Flr  
Albany NY 12242

Peppard James R/walsh Beth A  
74 Southview Ter  
Rochester NY 14620

Pettibone Martin E Pettibone Irasema  
53 Gold St  
Rochester NY 14620

Petz Marilyn C  
0134 Westview Ter  
Rochester NY 14620

Phillips Daniel E  
PO BOX 278  
Henrietta NY 14467

Platek Alexis J Frederick J Jr  
44 Westview Ter  
Rochester NY 14620

Quinn L Christine  
89 Westview Ter  
Rochester NY 14620

Racinowski Matthew J  
39 Southview Ter  
Rochester NY 14620

Reddy Elmwood Estates Llc  
150 Hibiscus Dr  
Rochester NY 14618

Reniff Bethany C  
20 Westview Ter  
Rochester NY 14620

Rivoli Renee  
45 Cassandra Cir  
Churchville NY 14428

Rosemount Properties Llc  
263 Ashley Dr  
Rochester NY 14620

Russell Management LLC 5445  
Canandaigua  
Farmington TL Rd  
Canandaigua NY 14424



DES05

Salvatore Mark S  
28 Southview Ter  
Rochester NY 14620

SANDLER AVERY O  
117 Southview Ter  
Rochester NY 14620

Schaedel C Dixie  
0140 Southview Ter  
Rochester NY 14620

Schneider Paul FX Schneider Joanne R  
1663 South Ave  
Rochester NY 14620

Schouten John S  
73 Gold St  
Rochester NY 14620

Schuth Thomas R  
58 Westview Ter  
Rochester NY 14620

Schwid Mary  
63 Gold St  
Rochester NY 14620

Shah Abrar  
17 Bromsgrove Hl  
Pittsford NY 14534

Sherman Teresa A  
89 Southview Ter  
Rochester NY 14620

Shrader Robert L  
70 Cook St  
Rochester NY 14620

Singh Kameshwar & Madhu  
26 Westview Ter  
Rochester NY 14620

Skrtic Tonka L/U Skrtic Denniss/barrett  
Ma  
150 Southview Ter  
Rochester NY 14620

Smeal Kelley  
34 Southview Ter  
Rochester NY 14620

South Avenue Auto  
1721 South Av  
Rochester NY 14620

Spencer Glenda N  
1609 South Av  
Rochester NY 14620

Srd Homes Llc  
18 Woodgreen Dr  
Pittsford NY 14534

Stein Kenneth B  
80 Cook St  
Rochester NY 14620

Stevens Reo Capital Iii Llc  
PO BOX 93031  
Rochester NY 14692

Stolar James P  
80 Southview Ter  
Rochester NY 14620

Stolpnik Alevtina  
834 Peralta Ave  
San Francisco CA 94110

Strong Homes Realty Llc  
17 Gravel Hill La  
Honeoye Falls NY 14472

Strong Rental Properties  
12 Seton Ct  
Penfield NY 14526

Suzuki Yukiko Suzuki Nobiru  
29 Cook St  
Rochester NY 14620

Tamara James  
0079 Southview Ter  
Rochester NY 14620

The 2008 Morris Family Trust Udt Dtd  
8/14/2008  
1159 Glendora  
Oakland CA 94602

Vaisband Boris & Inna  
2719 N Greenview Av  
Chicago IL 60614

Villanueva Celinda  
6641 Kelleman Rd  
Conesus NY 14435

Vingard Realty Llc  
12 Vick Pk A  
Rochester NY 14607

Vleck Gregory  
33 Southview Ter  
Rochester NY 14620

Waller Michael G  
78 Fort Hill Ter  
Rochester NY 14620

DES05

Wang Xingxin MacDonald Jody  
839 Elmwood Ave  
Rochester NY 14620

Waves Edge LLC  
620 Park Ave Box 329  
Rochester NY 14607

Wedge Redux Llc  
100 Liberty Pole Way  
Rochester NY 14604

Welles Steven/rozen Eric  
42 Trotters Field Run  
Pittsford NY 14534

Wells Ruth A  
1631 South Ave  
Rochester NY 14620

West View Pnm Llc  
2 Cavan Way  
Pittsford NY 14534

Westview 98 LLC  
245 N Clinton Ave  
Rochester NY 14605

Wilkins Kathryn A  
69 Glenbrook Rd  
Rochester NY 14616

Wuensch Sherry A  
71 Fort Hill Ter  
Rochester NY 14620

Yang Kevin H  
1350 E Shangri La Rd  
Phoenix AZ 85020

Zhang Xiaoping  
PO BOX 23558  
Rochester NY 14692

ZIY Management Group LLC  
190 W Bloomfield Rd  
Pittsford NY 14534

Upper Mt Hope Neighborhood Assoc.  
(UMHNA), C/O Bruce Mellen  
114 Edgemont Rd  
Rochester NY 14620



## INTRODUCTORY NO.

9

Ordinance No.

**Amending the Official Map to dedicate a City-owned parcel to right-of-way purposes for the South Avenue and Elmwood Avenue Street Improvement Project**

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by adding thereto the following described property to be dedicated as public right-of-way, subject to such additional conditions and adjustments as the City Engineer deems to be appropriate:

<b>Address</b>	<b>SBL#</b>	<b>Square Feet</b>
955 Elmwood Avenue	136.540-2-90.2	± 10,760

being the same premises authorized to be acquired in Ordinance No. 2021-322 and conveyed to the City by a deed recorded by the Monroe County Clerk on February 25, 2022 in Deeds Liber 12629, page 274 to facilitate the South Avenue and Elmwood Avenue Street Improvement Project.

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](http://www.cityofrochester.gov)

## PARKS & PUBLIC WORKS INTRODUCTORY NO.

Malik D. Evans  
Mayor

10

DES06

January 3, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Bond Authorization - 2023 Water Main Cleaning  
& Lining 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 \$2,500,000 and appropriating the proceeds thereof to fund a portion of the 2023 Water Main Cleaning & Lining Project.

The total cost of the project is estimated to be \$3,000,000. The balance of funding will be \$270,000 from 2019-20 Cash Capital and \$230,000 from 2021-22 Cash Capital.

The project will rehabilitate approximately 6.4 miles of City water mains. This rehabilitation method consists of mechanically cleaning the interior of the existing water mains and installing a corrosion-resistant cement lining to restore hydraulic capacity, improve available fire flows and water quality and to extend the useful life of the mains. The cost to rehabilitate a water main by cement lining is approximately 20% of the cost required to replace a water main.

A list of the affected streets and a map of the area are attached. Construction is anticipated to begin spring 2023, with completion by fall 2023. Project inspection will be performed by Water Bureau personnel.

This project results in the creation and/or retention of the equivalent of 32 full-time jobs.

Respectfully submitted,

Malik D. Evans  
Mayor









2023 C&L Project Proposed Streets - Base Bid				
STREET TO BE C&L	FROM	TO	SIZE	LENGTH
Alexis St.	Rosewood Ter.	Parkside Av.	8"	420
Arch St.	E. Main St.	Cedarwood Ter.	6"	950
Baldwin St.	E. Main St.	Hayward Av.	6"	490
Beachwood St.	E. Main St.	Hayward St.	6"	500
Berwin St.	Hazelwood Ter.	Rosewood Ter.	6"	300
Chamberlin St.	E. Main St.	Hayward Av.	6"	616
Chamberlin St.	Hayward Av.	Parsells Av.	8"	1015
Chamberlin St.	Parsells Av.	Melville St.	6"	285
Ferris St.	Mc Kinster St.	Culver Rd.	8"	1000
Garson Av.	Baldwin St.	Stout St.	6"	1320
Garson Av.	Stout St.	Culver Rd.	8"	2300
Grand Av.	Baldwin St.	Chamberlin St.	6"	660
Grand Av.	Stout St.	Greeley St.	8"	1040
Hazelwood Ter.	Webster Av.	Berwin St.	6"	1300
Hazelwood Ter.	Berwin St.	Greeley St.	6"	1425
Hazelwood Ter.	Greeley St.	Culver Rd.	8"	1150
Iroquois St.	Parkside Av.	Bay St.	6"	635
Iroquois St.	Rosewood Ter.	Parkside Av.	8"	462
Kingston St.	E. Main St.	Cedarwood Ter.	6"	1030
Lampson St.	Hayward Av.	Garson Av.	8"	320
Laura St.	E. Main St.	Hayward Av.	6"	415
Netherton Rd.	Parkside Av.	Bay St.	6"	600
Netherton Rd.	Parkside Av.	Bay St.	6"	600
Parkside Av.	Mc Kinster St.	Dead End	8"	1500
Quincy St.	E. Main St.	Cedarwood Ter.	6"	900
Richland St.	Varden St.	Culver Rd.	8"	905
Rosewood Ter.	Berwin St.	Culver Rd.	8"	2600
Sidney St.	E. Main St.	Cedarwood Ter.	6"	830
Stout St.	Garson Av.	Parsells Av.	8"	720
Stout St.	Parsells Av.	Melville St.	6"	230
Varden St.	Ferris St.	Bay St.	8"	500
Vermont St.	Greeley St.	Culver Rd.	8"	1400
Total =				28418



2023 C&L Project Proposed Streets - Add Alt 1				
STREET TO BE C&L	FROM	TO	SIZE	LENGTH
Greeley St.	Garson Av.	Vermont St.	8"	2000
Greeley St.	Vermont St.	Bay St.	6"	640
			Total =	2640

2023 C&L Project Proposed Streets - Add Alt 2				
STREET TO BE C&L	FROM	TO	SIZE	LENGTH
Baldwin St.	Hayward Av.	Parsells Av.	6"	1020
Denver St.	Cedarwood Ter.	Garson Av.	6"	350
Denver St.	Grand Av.	Parsells Av.	8"	320
Denver St.	Parsells Av.	Melville St.	6"	300
Denver St.	Melville St.	Parkside St.	8"	935
			Total =	2925

INTRODUCTORY NO.

10

Ordinance No.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,500,000 Bonds of said City to finance the costs of the 2023 Water Main Cleaning & Lining 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"), hereby authorizes the issuance of \$2,500,000 bonds of the City to finance a portion of the costs of the 2023 Water Main Cleaning & Lining Project to rehabilitate approximately 6.4 miles of existing water mains along the street segments indicated on the attached Schedule A ("Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,000,000. The plan of financing includes the issuance of \$2,500,000 bonds of the City, which amount is hereby appropriated therefor, \$270,000 from 2019-20 Cash Capital, \$230,000 from 2021-22 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 \$2,500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,500,000. 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

**2023 Water Main Cleaning & Lining Project**

STREET	FROM	TO	SIZE
Alexis St.	Rosewood Ter.	Parkside Av.	8"
Arch St.	E. Main St.	Cedarwood Ter.	6"
Baldwin St.	E. Main St.	Hayward Av.	6"
Beechwood St.	E. Main St.	Hayward Av.	6"
Berwin St.	Hazelwood Ter.	Rosewood Ter.	6"
Chamberlain St.	E. Main St.	Hayward Av.	6"
Chamberlain St.	Hayward Av.	Parsells Av.	8"
Chamberlain St.	Parsells Av.	Melville St.	6"
Ferris St.	Mc Kinster St.	Culver Rd.	8"
Garson Av.	Baldwin St.	Stout St.	6"
Garson Av.	Stout St.	Culver Rd.	8"
Grand Av.	Baldwin St.	Chamberlain St.	6"
Grand Av.	Stout St.	Greeley St.	8"
Hazelwood Ter.	Webster Av.	Berwin St.	6"
Hazelwood Ter.	Berwin St.	Greeley St.	6"
Hazelwood Ter.	Greeley St.	Culver Rd.	8"
Iroquois St.	Parkside Av.	Bay St.	6"
Iroquois St.	Rosewood Ter.	Parkside Av.	8"
Kingston St.	E. Main St.	Cedarwood Ter.	6"
Lampson St.	Hayward Av.	Garson Av.	8"
Laura St.	E. Main St.	Hayward Av.	6"
Netherton Rd.	Parkside Av.	Bay St.	6"
Parkside Av.	Mc Kinster St.	Dead End	8"
Quincy St.	E. Main St.	Cedarwood Ter.	6"
Richland St.	Varden St.	Culver Rd.	8"
Rosewood Ter.	Berwin St.	Culver Rd.	8"
Sidney St.	E. Main St.	Cedarwood Ter.	6"
Stout St.	Garson Av.	Parsells Av.	8"
Stout St.	Parsells Av.	Melville St.	6"
Varden St.	Ferris St.	Bay St.	8"
Vermont St.	Greeley St.	Culver Rd.	8"
Greeley St.	Garson Av.	Vermont St.	8"
Greeley St.	Vermont St.	Bay St.	6"
Baldwin St.	Hayward Av.	Parsells Av.	6"
Denver St.	Cedarwood Ter.	Garson Av.	6"
Denver St.	Grand Av.	Parsells Av.	8"
Denver St.	Parsells Av.	Melville St.	6"
Denver St.	Melville St.	Parkside St.	8"





## City of Rochester

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

## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

Malik D. Evans  
Mayor

11

January 3, 2023

NBD 07

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of Real Estate and Easement – Portions of  
25-37 Canal Street

Council Priority: Creating and Sustaining a Culture of  
Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale by negotiation of various portions of 25-37 Canal Street to cure an encroachment, as well as the sale of a permanent easement which will provide access to the building at 9-13 Canal Street owned by the adjoining landowner. The sale of the two irregular shaped pieces of land will cure the encroachment of the building owned by the adjoining owner while the sale of third listed piece will provide permanent access via an easement to the adjoining building. The identified portions of the property and easement will be sold to 9 Cunningham LLC (Matt Drouin, Managing Member, 36 King St, Rochester, NY). Appraisals determining market value were obtained from Midland Appraisal Associates in August 2022.

<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Appraisal Value</u>	<u>Zoning/</u>
Sale Portion 1 (25-37 Canal St)	120.36-2-5	Irregular	584	\$816	CCD-C
Sale Portion 2 (25-37 Canal St)	120.36-2-5	Irregular	146	\$204	CCD-C
Easement Portion (25-37 Canal St)	120.36-2-5	Irregular	5,667	\$7,980	CCD-C

The Purchaser of the portions of the property noted in the chart above owns both 9-13 Canal Street and 53 Canal Street, adjacent to the City's land. It was determined through consultation with the City of Rochester Department of Environmental Services that we should only sell the lands that lie under the footprint of the purchaser's building to cure the encroachment and to convey any additional lands needed for access to the building's rear loading docks as an easement. The remainder of the parcel shall be held strategically for a potential future development. Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), this is a Type II item.

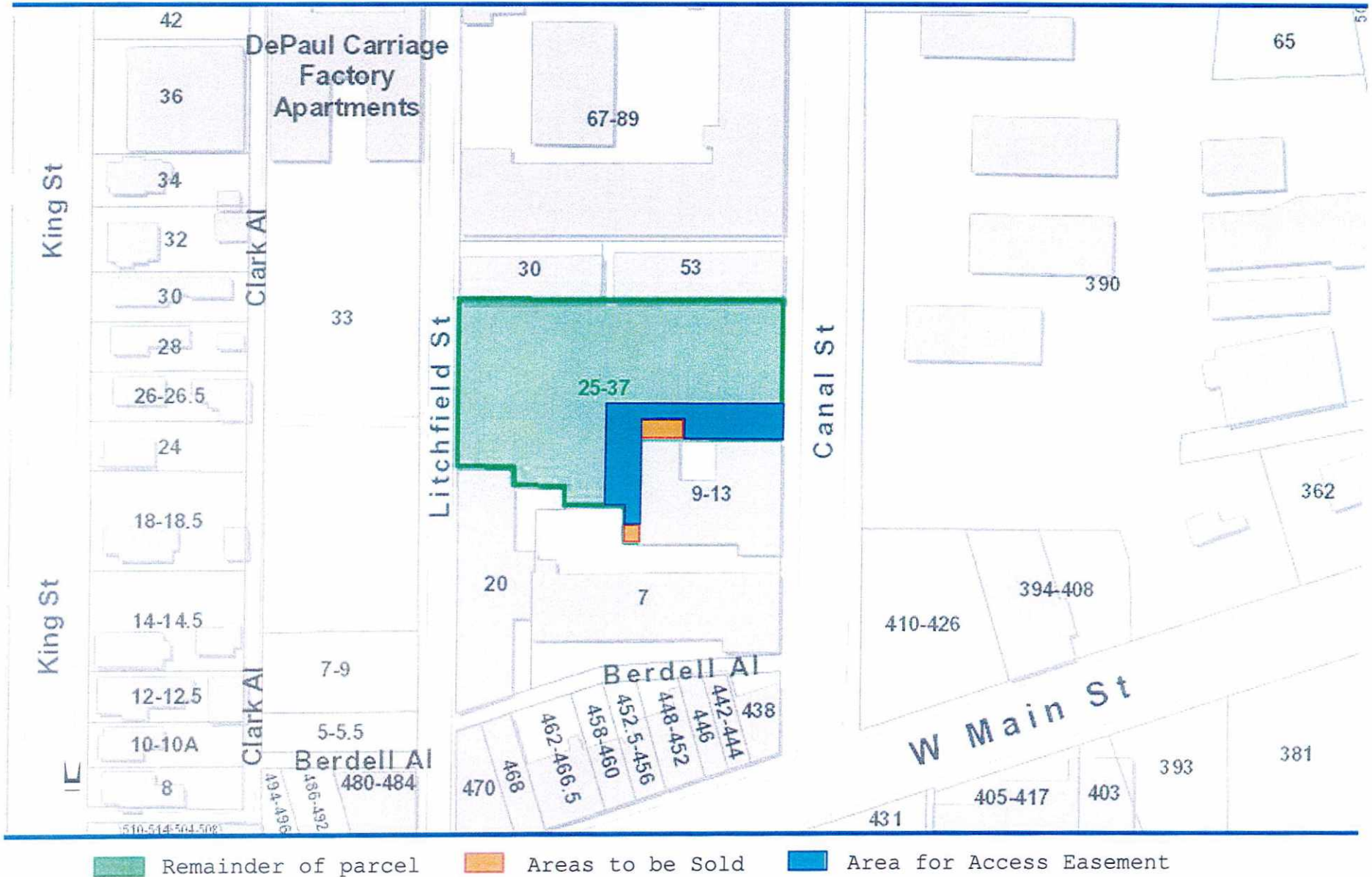
Respectfully submitted,

Malik D. Evans  
Mayor



# 25-37 Canal Street

NBD 7  
ATTACHMENT



November 30, 2022

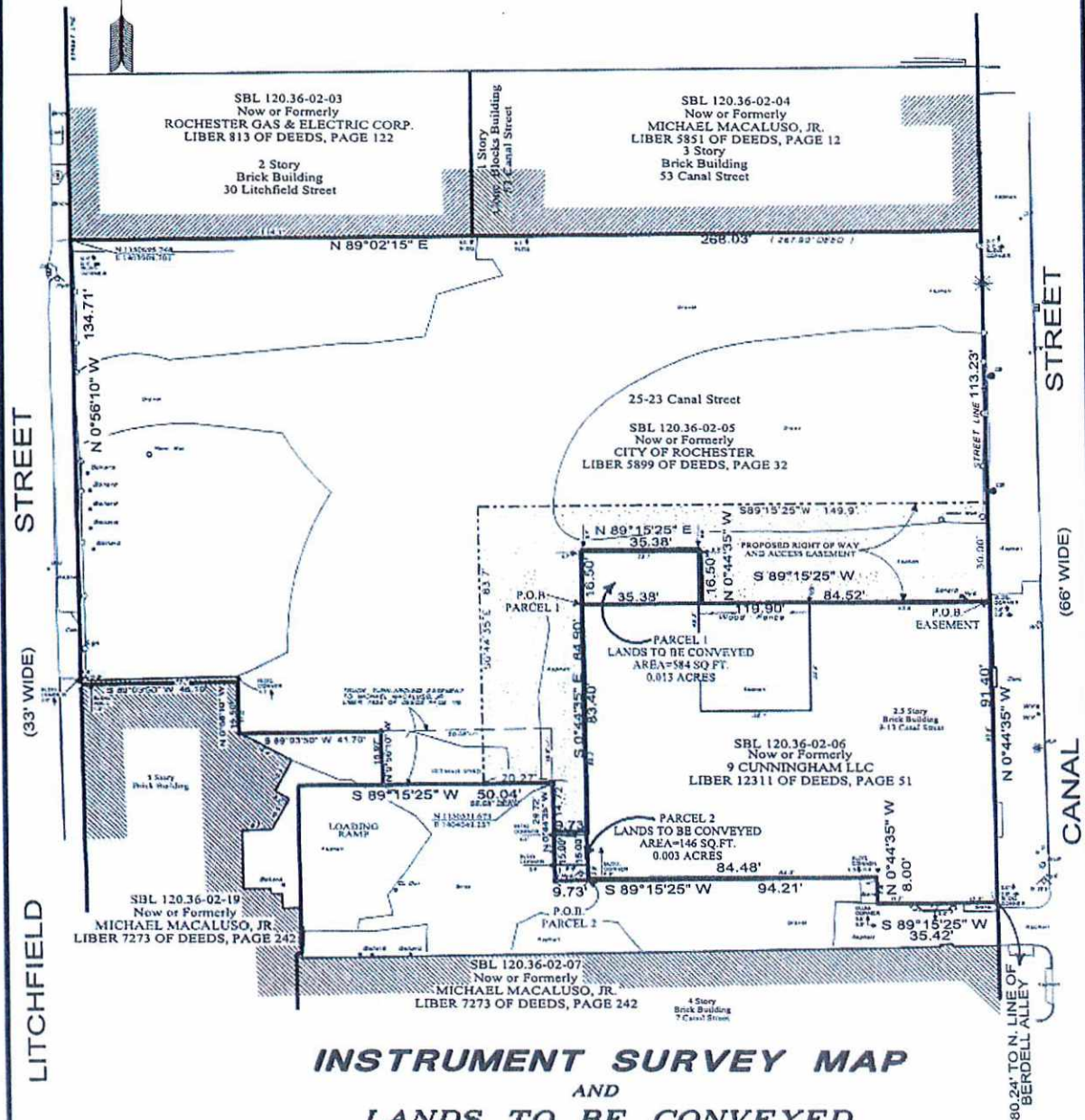
This map is intended for general reference only. The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY  
Melik D. Evans, Mayor





## INSTRUMENT SURVEY MAP

AND

## LANDS TO BE CONVEYED

### 9-13 CANAL STREET & 25-37 CANAL STREET

LOTS 28,29,30,34,35 AND PART OF LOTS 7,26,31,AND 33 OF THE BUSH AND KING TRACT,  
PART OF TOWN LOTS 50 AND 51 OF 20,000 ACRE TRACT, PHELPS & GORHAM PURCHASE  
CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK

DRAWING ALTERATION  
THE FOLLOWING IS AN EXCERPT FROM THE NEW YORK EDUCATION LAW ARTICLE 145 SECTION 7209 AND APPLIES TO THIS DRAWING.  
IT IS A VIOLATION OF THIS FOR ANY PERSON UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND  
SURVEYOR TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED THE ALTERING  
ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE  
AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.



I HEREBY CERTIFY THAT THIS MAP WAS PREPARED JANUARY 6, 2021  
FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED OCTOBER 12, 2010  
AND REINSPECTED ON NOVEMBER 19, 2020 IN CONJUNCTION WITH THE NOTES  
AND REFERENCES LISTED  
HEREON.

NO ABSTRACT OF TITLE WAS PROVIDED FOR REVIEW. THEREFORE  
THIS SURVEY IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES  
THAT AN UPDATED ABSTRACT OF TITLE MAY SHOW.

By: *John D. Metzger* Date: *1-7-2021*  
John D. Metzger N.Y.S.P.E.S. NO. 050426  
City of Rochester Field Surveyor

CITY OF ROCHESTER  
COUNTY OF MONROE STATE OF NEW YORK

Notes: Book 1903, Page 29

Scale: 1" = 40'

Date: January 6, 2021

Job No. 2020-028

Maps & Surveys, 30 Church Street (Room 225 B), Rochester, New York 14614

Project Surveyor(s): John D. Metzger, L.S. Phone: 428-8873



**LEGAL DESCRIPTION OF  
PART OF #25-37 CANAL STREET  
PART OF T.A. #120.360-02-005  
LANDS TO BE CONVEYED**

**PARCEL 1**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lots 50 & 51, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point being the northwest corner of lands conveyed to 9 Cunningham LLC by a deed filed in Liber 12311 of Deeds, Page 51 and being the Point or Place of Beginning; thence

- 1) Northerly, along the northerly prolongation of the west property line of said lands conveyed to 9 Cunningham LLC, a distance of 16.5 feet to a point; thence
- 2) Easterly, parallel with the north line of said lands of 9 Cunningham LLC, a distance of 35.38 feet to a point; thence
- 3) Southerly, parallel with the west line of said lands of 9 Cunningham LLC, a distance of 16.5 feet to the north line of said lands conveyed to 9 Cunningham LLC; thence
- 4) Westerly, along said north line of lands of 9 Cunningham LLC, a distance of 35.38 feet to the northwest corner of lands of 9 Cunningham LLC, being the Point or Place of Beginning, containing 584 square feet, or 0.013 acres, more or less

**PARCEL 2**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lots 50 & 51, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point being the southwest corner of lands conveyed to 9 Cunningham LLC by a deed filed in Liber 12311 of Deeds, Page 51 and being the Point or Place of Beginning; thence

- 1) Westerly, along the north line of lands conveyed to Michael Macaluso, Jr. by a deed filed in Liber 7273 of Deeds, Page 242, a distance of 9.73 feet to a point; thence
- 2) Northerly, parallel with the west line of said lands of 9 Cunningham LLC, a distance of 15.00 feet to a point; thence
- 3) Easterly, along a line at right angles to the last described course, a distance of 9.73 feet to the west line of said lands conveyed to 9 Cunningham LLC; thence
- 4) Southerly, along said west line of lands of 9 Cunningham LLC, a distance of 15.00 feet to the southwest corner of lands of 9 Cunningham LLC, being the Point or Place of Beginning, containing 146 square feet, or 0.003 acres, more or less.

All as shown on a map prepared by the City of Rochester Survey Office titled "Instrument Survey and Lands to be Conveyed", Job No.2020-025 and dated January 6, 2021.

Subject to covenants, easements or restrictions of record, if any.

Being part of one of the parcels conveyed to the City of Rochester by a deed dated November 28, 1980 and filed in Liber 5899 of Deeds, Page 32.

January 6, 2021

G:\DIV\MAPS\DESC\REGULAR\A-M\CANAL25-37 LANDS TO BE CONVEYED.DOCX



**LEGAL DESCRIPTION OF  
PART OF #25-37 CANAL STREET  
PART OF T.A. #120.360-02-005  
PROPOSED RIGHT OF WAY AND ACCESS EASEMENT**

**NBD 7  
ATTACHMENT**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lots 50 & 51, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point on the westerly ROW line of Canal Street (66' ROW), 171.64 feet north of the northerly ROW line of Berdell Alley (12' ROW), being the northeast corner of lands conveyed to 9 Cunningham LLC by a deed filed in Liber 12311 of Deeds, Page 51 and being the Point or Place of Beginning; thence

- 1) Northerly, along said ROW line of Canal Street, a distance of 30.0 feet to a point; thence
- 2) Westerly, parallel with the north line of said lands of 9 Cunningham LLC, a distance of 149.9 feet to a point; thence
- 3) Southerly, parallel with the west line of said lands of 9 Cunningham LLC and 30.0 feet distant therefrom, a distance of 83.7 feet, more or less, to the north line of lands conveyed to Michael Macaluso, Jr. by a deed filed in Liber 7273 of Deeds, Page 242; thence
- 4) Easterly, along said north line of Macaluso, a distance of 20.27 feet to an angle point; thence
- 5) Southerly, continuing along said lands of Macaluso, a distance of 14.72 feet to an angle point; thence
- 6) Easterly, along a line at right angles to the last described course, a distance of 9.73 feet, more or less, to a point being in the west line of lands of 9 Cunningham LLC; thence
- 7) Northerly, along the west line of said lands of 9 Cunningham LLC and the northerly prolongation of said west line, a distance of 84.90 feet to a point; thence
- 8) Easterly, parallel with the north line of said lands of 9 Cunningham LLC, a distance of 35.38 feet to a point; thence
- 9) Southerly, along a line measured at right angles to the last described course, a distance of 16.5 feet to a point being on the north line of said lands of 9 Cunningham LLC, thence
- 10) Easterly, along the north line of said lands of 9 Cunningham LLC, a distance of 84.52 feet to the said westerly ROW line of Canal Street, being the Point or Place of Beginning, containing 5667 square feet or 0.130 acres, more or less.

All as shown on a map prepared by the City of Rochester Survey Office titled "Instrument Survey and Lands to be Conveyed", Job No.2020-025 and dated January 6, 2021.

Subject to covenants, easements or restrictions of record, if any.

Being part of one of the parcels conveyed to the City of Rochester by a deed dated November 28, 1980 and filed in Liber 5899 of Deeds, Page 32.

January 6, 2021

G:\DIV\MAPS\DESC\REGULAR\A-M\CANAL25-37 EASEMENT.DOCX

## INTRODUCTORY NO.

11

Ordinance No.

**Authorizing the sale of real estate**

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of real property to 9 Cunningham LLC:

Address	S.B.L. No.	Lot Size
Parcel 1, portion of 25-37 Canal St	120.36-2-5	584 sq ft.
Parcel 2, portion of 25-37 Canal St	120.36-2-5	146 sq ft.

each of which are described and bounded as follows:

**PARCEL 1**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lots 50 & 51, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point being the northwest corner of lands conveyed to 9 Cunningham LLC by a deed filed in Liber 12311 of Deeds, Page 51 and being the Point or Place of Beginning; thence

1. Northerly, along the northerly prolongation of the west property line of said lands conveyed to 9 Cunningham LLC, a distance of 16.5 feet to a point; thence
2. Easterly, parallel with the north line of said lands of 9 Cunningham LLC, a distance of 35.38 feet to a point; thence
3. Southerly, parallel with the west line of said lands of 9 Cunningham LLC, a distance of 16.5 feet to the north line of said lands conveyed to 9 Cunningham LLC; thence
4. Westerly, along said north line of lands of 9 Cunningham LLC, a distance of 35.38 feet to the northwest corner of lands of 9 Cunningham LLC, being the Point or Place of Beginning, containing 584 square feet, or 0.013 acres, more or less

**PARCEL 2**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lots 50 & 51, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point being the southwest corner of lands conveyed to 9 Cunningham LLC by a deed filed in Liber 12311 of Deeds, Page 51 and being the Point or Place of Beginning; thence

1. Westerly, along the north line of lands conveyed to Michael Macaluso, Jr. by a deed filed in Liber 7273 of Deeds, Page 242, a distance of 9.73 feet to a point; thence
2. Northerly, parallel with the west line of said lands of 9 Cunningham LLC, a distance of 15.00 feet to a point; thence



3. Easterly, along a line at right angles to the last described course, a distance of 9.73 feet to the west line of said lands conveyed to 9 Cunningham LLC; thence
4. Southerly, along said west line of lands of 9 Cunningham LLC, a distance of 15.00 feet to the southwest corner of lands of 9 Cunningham LLC, being the Point or Place of Beginning, containing 146 square feet, or 0.003 acres, more or less.

### **BOTH PARCELS**

All as shown on a map prepared by the City of Rochester Survey Office titled "Instrument Survey and Lands to be Conveyed", Job No.2020-025 and dated January 6, 2021.

Subject to covenants, easements or restrictions of record, if any.

Being part of one of the parcels conveyed to the City of Rochester by a deed dated November 28, 1980 and filed in Liber 5899 of Deeds, Page 32.

Section 2. The Council hereby approves the sale by negotiation of a permanent easement over a portion of 25-37 Canal Street (SBL# 120.36-2-5) to 9 Cunningham LLC, for the purpose of providing access to the purchaser's adjoining property located at 9-13 Canal Street, which is described and bounded as follows:

### **RIGHT OF WAY AND ACCESS EASEMENT**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lots 50 & 51, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point on the westerly ROW line of Canal Street (66' ROW), 171.64 feet north of the northerly ROW line of Berdell Alley (12' ROW), being the northeast corner of lands conveyed to 9 Cunningham LLC by a deed filed in Liber 12311 of Deeds, Page 51 and being the Point or Place of Beginning; thence

1. Northerly, along said ROW line of Canal Street, a distance of 30.0 feet to a point; thence
2. Westerly, parallel with the north line of said lands of 9 Cunningham LLC, a distance of 149.9 feet to a point; thence
3. Southerly, parallel with the west line of said lands of 9 Cunningham LLC and 30.0 feet distant therefrom, a distance of 83.7 feet, more or less, to the north line of lands conveyed to Michael Macaluso, Jr. by a deed filed in Liber 7273 of Deeds, Page 242; thence
4. Easterly, along said north line of Macaluso, a distance of 20.27 feet to an angle point; thence
5. Southerly, continuing along said lands of Macaluso, a distance of 14.72 feet to an angle point; thence
6. Easterly, along a line at right angles to the last described course, a distance of 9.73 feet, more or less, to a point being in the west line of lands of 9 Cunningham LLC; thence
7. Northerly, along the west line of said lands of 9 Cunningham LLC and the northerly prolongation of said west line, a distance of 84.90 feet to a point; thence
8. Easterly, parallel with the north line of said lands of 9 Cunningham LLC, a distance of 35.38 feet to a point; thence

9. Southerly, along a line measured at right angles to the last described course, a distance of 16.5 feet to a point being on the north line of said lands of 9 Cunningham LLC, thence
10. Easterly, along the north line of said lands of 9 Cunningham LLC, a distance of 84.52 feet to the said westerly ROW line of Canal Street, being the Point or Place of Beginning, containing 5667 square feet or 0.130 acres, more or less.  
All as shown on a map prepared by the City of Rochester Survey Office titled "Instrument Survey and Lands to be Conveyed", Job No.2020-025 and dated January 6, 2021.  
Subject to covenants, easements or restrictions of record, if any.  
Being part of one of the parcels conveyed to the City of Rochester by a deed dated November 28, 1980 and filed in Liber 5899 of Deeds, Page 32.

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.

12

Malik D. Evans  
Mayor

January 3, 2023

NBD 09

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Flower City Habitat for Humanity, Inc.

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending an existing agreement with Flower City Habitat for Humanity, Inc. (Matthew Flanigan, President and CEO, 755 Culver Road, Rochester) to add additional funding for the construction of single family homes for affordable homeownership. This legislation will:

- 1) Authorize an amendment to an agreement with Flower City Habitat for Humanity, Inc., approved by City Council on April 13, 2022 via Ordinance 2022-100, by increasing the original grant award of \$175,000 by \$100,000 for a total maximum grant amount of \$275,000; and
- 2) Appropriate \$100,000 in HOME funds as described below to fund the amendment:

Annual Action Plan	Project	Funding Amount
2018-19	Housing Development Fund – New Housing Construction	\$90,000
2021-22	Affordable Housing Fund	\$10,000
<b>TOTAL</b>		<b>\$100,000</b>

The proposed amendment will provide additional development subsidy funding to support the new construction of the seven identified owner-occupied single-family houses to be built in and adjacent to the Beechwood neighborhood. Our non-profit development partners have dealt with challenges throughout the pandemic, and Habitat was impacted in ways unique to their business model. Historically Habitat has relied on a large volunteer force, many of whom are older individuals. This workforce, which was particularly vulnerable due to the COVID pandemic, was unable to participate in their construction model for close to two years, resulting in delays and additional staffing costs. In spite of these challenges, Habitat has continued to produce high quality single-family housing. Through this amendment, the City is attempting to lessen the impact of the COVID-related delays and other outside pressures that greatly increased Habitat's cost of producing homes. The recent inflationary environment has exacerbated the issue, but this vital work continues to provide quality homeownership opportunities for low-income households. The appropriation and amendment help ensure programmatic stability and development continuity for one of the City's largest providers of high-quality homes for low- and very-low income first-time homebuyers.

Habitat has been a valued partner for many years, and has created over 100 new homes in the JOSANA Neighborhood. Habitat's recent efforts have focused on the Northeast, including the



Beechwood Neighborhood, where all seven of these homes will be constructed. This new construction activity aligns with the residential goals identified in the *Comprehensive Plan for the EMMA and Beechwood Neighborhoods* (2020), and the City's Comprehensive Plan: *Rochester 2034*. This project will provide much needed homeownership opportunities to the community, and is the first phase of Habitat's planned Beechwood infill effort.

The new houses will be sold to low-income families who currently reside in sub-standard, overcrowded, and/or cost-prohibitive housing situations. These families are selected by an FCHH committee using the following criteria:

- Annual household income between 35% and 70% of the area median income.
- Minimum two years' continuous history of employment or other income source.
- Demonstrated need as current housing is substandard, overcrowded, or a cost burden.
- No bankruptcy or discharge within last two years, and no open judgements or tax liens.
- Willingness to partner by contributing at least 300 hours of "sweat equity" (depending on household size), providing monthly proof of income and savings, providing a down payment and portion of closing costs, attending at least seven required classes on financial literacy and home ownership, and agreeing to live in the house for at least 10 years.

The houses will be sold for appraised value (between \$80,000 and \$120,000), but mortgages are sized to ensure affordability. FCHH typically provides a 30-year mortgage with a 0% interest rate.

A SEQRA review was completed and a negative declaration was issued on 12/16/2021. A NEPA review was also completed on 11/23/2021, and a Finding of No Significant Impact (FONSI) was issued. A Vendor Selection Summary Form was submitted with the original legislation in April, 2022.

Respectfully submitted,

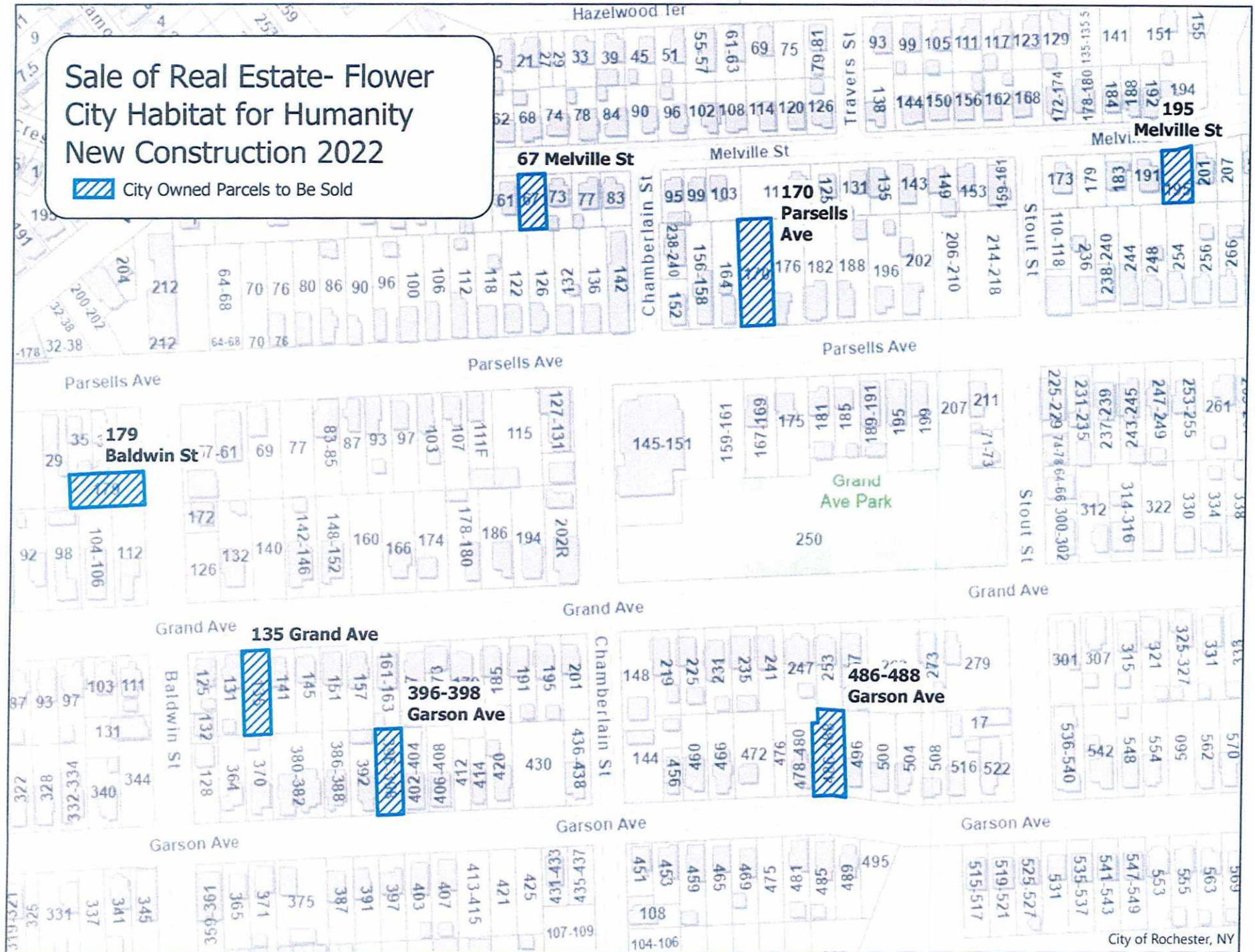
A handwritten signature in blue ink, appearing to read 'Malik D. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans  
Mayor



# Sale of Real Estate- Flower City Habitat for Humanity New Construction 2022

 City Owned Parcels to Be Sold



12

Ordinance No.

**Authorizing an amendatory agreement with Flower City Habitat for Humanity, Inc.**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory grant agreement with Flower City Habitat for Humanity, Inc. to provide additional funding for the construction of single family homes for affordable homeownership (the Project). The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-100 by increasing the amount of the original grant award by \$100,000 to a new total of \$275,000. The amendatory compensation amount shall be funded in the amounts of \$90,000 hereby appropriated to the Project from the Housing Development Fund – New Housing Construction project allocation of the 2018-19 Action Plan and \$10,000 hereby appropriated to the Project from the Affordable Housing Fund project allocation of the 2021-22 Action Plan.

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.





## City of Rochester

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## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

13

Malik D. Evans  
Mayor

January 3, 2023 NBD 10

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment – Examining Board of Plumbers

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member to the Examining Board of Plumbers. This will fill the vacant seat of retired member, William Kurtz, for a term that will expire on March 31, 2025.

Name

Stephen Youngman

Title

Master Plumber

The current membership of the Examining Board of Plumbers as well as its membership requirements are attached. Stephen Youngman's resume is on file with the City Clerk's Office.

Respectfully submitted,

Malik D. Evans  
Mayor



## Examining Board of Plumbers

Name	Qualifications	Orig. app't	Term Exp.	Res.	Gender	Race
Rick Benedict	Journeyman	Nov. 2002	March 2025	County	M	W
William Kurtz	Master/Employer	Jan. 2010	March 2022	County	M	W Retired
Gary Mauro	Master/Employer	Nov. 2002	March 2025	County	M	W
Ron Behan	Clerk to the Board	N/A	N/A	N/A	M	W
Marvin Parker, Sr.	City Ex officio	June 2014	March 2025	County	M	B
Geoffrey Gugel	City Water Bureau Director	N/A	N/A	N/A	M	W

### Appointment Process

Members are appointed by the Mayor and subject to confirmation by City Council.

### Membership Requirement and Length of Term

Five (5) members with the following experience/credentials:

- Two (2) employing or master plumbers with no less than 10 years experience.
- One (1) Journeyman plumber with no less than 10 years experience.
- Two (2) Ex officio members: Director of the Water Bureau and chief water engineer for the City.

Terms are for three years.

### Responsible Department

Neighborhood and Business Development

### Description and Duties

The Examining Board of Plumbers' duties are conferred by Article 4 of the General City Law of the State. These duties include:

- Examining and having jurisdiction over all persons desiring or intending to engage in the plumbing trade. The Board determines the fitness and qualifications for conducting the business of master plumber or to act as an inspector of plumbing to issue Certificates of Competency.
- Formulating, in conjunction with the Board of Health, a code of rules regulating the work of plumbing and drainage in the City of Rochester.
- Preparing and issuing certificates to employing or master plumbers.
- Registering employing or master plumbers.
- Cancelling a plumber's registration in the event of violations of the Plumbing Code or laws and regulations relating to plumbing.
- Clarifying and interpreting the meaning and intent of the code of rules regulating the work of plumbing and drainage, including the materials, workmanship and manner of executing such work.
- Administering and enforcing the testing, licensing and registration of qualified master plumbers.
- Granting waivers for any provisions of this code, which may result from disputes between an applicant for a permit and the Commissioner of Neighborhood and Business Development.
- Reviewing, on a specific case basis, applicant appeals resulting from permits denied by the Commissioner.



13

Resolution No.

**Resolution approving an appointment to the Examining Board of Plumbers**

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

Section 1. The Council hereby approves the appointment of Stephen Youngman, Master Plumber, to the Examining Board of Plumbers for a term which shall expire on March 31, 2025.

Section 2. This resolution shall take effect immediately.



## City of Rochester

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## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

Malik D. Evans  
Mayor

14

January 3, 2023 NBD 11

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment – Board of Stationary Engineers

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member to the Board of Stationary Engineers. This will fill the vacant seat of Michael Kaiser for a term that will expire on March 31, 2025.

Name

Chance Sullivan

Title

Licensed Chief Engineer

The current membership of the Examining Board of Plumbers as well as its membership requirements are attached. Chance Sullivan's resume is on file with the City Clerk's Office.

Respectfully submitted,

Malik D. Evans  
Mayor





## Board of Stationary Engineers

Name	Qualifications	Orig. app't	Term Exp.	Res.	Gender	Race
Michael Kaiser	Licensed Engineer-Refrig.	Mar. 2012	March 2022	County	M	W
William Perez	Licensed Chief Engineer	June 2014	March 2022	County	M	H
Guy Pientrantoni	Licensed Chief Engineer	June 2014	March 2022	County	M	W
Walter Dodson	Licensed Chief Engineer	July 2016	March 2022	County	M	W
Lillie Wilson-Ladd	Licensed Chief Engineer	July 2016	March 2022	County	F	B
Casmic Reid	City Ex-officio	N/A	N/A	County	M	B

### Appointment Process

Members are appointed by the Mayor and subject to confirmation by City Council.

### Membership Requirement and Length of Term

- Six members
- Five members shall be:
  - Monroe County resident, with preference given to City residents
  - At least 25 years of age, citizen of the United States, high school graduate or equivalent
  - Licensed in at least the first or second highest classification, adequately representing the interests of refrigeration and stationary engineering.

The sixth member shall be the Commissioner of Neighborhood and Business Development or his/her designee.

### Responsible Department

Neighborhood and Business Development

### Description and Duties

The Board is responsible for investigating and examining the knowledge and technical ability of each applicant for a license to engage in or perform the work of a stationary engineer or a refrigeration operator in the City of Rochester. The Board has the authority to determine the material on which applicants are tested. The Board shall meet regularly at a time and place fixed by it and may adopt rules and regulations for the transaction of its business. The Board may adopt rules and regulations to govern its action in exercising its powers and duties and may amend such rules and regulations at any time thereafter. A majority vote of the whole Board is required for the adoption or amendment of such rules and regulations. A quorum for regular and special meetings shall be three members. The decision of the majority present shall prevail, except as otherwise provided in the adoption of the Board's rules and regulations and amendments thereto.

### Duties of the Board include:

- Revoking, cancelling or suspending a license for just cause.
- Authorizing the issuance of licenses. The Board shall not limit the number of licenses issued.
- Investigating charges preferred against a license holder.
- Maintaining an orderly set of records and shall perform such other duties as are hereinafter required of it and as may be directed by ordinance of the Council.

14

Resolution No.

**Resolution approving an appointment to the Board of Examiners of Stationary Engineers and Refrigeration Operators**

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

Section 1. The Council hereby approves the appointment of Chance Sullivan, Licensed Chief Engineer, to the Board of Examiners of Stationary Engineers and Refrigeration Operators for a term which shall expire on March 31, 2025.

Section 2. This resolution shall take effect immediately.





## City of Rochester

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## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

15

Malik D. Evans  
Mayor

January 3, 2023

NBD 24

TO THE COUNCIL

Ladies and Gentlemen:

Re: Restore New York Communities Initiative –  
Round 7 Endorsing County Application for Historic  
Sibley Triangle Building Rehabilitation Project

Council Priority: Creating and Sustaining a Culture of  
Vibrancy – Revitalize Downtown, and Jobs and  
Economic Development

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation endorsing a grant application by the County of Monroe (County) for up to \$2 million to support the Historic Sibley Triangle Building Rehabilitation Project (Project). The project would adaptively reuse and rehabilitate the Triangle Building located at 20-30 East Avenue (see project location map below) to create approximately 36 housing units and approximately 7,200 square feet of ground-floor commercial space. The grant would be funded by Empire State Development (ESD) through Round 7 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 7 is \$150,000,000.

The \$7 million Project is prominently located on the East Main Street corridor on the east side of downtown and includes the rehabilitation of an approximately 36,000 square foot five-story building into 36 residential units and first floor commercial space. The Project developer is Jays Acquisitions II LLC (Angelo Ingrassia, President, Rochester, NY). The County submitted a letter of intent to ESD on November 30, 2022 and intends to submit a full application by the application deadline of January 27, 2023. The City's Neighborhood and Business Development Department has reviewed the proposed Project and endorses the County's application.

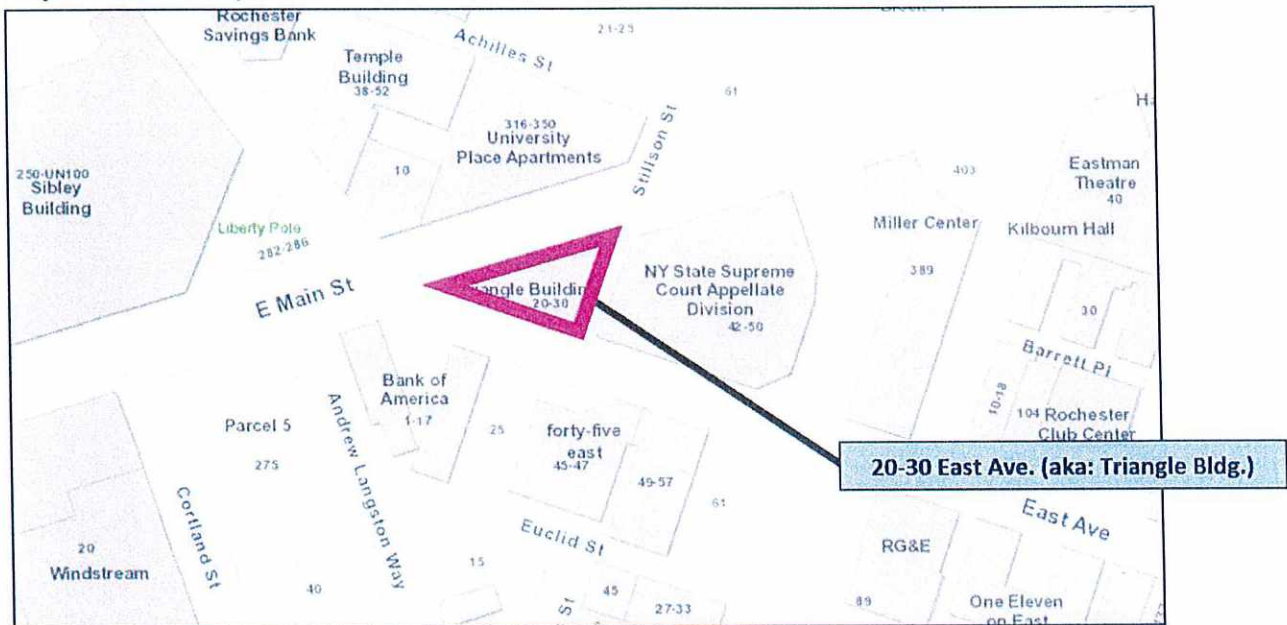
ESD's Restore NY program guidelines state that the legislative body of the local municipality that maintains land use control over the proposed project site must pass a resolution finding that: the proposed project is consistent with the municipality's local revitalization or urban development plan; the proposed financing is appropriate for the specific project; the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable.

In accordance with Restore NY program guidelines, this application is consistent with the following principles:



- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan 2020-2024; 3) Center City Master Plan; and 4) Housing Policy;
- The proposed financing is appropriate for the specific project;
- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

Project location map:



A public hearing and three days' notification in a local daily newspaper is required.

Respectfully submitted,

Malik D. Evans  
Mayor



INTRODUCTORY NO.

15

Resolution No.

**Resolution endorsing Monroe County application for Restore NY Communities Initiative – Round 7 grant to support the Historic Sibley Triangle Building Rehabilitation Project**

WHEREAS, the County of Monroe (County) has presented to the City a proposal to apply to the Empire State Development Corporation (ESD) for a grant of up to \$2 million through Round 7 of the Restore NY Communities Initiative (Restore NY) to help fund the adaptive reuse and rehabilitation of the Historic Sibley Triangle Building at 20-30 East Avenue to establish approximately 36 housing units and approximately 7,200 square feet of ground-floor commercial space (the Triangle Building Rehabilitation Project or Project); and

WHEREAS, the Council has reviewed the Triangle Building Rehabilitation Project proposal and has conducted a duly noticed public hearing about it in accordance with Restore NY program requirements and guidelines.

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

Section 1. The Council hereby finds that:

(a) the proposed Project is consistent with the following principles:

- 1) the Comprehensive Plan;
- 2) the Consolidated Community Development Plan for 2020-2024;
- 3) the Center City Master Plan; and
- 4) the Housing Policy;

(b) the proposed financing is appropriate for the Project;

(c) the Project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

(d) where applicable, the Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

Section 2. The Council hereby does endorse and recommend that ESD approve the County's application for a grant of up to \$2 million through Restore NY to help fund the Triangle Building Rehabilitation Project.

Section 3. This resolution shall take effect immediately.





## City of Rochester

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## NEIGHBORHOOD & BUSINESS DEVELOPMENT INTRODUCTORY NO.

16

Malik D. Evans  
Mayor

January 3, 2023

NBD 25

TO THE COUNCIL

Ladies and Gentlemen:

Re: Restore New York Communities Initiative –  
Round 7 Four Corners/Aqueduct Downtown Initiative

Council Priority: Creating and Sustaining a Culture of  
Vibrancy – Revitalize Downtown, and Jobs and  
Economic Development

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation relating to the "Four Corners/Aqueduct Downtown Initiative", a program to reuse and/or rehabilitate up to three underutilized properties at strategic locations (Project). The legislation authorizes an application to Empire State Development (ESD), and a subsequent grant disbursement agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant totaling up to \$5,000,000 to help fund the Project. The source of the funding would be Round 7 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 7 is \$150,000,000. Municipalities with populations over 100,000 are eligible to apply for one project, with a maximum grant request of \$5,000,000. A single Restore NY project may include multiple, geographically-proximate properties. On October 7, 2022 the City previously submitted its Round 6 application for \$5,000,000 towards five properties on the east side of downtown and has recently received notification of award of the full grant amount.

An internal advisory committee composed of staff from the Department of Neighborhood and Business Development reviewed properties for inclusion in the City's 2022 Restore NY Round 7 application. The advisory committee recommended a "Four Corners/Aqueduct Downtown Initiative", consisting of three underutilized properties that are strategically clustered in proximity to areas of recent and upcoming significant downtown investment such as: Restore NY rounds 4 & 5; ROC the Riverway; Aqueduct District Streets improvements; Charles Carroll Plaza improvements; Blue Cross Arena upgrades; State Street reconstruction; and, the Main Street Streetscape Enhancements Phase II project. The City would use the Round 7 Restore NY grant to provide gap funding for the adaptive reuse and/or rehabilitation of the three properties in order to further downtown revitalization as recommended in the City's Rochester 2034 Comprehensive Plan. A letter of intent to apply for this project was submitted to ESD on November 30, 2022 and a full application is due to ESD by January 27, 2023.

The City will request \$5,000,000 in funding for the properties listed (see property table and project location map below), or others, if deemed necessary by the Mayor. The three listed projects represent a total estimated investment of \$112 million, with the creation of up to 264 mixed-income housing units and the renovation of up to 449,000 square feet of commercial space. Developers listed are further defined as follows:





Reynolds II, LP:

Chris Hill, Member

Headquartered: 28 East Main Street, Suite 700, Rochester, New York 14614

36 West Main St, LLC  
(Itus Properties, LLC)

Milos Vojvodic, Principal

Headquartered: 36 West Main Street, Suite 109, Rochester, New York 14614

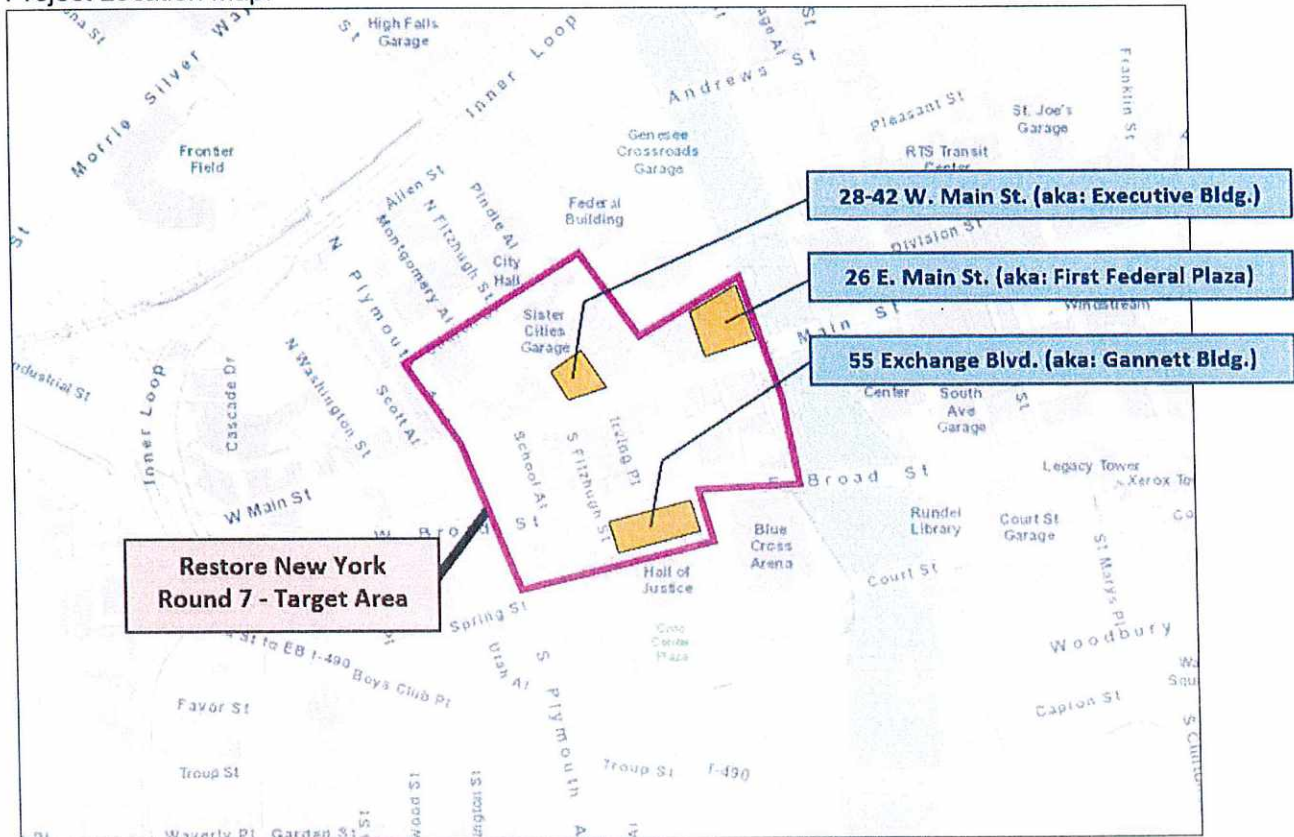
55 GB, LLC:

Karl Schuler, Partner

Headquartered: 1170 Pittsford Victor Road, Pittsford, New York 14534

Property	Developer	Total Development Cost	New Residential Units Affordable (A)	Renovated Commercial Space (Square Feet)
26 East Main Street	Reynolds II, LP	\$17 million	40	292,000
28-42 West Main Street	36 West Main St, LLC	\$50 million	130	62,000
55 Exchange Boulevard	55 GB, LLC	\$45 million	75 + 19(A)	95,000

Project Location Map:



As per ESD's Restore NY program guidelines, the application requires third-party cost estimates, five-year Pro Formas, and sources and uses of funds as indicators of sufficient Project funding. In accordance with Restore NY program guidelines, this application is consistent with the following principles:

- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan 2020–2024; 3) Center City Master Plan; and 4) Housing Policy;
- The proposed financing is appropriate for the specific project;
- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

A public hearing and three days' notification in a local daily newspaper is required.

Respectfully submitted,



Malik D. Evans  
Mayor



## **Restore New York Communities Initiative – Round 7 Four Corners/Aqueduct Downtown Initiative**

### **Internal Advisory Committee**

- Anne DaSilva Tella, Director of Development
- Erik Frisch, Deputy Commissioner of Neighborhood and Business Development
- Lindsay Nabozny, Senior Community Housing Planner
- Rick Rynski, Manager of Special Projects

**Authorizing an application and grant agreement for Restore NY Communities Initiative – Round 7 grant to support the Four Corners/Aqueduct Downtown Initiative**

WHEREAS, the Mayor has presented to the Council of the City of Rochester a proposal to submit an application to the Empire State Development Corporation (ESD) and to enter into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million through Round 7 of the Restore NY Communities Initiative (Restore NY), for the City to provide funding for the adaptive reuse and/or rehabilitation of three Four Corners/Aqueduct Downtown Initiative properties identified as strategically important to the continued revitalization of the Center City (the Project); and

WHEREAS, the Council has conducted a duly noticed public hearing and reviewed the Project that is proposed for the application to ESD in accordance with Restore NY program requirements and guidelines.

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

Section 1. The Council hereby finds that:

(a) the proposed Project is consistent with the following principles:

- 1) the Comprehensive Plan;
- 2) the Consolidated Community Development Plan for 2020-2024;
- 3) the Center City Master Plan; and
- 4) the Housing Policy;

(b) the proposed financing is appropriate for the Project;

(c) the Project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

(d) where applicable, the Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

Section 2. The Mayor is hereby authorized to submit the Project application to the Empire State Development Corporation (ESD) and to enter into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million through Round 7 of the Restore NY initiative, to provide funding for the adaptive reuse and/or rehabilitation of





## City of Rochester

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# RECREATION & HUMAN SERVICES COMMITTEE INTRODUCTORY NO.

17

Malik D. Evans  
Mayor

January 3, 2023

DRHS 12

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Agreement - Monroe County,  
Rochester - Monroe County Youth Bureau

Council Priority: Support the Creation of Effective  
Educational Systems

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the County of Monroe, on behalf of the Rochester-Monroe County Youth Bureau, for the receipt and use of a \$54,301 grant to support recreation and positive youth development programming. These funds were anticipated and included in the 2021-22 and 2022-23 Budgets of the Department of Recreation and Human Services. The term of the inter-municipal agreement will be for the 2022 calendar year and the funds will be used to reimburse the City for recreation programming that took place during that period. This grant has received retroactively from the County each year.

The Rochester-Monroe County Youth Bureau annually receives funding from the New York State Office for Children and Family Services (OCFS) for youth development activities and awards a portion of these funds to the City. In 2022, this grant is used to fund part-time Refs on the Move positions and supplies for youth athletics leagues, sports clinics and youth development programs which collectively serve more than 3,500 youth participants. These positions are utilized at the Rochester Community Sports Complex and Genesee Valley Sports Complex sites as well as R-Center locations and help facilitate our youth sports leagues and clinics such as basketball, flag football, softball/baseball, kickball, soccer, and lacrosse.

The Rochester-Monroe County Youth Bureau, jointly established by the City and County, provides a County-wide planning and service delivery system devoted to the welfare and development of children and youth. The most recent Council action on this item was in March 2022 via Ordinance No. 2022-91. The City has received this grant for more than 15 years.

Respectfully submitted,

Malik D. Evans  
Mayor



17

Ordinance No.

**Authorizing an intermunicipal agreement with the County of Monroe for recreation and positive youth development programming**

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 County of Monroe for the receipt and use of \$54,301 in funding from the New York State Office of Children and Family Services (OCFS) to support recreation and positive youth development programming (Program). The term of the agreement shall extend to December 31, 2022.

Section 2. If the amount of funds provided by OCFS is more or less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

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

Section 4. This ordinance shall take effect immediately.





**City of Rochester, NY**  
**Rochester City Council**

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

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

**PUBLIC SAFETY  
COMMITTEE  
INTRODUCTORY NO. 18**

Council 01

January 3, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Ordinance No.  
2021-375, Awareness and Complaint-Related  
Communications Implementation Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Causewave Community Partners, Inc. (Kate Pellet, Chief Operating Officer, Rochester, NY).

The original agreement for an Awareness and Complaint-Related Communications Implementation Project for the Police Accountability Board was executed in November 2021.

This amendment will extend the term of the agreement for six additional months until May 31, 2023, with all other terms of the Agreement remaining the same.

This extension is requested to allow additional time to continue the Awareness and Complaint Campaign.

Respectfully submitted,

Miguel A. Meléndez, Jr.  
President

INTRODUCTORY NO.

18

Ordinance No.

**Authorizing an amendatory agreement relating to an Awareness and Complaint-Related Communications Implementation project for the Police Accountability Board**

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 Causewave Community Partners, Inc. to continue to assist the Police Accountability Board in creating an Awareness and Complaint-Related Communications Implementation project. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2021-375 by increasing the term of the agreement by six months until May 31, 2023.

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

Section 3. This ordinance shall take effect immediately.





**City of Rochester, NY  
Rochester City Council**

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

**PUBLIC SAFETY  
COMMITTEE  
INTRODUCTORY NO.**

19

Council 02

January 3, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory Agreement – Ordinance No.  
2021-376, Comprehensive Program of  
Onboarding and Training for the PAB

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Coordinated Care Services, Inc. (Anne Wilder, President, Rochester, NY).

The original agreement for a Comprehensive Program of Onboarding and Training for the Police Accountability Board was executed in November 2021.

This amendment will extend the term of the agreement for four additional months until March 31, 2023, with all other terms of the Agreement remaining the same.

This extension is requested to allow additional time for the Board to complete the training facilitated by CCSI.

Respectfully submitted,

Miguel A. Meléndez, Jr.  
President

19

Ordinance No.

**Authorizing an amendatory agreement relating to the creation of a  
Comprehensive Program of Onboard and Training for the Police Accountability  
Board**

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 Coordinated Care Services, Inc. to continue to assist the Police Accountability Board in creating a Comprehensive Program of Onboard and Training. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2021-376 by increasing the term of the agreement by four months until March 31, 2023.

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

Section 3. This ordinance shall take effect immediately.





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# PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans  
Mayor

20

January 3, 2023

POLICE17

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Agreement – New York State  
Division of Criminal Justice Services, 2022  
Lyell Otis Neighborhood Safety Improvement  
Project

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of \$35,000 for a Lyell Otis Neighborhood Safety Improvement Project legislative grant facilitated by Senator Jeremy Cooney, and amending the 2022-23 Budget of the Police Department by this amount.

The funds will be used for police overtime (\$3,000) to conduct security surveys with businesses and residents in the neighborhood and fund improvements in lighting and other structural or environmental changes to enhance security (\$32,000).

This grant does not allow fringe expenses, estimated at \$1,062.

The term of this agreement is January 1, 2023 through December 31, 2023. This is the first time the City has received this grant.

Respectfully submitted,

Malik D. Evans  
Mayor



INTRODUCTORY NO.

20

Ordinance No.

**Authorizing agreement and amending the 2022-23 Budget relating to a Lyell Otis Neighborhood Safety Improvement Project grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for the receipt and use of a grant of \$35,000 for a Lyell Otis Neighborhood Safety Improvement Project (Project). The term of the agreement shall be one year.

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

Section 3. 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 Police Department by \$35,000 to reflect the receipt of the funds authorized in Section 1 herein, which funds are hereby appropriated to the Project.

Section 4. This ordinance shall take effect immediately.





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# PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans  
Mayor

21

January 3, 2023

POLICE18

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – New York State Division of  
Criminal Justice Services, Motor Vehicle Theft  
and Insurance Fraud Prevention Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$49,600 for the Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant, and amending the 2022-23 Budget of the Police Department by \$25,400 to reflect a portion of this grant.

This award, for the reduction of auto theft and insurance fraud, will provide overtime in the amount of \$47,200 to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides \$2,400 to train police officers in specialized anti-theft techniques and technology. This grant does not cover fringe which is estimated at \$16,700.

The term of this agreement is January 1, 2023 through December 31, 2023. RPD has received this grant for over 10 years.

Respectfully submitted,

Malik D. Evans  
Mayor



21

Ordinance No.

**Authorizing an agreement and amending the 2022-23 Budget for Motor Vehicle Theft and Insurance Fraud Prevention**

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 Division of Criminal Justice Services for the receipt and use of grant funds from the Motor Vehicle Theft and Insurance Fraud Prevention program in the amount of \$49,600. The term of the agreement shall be from January 1, 2023 to December 31, 2023.

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

Section 3. 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 Police Department by \$25,400 to reflect the receipt of a portion of the grant funds authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.





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# PUBLIC SAFETY COMMITTEE INTRODUCTORY NO.

Malik D. Evans  
Mayor

22

January 3, 2023

POLICE19

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Agreement – New York State  
Division of Criminal Justice Services, 2022  
Rochester International Jazz Festival Police  
and Fire Services Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of \$100,000 for a 2022 Rochester International Jazz Festival Police and Fire Services legislative grant facilitated by Senator Jeremy Cooney, and appropriating said amount.

The grant funds will be used to reimburse the City for police overtime services provided at the 2022 Jazz Festival that ran June 17, 2022 through June 25, 2022. The Grant Award Notice for these funds was not received until October 24, 2022.

The term of this grant is April 1, 2022 through March 31, 2023. This is the first time the City has received this grant.

Respectfully submitted,

Malik D. Evans  
Mayor



22

Ordinance No.

**Authorizing an agreement relating to Police and Fire Services for the 2022 Rochester International Jazz Festival**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$100,000 in 2022 Rochester International Jazz Festival Police and Fire Services legislative grant funds to reimburse the City for police overtime services provided for the 2022 Jazz Festival. The term of the agreement shall be from April 1, 2022 to March 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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Malik D. Evans  
Mayor

### FINANCE INTRODUCTORY NO.

23

January 3, 2023 MAYOR 13

TO THE COUNCIL

Ladies and Gentlemen:

Re: Financial Empowerment Center Grant  
Acceptance

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to funding for the City's Financial Empowerment Center program. This legislation will:

- 1) Authorize an agreement with the Rochester Economic Development Corporation (REDCO) (Baye Muhammad, CEO, 55-67 St. Paul Street, Rochester NY 14604) as fiscal intermediary for receipt and use of a \$100,000 grant originating from KeyBank for the purpose of supporting the operations of the Rochester Financial Empowerment Center. REDCO will retain 3% of the grant funds and the remaining \$97,000 will transfer to the City of Rochester. The agreement will have a term of two years.
- 2) Amend the 2022-23 Budget of the Office of the Mayor by \$48,500 for the funding from REDCO outlined above. The remaining \$48,500 will be anticipated in the 2023-24 Budget of the Office of the Mayor.

Due to the need for financial institutions to donate program funding to a qualified non-profit agency to receive community development credit under the Community Reinvestment Act, REDCO is serving as fiscal sponsors for the City of Rochester and may accept funding for the FEC initiative.

Respectfully submitted,

Malik D. Evans  
Mayor



23

Ordinance No.

**Authorizing an agreement and amending the 2022-23 Budget for the Financial Empowerment Center 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 Rochester Economic Development Corporation (REDCO) to serve as fiscal intermediary for the City's receipt and use of a \$100,000 grant from KeyBank to fund a portion of the Financial Empowerment Center program (Program). REDCO may retain up to 3% of the grant amount as a fiscal sponsor fee. The agreement shall have a term of 2 years.

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 \$48,500 to reflect the receipt of the funds authorized in Section 1 herein, which funds are hereby appropriated to the Program.

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

Section 4. This ordinance shall take effect immediately.





## City of Rochester

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### FINANCE INTRODUCTORY NO.

24

Malik D. Evans  
Mayor

January 3, 2023

MAYOR 14

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement-Living Cities

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to a grant agreement with Living Cities. This legislation will:

- 1) Authorize a grant agreement with Living Cities (Joe Scantlebury, 1040 Avenue of the Americas, New York, NY 10018) for receipt and use of a \$500,000 grant to implement strategies to increase access to homeownership and entrepreneurship for residents of color. The agreement will have a term of two years.
- 2) Amend the 2022-23 Budget of the Office of the Mayor by \$300,000 for the funding from Living Cities.
- 3) The remaining \$200,000 will be anticipated and included in the 2023-24 Budget of the Office of the Mayor.

As part of the two-year Living Cities Grant, the City of Rochester has submitted a work plan detailing opportunities for the City to enhance opportunities for residents of color to achieve sustainable homeownership and entrepreneurship. The work plan was largely informed by a Needs Assessment conducted for the City of Rochester by the national research institution FSG.

Respectfully submitted,

Malik D. Evans  
Mayor



24

Ordinance No.

**Authorizing an agreement and amending the 2022-23 Budget for a Living Cities grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Living Cities for the receipt and use of \$500,000 in funding to increase access to homeownership and entrepreneurship for residents of color. The term of the agreement shall be two years.

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 \$300,000 to reflect the receipt of funds from Living Cities authorized in Section 1 herein.

Section 3. This ordinance shall take effect immediately.





## City of Rochester

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## FINANCE INTRODUCTORY NO.

25

Malik D. Evans  
Mayor

January 3, 2023 FINANCE 15

TO THE COUNCIL

Ladies and Gentlemen:

Re: Authorization – 2023 Administrative Tax  
Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to \$1,000 per account during the 2023 calendar year.

Each year, approximately 63,000 tax bills are issued by the City. In 2021-22 these bills contained a total of \$269,020,732.16 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling \$153,615.60 or 0.0006% of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 105 accounts or 0.0017% of the total number.

Pursuant to Section 556 of the New York State Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. Additionally, under Chapter 515 of the Laws of 1997, the State allows administrative cancellations of up to \$2,500 per account.

Delegation of this authority was initially approved by the Council in March 1987. Annual authorization is required. In January 2022, Council re-authorized the Director of Finance to cancel up to \$1,000 per account during 2022 (Ord. No. 2022-2). Such delegation reduces the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to apply:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council by the fifteenth day of the subsequent month; and
2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,

Malik D. Evans  
Mayor

25

Ordinance No.

**Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2023**

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

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to those taxes subject to the following conditions:

- a. The amount to be cancelled for any year for any particular account shall be \$1,000 or less.
- b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month.
- c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2023.





## City of Rochester

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## FINANCE INTRODUCTORY NO.

26

Malik D. Evans  
Mayor

January 3, 2023      FINANCE 16

### TO THE COUNCIL

Ladies and Gentlemen:

Re: Capital Improvement Program – City  
School District

City Council Priority: Deficit Reduction and  
Long-Term Financial Stability, Support the  
Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation relating to the Capital Improvement Program (CIP) of the Rochester City School District. This legislation will:

- 1, Authorize \$15,100,000 as debt to be authorized for the 2022-23 fiscal year for the RCSD; and
2. Authorize the issuance of bonds for \$15,100,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the District.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year. During fiscal year 2022-23 the RCSD will liquidate \$15,103,480 in principal. *Attachment A* is a projection of the School District debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the NY State Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$125,579,212 (*Attachment B*).

In accordance with the City Council Policy adopted April 20, 2016, bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program unless for reasons of health and safety; the RCSD will use cash capital as defined by New York State Finance law.

*Attachment C* is a letter from the School District detailing the planned uses of the new bonds and the use of cash capital as well as a copy of the Board of Education Resolution approving the capital plan.

In addition, the Policy of April 2016 requires the City of Rochester's Engineering and Architecture staff to review the RCSD's request and for the District to provide school closings. *Attachment D* is a memorandum from the Assistant City Engineer confirming said E&A review.



The New York State Education Department, by letter forthcoming, has confirmed the RCSD has met the Maintenance of Effort (MOE) requirement for 2022-23. When the City issues this debt the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,

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

Malik Evans  
Mayor



# ATTACHMENT A

## Rochester City School District Debt Projection For the Next Five Fiscal Years As of August 3, 2022

	Fiscal Year <u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	
<b>Bonds</b>						
Principal	\$13,298,869.22	\$16,564,461.20	\$12,427,682.71	\$12,100,328.28	\$11,427,158.27	
Interest	3,548,151.62	4,298,914.98	3,747,318.11	3,259,966.50	2,762,683.46	
Total	<u>16,847,020.84</u>	<u>20,863,376.18</u>	<u>16,175,000.82</u>	<u>15,360,294.78</u>	<u>14,189,841.73</u>	
<b>Notes</b>						
Principal	3,390,000.00	0.00	1,065,000.00	1,065,000.00	1,065,000.00	
Interest*	1,197,300.00	641,200.00	961,800.00	897,900.00	834,000.00	
Total	<u>4,587,300.00</u>	<u>641,200.00</u>	<u>2,026,800.00</u>	<u>1,962,900.00</u>	<u>1,899,000.00</u>	
<b>Total</b>						
Principal	16,688,869.22	16,564,461.20	13,492,682.71	13,165,328.28	12,492,158.27	
Interest*	4,745,451.62	4,940,114.98	4,709,118.11	4,157,866.50	3,596,683.46	
	<u>21,434,320.84</u>	<u>21,504,576.18</u>	<u>18,201,800.82</u>	<u>17,323,194.78</u>	<u>16,088,841.73</u>	
<b>Less Debt Limit Exceptions</b>						
Principal Payments	Ord. #					
8/1	06-061	0.00	0.00	0.00	0.00	2020SI
8/1	06-061	(59,697.51)	0.00	0.00	0.00	2020SI
8/1	07-172	(626,334.52)	0.00	0.00	0.00	2020SI
8/1	07-172	(684,357.14)	(678,663.79)	(676,203.21)	0.00	2020SI
8/1	14-243	(60,000.00)	(80,000.00)	(60,000.00)	(80,000.00)	2018 SII
8/1	14-243	(145,000.00)	(185,000.00)	(130,000.00)	(170,000.00)	2018 SII
8/1	14-243	(10,000.00)	(10,000.00)	(5,000.00)	(5,000.00)	2018 SII
		<u>(1,585,389.17)</u>	<u>(953,663.79)</u>	<u>(871,203.21)</u>	<u>(255,000.00)</u>	<u>(280,000.00)</u>
<b>Total</b>						
Principal Pymts Net Exceptions		15,103,480.05	15,610,797.41	12,621,479.50	12,910,328.28	12,212,158.27

# ATTACHMENT B

NYS Constitutional Debt Limit Calculation  
(Including Rochester City Charter Limits)  
As of November 30, 2022

Fiscal Year	Full Valuation
2019	\$6,958,441,447
2020	\$7,666,359,399
2021	\$7,631,720,870
2022	\$7,845,428,892
2023	\$8,123,598,264
Total	\$38,225,548,872
Five-Year Average:	\$7,645,109,774
NYS Constitutional Debt Limit (9% of 5 Yr Average)	\$688,059,880

Allocation by Rochester City Charter Limits	(1) Current Debt Outstanding, w/o Authorized, Unissued (as of November 30, 2022)	Remaining Margin
School (3.5% of NYS Limit)	\$127,064,630	\$140,514,212
City (5.5% of NYS Limit)	\$201,180,370	\$219,300,668

(1) Recap by type:	City:	School:
Bonds	\$97,350,370	\$111,034,630
BANs	\$103,830,000	\$16,030,000
Authorized, Unissued	\$0	\$0
Total	\$201,180,370	\$127,064,630

NYS Constitutional Debt Limit Calculation  
(Including Rochester City Charter Limits)  
As of November 30, 2022

Fiscal Year	Full Valuation
2019	\$6,958,441,447
2020	\$7,666,359,399
2021	\$7,631,720,870
2022	\$7,845,428,892
2023	\$8,123,598,264
Total	\$38,225,548,872
Five-Year Average:	\$7,645,109,774
NYS Constitutional Debt Limit (9% of 5 Yr Average)	\$688,059,880

Allocation by Rochester City Charter Limits	(1) Current Debt Outstanding, & Authorized, Unissued (as of November 30, 2022)	Less Water Exclusion	Remaining Margin
School (3.5% of NYS Limit)	\$141,999,630	\$0	\$125,579,212
City (5.5% of NYS Limit)	\$226,106,370	(\$51,619,938)	\$245,994,606

(1) Recap by type:	City:	School:
Bonds	\$97,350,370	\$111,034,630
BANs	\$103,830,000	\$16,030,000
Authorized, Unissued	\$24,926,000	\$14,935,000
Total	\$226,106,370	\$141,999,630



The Council submits Disclosure of Interest Forms from President Scott on Int. No. 118, Vice President Miller on Int. No. 118, Councilmember Conklin on Int. No. 110, Councilmember Haag on Int. Nos. 119 and 120, and Councilmember Spaul on Int. No. 109.

**PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS**

None Presented.

**REPORTS OF STANDING COMMITTEES AND ACTION THEREON**

By Councilmember Conklin  
April 20, 2016

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 105 - Resolution adopting a City of Rochester/Rochester City School District Debt Policy

Int. No. 106 - Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts

Int. No. 107 - Establishing maximum compensation for an agreement for the 2016 Puerto Rican Festival

Int. No. 108 - Authorizing an agreement for the 2016 Rochester Twilight Criterium

Int. No. 109 - Authorizing agreement for the 2016 Rochester Fringe Festival

Int. No. 110 - Authorizing agreement for the 2016 Corn Hill Arts Festival

Int. No. 111 - Authorizing agreement for the 2016 Park Ave Summer Art Fest

Int. No. 112 - Authorizing an intermunicipal lease agreement with Monroe County for court room space in the Hall of Justice, and the County Public Safety Building

Int. No. 146 - Amending Chapter 62 of the Municipal Code with regard to commercial travelers, solicitors and special events

Int. No. 147 - Amending Chapters 60 and 68 of the Municipal Code with regard to food vending

Int. No. 150 - Resolution endorsing Five Star Bank's applications to establish two Banking Development Districts

Int. No. 151 - Amending Municipal Code Chapter 111, Vehicle and Traffic, to remove the fee for a replacement handicapped parking permit

Respectfully submitted,  
Carolee A. Conklin

Molly Clifford  
Adam C. McFadden  
Dana K. Miller  
Loretta C. Scott  
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2016-8  
Re: Resolution - Policy, RCSD Debt

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for Council approval is legislation for a Resolution to adopt a policy relative to debt for the Rochester City School District (RCSD or the District) for the duration of the Facilities Modernization Project (FMP). The RCSD is not an independent district, therefore the City Council approves their annual budget and borrowing requests.

When the Debt Policy for the District was first adopted in 1981, the restriction of not borrowing more debt than what was retired that year was a prudent and fiscally responsible guideline set by the City Council. It is the duty of the City Council to reevaluate fiscal policies and make adjustments as necessary in order to maintain the City's fiscal stability and health.

Upon review of this policy, and with consideration of the New York State approval in 2007 of the FMP, which annually funds \$325 million in Phase I to modernize our school buildings, the Council is setting specific parameters around capital expenditures for the duration of the FMP for the District. The parameters set forth in this legislation are to ensure that public dollars are spent responsibly, while ensuring that safety in school buildings is maintained and the objective of the FMP is achieved.

Respectfully submitted,  
Loretta C. Scott Carolee A. Conklin  
President Chair, Finance Committee

Resolution No. 2016-8  
(Int. No. 105)

**Resolution adopting a City of Rochester/Rochester City School District Debt Policy**

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

Section 1. The Council adopts the following policy:

City of Rochester/Rochester City School District  
Debt Policy

Purpose

Current City of Rochester debt policy, established

in 1981 by Resolution No. 81-4, allows the City and the Rochester City School District (RCSD) to authorize tax-supported debt in an amount not to exceed the principal amount retired in the same fiscal year. In addition, the State of New York establishes a debt limit for the City of Rochester equal to 9% of the five year average assessed value of the City. By City Charter this limit is further apportioned at 5.5% for the City and 3.5% for the RCSD.

In 2007, the State of New York approved a Facilities Modernization Program (FMP or Program) with an initial authorization of \$325 million (Phase 1) to modernize the RCSD's school buildings. The FMP is not restricted by the requirements of the NYS Constitutional debt limit or the City's own self-imposed limits set forth in the City Charter. Debt repayment is guaranteed by an intercept of State aid to the RCSD executed by a third-party trustee (currently US Bank).

In December 2014, the State approved Phase 2 of the FMP authorizing \$435 million for up to 26 projects for the City School District. Future phases are anticipated resulting in a total expenditure of approximately \$1.2 billion for the life of the Program and to encompass all operating school buildings.

RCSD annually requests a debt-financed Capital Improvement Program (CIP) from the City of Rochester. The past and current practice of the RCSD is to request an amount equal to the amount retired annually without variation.

It is noted that the sum of RCSD's outstanding debt and authorized unissued debt currently stands at \$169,388,000, leaving a margin of \$42,213,950 to the City Charter's current debt limit of \$211,601,950. The debt margin is at a level that runs precariously close to a significantly diminished debt margin year-over-year. In addition, limits to the accumulation of long term debt are generally viewed favorably by the City's rating agencies.

The RCSD is required by the City Charter to finance capital improvements with cash capital annually in the amount of \$10 million. It is noted that in RCSD's current budget (FY2016) certain planned cash capital expenditures do not conform to the requirements of New York State Local Finance Law with respect to their categorization as a capital item and period of probable usefulness (e.g., textbooks). Additional cash can be made fungible for capital expenditures with the disallowance of expenditures that do not conform to the state requirements.

#### CIP Request Requirements

Given the level of funding provided by the State of New York with respect to the FMP, the City Council deems it appropriate to place the following restrictions and requirements on the annual CIP requests of the RCSD for the duration of the FMP:

- 1) The annual CIP request from the RCSD

shall not include projects on school facilities that are included as a project under a current Phase of the FMP with the exception of projects presenting an immediate need for repair for reasons of health and safety.

- 2) The RCSD shall utilize its cash capital allocations for capital expenditures as defined by New York State Finance Law and with respect to the requirements of the constitutional tax limit of New York State.
- 3) With each annual CIP request the RCSD shall present a plan for school facility closures and school facility decommissioning. The City will allow the maintenance of planned decommissioned school facilities to the extent it is to preserve the integrity of the building upon its disposal to the City.
- 4) For each facility that is the subject of an annual CIP request or any other borrowing request, the RCSD shall also submit a facilities assessment prepared by RCSD's Engineering and Architecture staff to be reviewed by the City of Rochester's Engineering and Architecture staff.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2016-88  
Re: Agreement - Rochester  
Philharmonic Orchestra,  
Music Performances

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an agreement with the Rochester Philharmonic Orchestra (RPO), Rochester, New York, for music performances. The term of the agreement is for one year and will be funded from the 2016-17 Budget of the Bureau of Communications, contingent upon approval of said budget.

The RPO will provide seven free concerts. One full orchestra concert will take place on Main Street during the City's 2016 July 4th celebration. In addition, the RPO will present six concerts in the "Around the Town" concert series during the 2016 summer months. Two will take place in City Centers and four additional ensemble concerts will be scheduled outdoors; one in each quadrant of the city. All of these concerts will be free of charge.

A similar agreement was authorized in May 2015 for the same amount (Ord. No. 2015-147).

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



# ATTACHMENT C



Michael Schmidt  
Chief Operations Officer  
Rochester City School District  
131 W. Broad Street  
Rochester, New York 14614  
[Michael.schmidt@rcsdk12.org](mailto:Michael.schmidt@rcsdk12.org)

November 21, 2022

Kim D. Jones  
Director of Finance  
City of Rochester  
30 Church Street Rm 109A  
Rochester, NY 14614

Dear Ms. Jones:

Enclosed is certified Resolution No. 2022-23: 247 adopted by the Board of Education at its meeting on November 17, 2022, requesting City Council to issue notes in the amount of \$15,100,000 and to appropriate the proceeds therefrom for the purpose of making capital improvements to existing school buildings and support facilities in the school district.

Also enclosed is a memo that identifies the projected cost of the projects included in the 2022-23 Capital Improvement Program.

Please forward this bond request to the upcoming City Council meeting in order to meet other required deadlines to ensure a successful implementation of these construction projects.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Schmidt".

Michael Schmidt  
Chief Operations Officer

A handwritten signature in black ink, appearing to read "Shawn J. Farr".

Shawn Farr  
Chief Financial Officer

Enc. Certified Resolution No. 2022-23: 247  
T. Keysa Memo dated 09/21/22: 2022-23 CIP Projects  
M. Schmidt Letter dated 11/21/22

xc: Carmine Peluso, Interim, Superintendent of Schools  
Marisol Lopez, Chief Communications Officer  
Michael Burns, COR, Director of Management & Budget

# Rochester City School District Board of Education

Cynthia Elliott, President  
Beatriz LeBron, Vice President  
Ricardo Adams  
Amy Maloy  
James Patterson  
Willa Powell  
Camille Simmons



Rahimah Wynn  
District Clerk  
(585) 262-8308  
[Rahimah.wynn@rcsdk12.org](mailto:Rahimah.wynn@rcsdk12.org)

---

## Certified Resolution: Business Meeting: November 17, 2022

### Resolution No. 2022-23: 247

Whereas, by resolution 2021-22: 585 adopted on May 10, 2022, the Board approved and adopted the Budget for the 2022-23 fiscal year. Said budget included the 2022-23 Capital Improvement Program; therefore be it

Resolved, that the Board hereby requests the City Council of the City of Rochester to issue notes or bonds in the amount of Fifteen Million One Hundred Thousand Dollars (\$15,100,000) and to appropriate the proceeds therefrom for the purpose of making capital improvements to existing school buildings in the school district as noted in the 2021-22 Capital Improvement Program; and be it further

Resolved, that additional detail of specific items to be accomplished within the above request be submitted to the Mayor of the City of Rochester together with certified copies of this resolution.

### Motion & Voting

#### Approve Bond Request

**Motion by Amy Maloy, second by Beatriz LeBron.**

**Final Resolution: Motion Carries**

**Yes: Cynthia Elliott, Willa Powell, Beatriz LeBron, Amy Maloy, Ricardo Adams, James Patterson, Camille Simmons**

I, Rahimah Wynn, Clerk of the Board of Education of the Rochester City School District of the State of New York, do hereby certify that I have compared the attached resolution with the original resolution passed by such Board of Education at a legally convened meeting held on the 17<sup>th</sup> day of November 2022, on file as part of the minutes of such meeting, and the same is a true copy thereof and the whole of such original. I further certify that the full Board of Education consists of seven members and that seven of such members were present at such meeting and that four of such members voted in favor of such resolution.

IN WITNESS THEREOF, I have hereunto set my hand and the seal of the Rochester City School District on this 18<sup>th</sup> day of November 2022.

A handwritten signature in blue ink, appearing to read "Rahimah Wynn", is written over a horizontal line.

Rahimah Wynn, District Clerk





## DEPARTMENT OF EDUCATIONAL FACILITIES

*Thomas Keysa, Director*

(585) 336-4098

**DATE:** September 21, 2022  
**TO:** Michael Schmidt, Chief of Operations  
**FROM:** Thomas P. Keysa, Director of Educational Facilities  
**RE:** Proposed Allocation of the 2022-23 Bond Request - \$15,100,000

### 2022-23 CONSTRUCTION PROJECTS

School Name	Project Description	Budget Request
School #28/Henry Hudson	Cafeteria/gymnasium upgrades – Provide cafeteria stage lighting/sound system. Install additional security cameras. Install volleyball poles/sleeves in gym and glass backboards. Remove delaminating monolithic floor finish and install new tile floor finish in toilet rooms. Relocate library circulation desk for better supervision. Provide sun screens for skylight. Replace sealant on exterior precast panels. Widen door to custodial area and complete structural repairs in service area.	\$ 800,000
School #35/Pinnacle	Add a second bottle filling station on the second floor. Provide door between library and music instrument storage room. Reconstruct playground in existing location with playground equipment currently in storage.	\$ 600,000
All City HS @ School #43	Provide science and toilet room sinks, flooring abatement and other classroom improvements. Remove and replace existing roofing system in selected areas based on testing. Restore areas of roof that are damaged. Replace roof drain. Complete areas of parapet restoration.	\$ 500,000
NE HS @ Charlotte Campus	Provide air conditioning for the entire building (VRF units).	\$ 3,000,000

School Name	Project Description	Budget Request
Dr. Freddie Thomas Learning Center	Complete roof restoration of existing modified bitumen roofing. Provide continuity of lightning protection system. Complete minor masonry restoration; cleaning efflorescence at the pool and various other locations, minor tuck-pointing and brick replacement.	\$ 2,600,000
School of the Arts	Refurbish windows in classroom areas and replace windows in upper level mechanical rooms. Replace finishes on damaged walls and beams in attic corridor. Replace power control rack for main stage, ensemble theater, Black Box and cafeteria. Construct retaining wall at the dumpster storage area and complete pavement reconstruction of the north parking lot.	\$ 1,600,000
Wilson Foundation Academy	Construct storage addition for athletic equipment. Replace former shop room oversized doors in kindergarten wing to be easier to open for kindergarten age students. Complete roof restoration of original 1999 EPDM membrane. Complete minor masonry repairs and waterproofing on curved masonry wall. Change the entire buildings keying system to match the District's standard LFIC system.	\$ 4,200,000
Service Center-Central Kitchen	Provide cooling for critical areas of the central kitchen. Replace main electrical distribution panel with an exterior panel to support the increase in electrical loads for the HVAC work.	\$ 1,800,000
	<b>GRAND TOTAL 2022-23 BOND REQUEST</b>	<b>\$15,100,000</b>



# ATTACHMENT D

## **RCSD 2022-23 CIP Bond Request DES/Architectural Services Review Memo**

**December 7, 2022**

---

The City of Rochester's Bureau of Architecture and Engineering (DES A/E) has received the Rochester City School District's (RCSD) proposed 2022-23 Capital Improvement Program (CIP) allocation of the 2022-23 Bond Request - \$15,100,000 (attached).

The RCSD submitted the 2015 Building Condition Survey for each facility included in this CIP request to the City's Architectural Services Division staff for review, in accordance with Resolution No. 2016-8 requirements for annual CIP requests. The latest New York State Education Department (NYSED) statute requires districts to conduct building condition surveys on a schedule assigned by NYSED, in 2020 through 2024, and every five years thereafter. The district's current schedule includes inspection and assessment in 2022-2023 and the completion of a new building condition survey by March 2024.

DES A/E has fully reviewed the proposed projects in RCSD's proposed 2022-23 CIP request and found them to be consistent with the recommendations in the most recent 2015 Building Condition Survey for each facility and present the need for repair for reasons of health, safety and welfare, with the exception of the following, which are considered part of RCSD's academic improvement initiatives:

- School #28/Henry Hudson: Provide cafeteria stage lighting/sound system. Install volleyball poles/sleeves in gym and glass backboards. Relocate library circulation desk for better supervision.
- Wilson Foundation Academy: Construct storage addition for athletic equipment.

This CIP request does not include projects at any school facilities that are included as a project under a current Phase of the Facilities Modernization Program (FMP). Updates for the current Phase 3 of the FMP are available on the RCSD webpage <https://www.rcsdk12.org/fmp> including preliminary plans and public meeting presentations held in October 2022. RCSD has developed a select short list of potential projects at twelve (12) school buildings in need of upgrades to major infrastructure and spaces for identified program needs.

The City and RCSD work on annual partnership projects to make capital improvements to five (5) City R-Centers adjoining school buildings. The City does not have any CIP projects for this annual CIP request.



**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$15,100,000 Bonds of said City to finance the costs of improvements to specified City School District buildings**

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 \$15,100,000 of the costs of the City School District 2022-23 Capital Improvement Program, including the costs of the design, renovation and improvements of the City School District buildings indicated 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 \$15,100,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$15,100,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$15,100,000 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. The principal of the Bonds authorized by this Ordinance does not exceed the principal of the Bonds being redeemed on behalf of the School District during the City's 2022-23 Fiscal Year. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

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 \$15,100,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 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  
2022-23 CONSTRUCTION PROJECTS

<b>Facility Name</b>	<b>Project Description</b>	<b>Budget</b>
School #28/Henry Hudson	Cafeteria/gymnasium upgrades – Provide cafeteria stage lighting/sound system. Install additional security cameras. Install volleyball poles/sleeves in gym and glass backboards. Remove delaminating monolithic floor finish and install new tile floor finish in toilet rooms. Relocate library circulation desk for better supervision. Provide sun screens for skylight. Replace sealant on exterior precast panels. Widen door to custodial area and complete structural repairs in service area.	\$ 800,000
School #35/Pinnacle	Add a second bottle filling station on the second floor. Provide door between library and music instrument storage room. Reconstruct playground in existing location with playground equipment currently in storage.	\$ 600,000
All City HS @ School #43	Provide science and toilet room sinks, flooring abatement and other classroom improvements. Remove and replace existing roofing system in selected areas based on testing. Restore areas of roof that are damaged. Replace roof drain. Complete areas of parapet restoration.	\$ 500,000
NE HS @ Charlotte Campus	Provide air conditioning for the entire building (VRF units).	\$ 3,000,000
Dr. Freddie Thomas Learning Center	Complete roof restoration of existing modified bitumen roofing. Provide continuity of lightning protection system. Complete minor masonry restoration; cleaning efflorescence at the pool and various other locations, minor tuck-pointing and brick replacement.	\$ 2,600,000
School of the Arts	Refurbish windows in classroom areas and replace windows in upper level mechanical rooms. Replace finishes on damaged walls and beams in attic corridor. Replace power control rack for main stage, ensemble theater, Black Box and cafeteria. Construct retaining wall at the dumpster storage area and complete pavement reconstruction of the north parking lot.	\$ 1,600,000
Wilson Foundation Academy	Construct storage addition for athletic equipment. Replace former shop room oversized doors in kindergarten wing to be easier to open for	\$ 4,200,000



Facility Name	Project Description	Budget
	kindergarten age students. Complete roof restoration of original 1999 EPDM membrane. Complete minor masonry repairs and waterproofing on curved masonry wall. Change the entire buildings keying system to match the District's standard LFIC system.	
Service Center-Central Kitchen	Provide cooling for critical areas of the central kitchen. Replace main electrical distribution panel with an exterior panel to support the increase in electrical loads for the HVAC work.	\$ 1,800,000
<b>TOTAL 2022-23 CAPITAL IMPROVEMENT PROGRAM PROJECTS</b>		<b>\$15,100,000</b>



## City of Rochester

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

## FINANCE INTRODUCTORY NO.

27

Malik D. Evans

Mavor

January 3, 2023 LAW 21

TO THE COUNCIL

Ladies and Gentlemen:

Re: Upgrade JustFOIA - FOIL Software

Council Priority: Deficit Reduction and Long Term  
Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering  
Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with JustFOIA, Inc., to upgrade the City of Rochester's FOIL software to "JustFOIA PRO" and increasing the maximum fee from \$91,600.00 to \$101,670.16.

Ordinance No. 2021-383, adopted December 15, 2021, authorized the purchase of JustFOIA software to provide Freedom of Information Law ("FOIL") software and services for the City to track FOIL requests and responses. The JustFOIA software has proven to be more efficient and easier to use than the City's legacy system, LaserFiche.

In fall 2022, JustFOIA released JustFOIA "PRO," which enables a user to more easily open and review files and, most importantly, to efficiently redact sensitive or personal information within the application. This feature takes the current review process from eight (8) steps to two (2). Additionally, Pro provides additional cloud storage space, accommodates unlimited users, and continues to host City documents on Amazon's Azure Cloud. In consideration of the fact that the rollout of Pro comes soon after our original contract with JustFOIA commenced, JustFOIA has agreed to waive the \$1,500 one-time upgrade cost.

Ordinance No. 2021-383, authorized the maximum cost of the agreement as \$91,600.00 for the initial two-year term and three one-year renewal periods. This upgrade would amend the maximum cost of the agreement from \$91,600.00 to \$101,670.16 over the five-year period, as set forth in greater detail below. The remaining years shall be funded from this and from future years' budgets of the Law Department as follows, contingent upon the approval of the future years' budgets and the parties' election to extend the agreement through the three one-year renewal terms:

Fiscal Year	Original	Amended	Increase
2021-22	\$16,600.00	\$16,600.00	\$0.00
2022-23	17,400.00	20,191.71	2,791.71
2023-24	18,300.00	20,580.00	2,280.00
2024-25	19,200.00	21,609.00	2,409.00
2025-26	20,100.00	22,689.45	2,589.45
Total	\$91,600.00	\$101,670.16	\$10,070.16





The compensation increases shall be contingent upon the City's approval of future years' budgets and the parties' election to extend the term of the agreement through years 3, 4, and 5.

All other terms previously approved by City Council and agreed to in the existing Agreement will remain unchanged.

Respectfully submitted,

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

Malik Evans  
Mayor

## INTRODUCTORY NO.

27

Ordinance No.

**Authorizing an amendatory agreement for Freedom of Information Law records request tracking software services**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with JustFOIA, Inc. to provide an upgraded software platform for the City to track requests and responses to Freedom of Information Law (FOIL) requests for public records. The amendatory agreement shall increase the maximum compensation of the original agreement authorized in Ordinance No. 2021-383 by \$10,070.16 to a new maximum total of \$101,670.16. The amendatory compensation shall be funded from the 2022-23 and future years' Budgets of the Law Department as follows contingent upon the approval of future years' Budgets and the parties' election to extend for the optional third, fourth, and fifth years:

2022-23 Law: \$2,791.71;  
2023-24 Law: \$2,280.00;  
2024-25 Law: \$2,409.00;  
2025-26 Law: \$2,589.45.

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.





January 3, 2023    LAW 22

TO THE COUNCIL

Ladies and Gentlemen:

Re: Cable Franchise Renewal Agreement with  
Spectrum Northeast, LLC ("Charter")

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing the renewal of the cable franchise agreement with Spectrum Northeast, LLC, ("Charter"), a cable service provider that provides cable service in the City of Rochester and operates and maintains a cable system with above and below ground facilities and equipment in the City right-of-way as well as on private property in the City.

The City of Rochester granted the original cable franchise in 1992 to Greater Rochester Television. The franchise was assigned to Time Warner in 1994 and upon acquisition of that company, was assigned to Charter in 2016. The original agreement was for a term of ten years, which expired in 2002, and has been automatically renewed annually by the New York State Public Service Commission since that time.

During the thirty years since the original grant of the franchise, there have been many regulatory and technical changes which necessitate substantial changes to the terms of the agreement renewing the franchise. Not only did the original franchise agreement address many issues concerning the construction of a cable system, no longer relevant to the renewal agreement, but federal regulations, including a recent FCC ruling, the 2019 Third Report and Order, ("FCC Order") requires many changes, specifically concerning the Public, Education and Government ("PEG") access channels and the municipal drops, which is free basic cable service to City buildings. With both of these issues, the City is strictly limited in what it can require without adversely affecting the City's revenue from the cable franchise fee.

Charter currently pays and will continue to pay, an annual franchise fee to the City of 5% of Charter's gross revenues from its cable services in Rochester, totaling approximately \$1,816,527 for the past complete year of 2021. This amount varies slightly from year to year but has remained fairly consistent for most of the franchise history.

The City also receives funding for support of the PEG channels from Charter, \$5000 per year for the City's Government channel, City 12 and most recently in 2021, \$726,923 for the Public channel, RCTV. It is this latter amount that has been substantially impacted by the recent FCC Order and if substantial changes were not made to the franchise renewal agreement language, this PEG amount currently being paid to RCTV would be deducted from the City's annual franchise fee.



The City has negotiated revisions to the existing franchise renewal agreement to address the PEG issues and the municipal drop issue, as well as a number of issues necessitated by regulatory and technology changes. As for the PEG issue, the City will receive an annual increase for City 12 capital costs from the current \$5,000 to approximately \$22,000. RCTV will receive a total of approximately \$1,622,800 in PEG support over the twelve year term of the franchise, amounts determined to be compliant with the FCC Order.

As for the second issue addressed in the FCC Order, the municipal drops, Charter will voluntarily provide complimentary cable service to all major City buildings, including all RFD firehouses, all RPD offices and stations, all four NSC offices and all R-Centers. This constitutes an increase in the number of buildings receiving this service. Charter will also increase the number of channels available in this service, which will result in a reduction of approximately \$30 per building in monthly costs to RFD firehouses and several other City buildings currently paying for cable service. Under the proposed agreement, municipal drop cable service will be provided to all R-Centers, not just the two or three R-Centers that are served at present.

In addition to the matters impacted by the FCC Order, the franchise renewal includes updated references to City Codes and regulations concerning the right-of-way, increased insurance and bond amounts, a dispute resolution section, revised language concerning franchise assignment and revocation, new language for service to the hearing impaired and additional protections for the City's franchise fee, including a revised definition of "gross revenue" and provisions for regular revenue reports. The franchise renewal will be for a period of twelve years. There is an opportunity to review and negotiate PEG support amounts after six years.

This legislation requires a public hearing.

Respectfully submitted,



Malik D. Evans  
Mayor



**Authorizing the grant and renewal of a cable television franchise**

WHEREAS, Spectrum Northeast, LLC (hereinafter referred to as "Charter" because it is an indirect subsidiary of Charter Communications) holds a non-exclusive franchise to operate and maintain a cable television system in the City of Rochester pursuant to a ten-year cable franchise agreement authorized in Ordinance No. 91-533 (the "Franchise"), which was assigned to Time Warner in 1994, automatically extended as to its term by the New York State Public Service Commission ("PSC") in 2002 and continuing annually thereafter, and assigned to Charter in 2016;

WHEREAS, in return for the right to operate and maintain its system under the Franchise, Charter has been: a) paying to the City an annual franchise fee based on 5% of the gross revenues derived from Charter's operation of the Franchise ("Franchise Fee"); b) paying an annual subsidy to support the City's Government access service on Channel 12 ("City 12") pursuant to Public, Educational and Government television access ("PEG") rules established by the Federal Communications Commission ("FCC"); c) paying an annual subsidy for the City's public access channel presently operated by Rochester Community TV, Inc. ("Public Access Channel") pursuant to PEG rules; and d) providing free cable television service to certain public buildings ("Municipal Drops");

WHEREAS, Charter has applied for a renewal of the Franchise;

WHEREAS, since the commencement of the Franchise in 1992, there have been numerous changes in regulatory and technological requirements which necessitate substantial changes to the terms of the Franchise going forward, including but not limited to the PSC's regulatory requirements and the FCC's Third Report and Order issued in 2019 ("FCC Order"), which modifies, among other issues, what PEG channel subsidies and Municipal Drops must be counted toward the 5% cap on the Franchise Fee;

WHEREAS, the City and Charter and Charter have negotiated the terms of an agreement to renew and extend the Franchise for a term of twelve years ("Franchise Renewal"), which includes modifications to the existing Franchise necessitated by technological and regulatory developments, including terms necessary to comply with the FCC Order; and

WHEREAS, the terms of the proposed Franchise Renewal ("Franchise Renewal Terms") have been provided to this Council and made available to the public for review in the City Clerk's Office in advance of a public hearing held on January 19, 2023.

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



Section 1. The Council hereby approves and authorizes the granting of a non-exclusive franchise to Spectrum Northeast, LLC ("Charter") to operate and maintain a cable television system in the City of Rochester ("Franchise Renewal").

Section 2. The Mayor is hereby authorized to enter into a Franchise Renewal agreement with Charter for a term of twelve years, which agreement shall include substantially the same terms as the Franchise Renewal Terms provided by the Mayor and placed on file with the City Clerk, including but not limited to:

- a) Charter paying an annual Franchise Fee of 5% of its gross revenues as defined by the FCC Order and any other FCC orders and regulations and as documented by regular revenue reports going forward;
- b) Charter paying approximately \$22,000 per year to support the City 12 government access channel;
- c) Charter's paying approximately \$1,622,800 over the twelve-year term of the agreement to support the Public Access Channel;
- d) Charter providing free Municipal Drop cable television service to all major City government buildings, all Rochester Fire Department firehouses, all Rochester Police Department offices and stations, all four Neighborhood Service Centers and all R-Centers;
- e) At the six-year mark, the parties shall have the opportunity to review and negotiate whether to modify the terms of the Public, Educational and Government television access ("PEG") support provisions set forth in clauses b and c above
- f) The City and Charter may add to or revise the foregoing Franchise Fee, City 12 government access channel, Public Access Channel and Municipal Drop obligations to the extent that the parties agree that doing so is necessary to abide by the FCC Order, by PSC orders and rules, or by any other present or future requirements arising from Federal, State or local law; and
- g) The Franchise shall be operated in accordance with City Code Chapter 4A, Cable Television, and other City Code requirements with regard to the public right-of-way, insurance and bond amounts, dispute resolution, assigning and terminating the Franchise, and service to customers with hearing impairments.

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

Section 4. This ordinance shall take effect immediately, provided, however, that the Franchise Renewal Agreement shall be subject to approval by the New York State Public Service Commission.





## City of Rochester

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
[www.cityofrochester.gov](http://www.cityofrochester.gov)

## FINANCE INTRODUCTORY NO.

Malik D. Evans  
Mayor

29

January 3, 2022

MAYOR26

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Rochester Building &  
Construction Trades Council Advertisement

Council Priority: Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with the Rochester Building & Construction Trades Council to assist with the advertising and promoting of a Recruitment campaign advertisement. The agreement will be funded from the 2022-23 Budget of the Office of the Mayor.

The Rochester Building & Construction Trades Council represents approximately 10,000 construction workers and 18-member unions that are highly skilled in a wide variety of crafts. Such crafts include, but are not limited to, Electrical Workers, Elevator Contractors, Glaziers & Glassworkers, Plumbers & Steamfitters, and Roofers. These funds will assist the Trades Council with the promotion of the new advertisement in an effort to bolster recruitment to a range of Trades which offer long term, stable employment which will assist with long term wealth generation for Rochester families. The Trades Council has already engaged with Jay Advertising to assist with this endeavor which has resulted in the promotional video. In addition to the Trades Council funds used toward the making of and promotion of the campaign video, COMIDA has contributed \$100,000. The investment from the City will assist with increasing the reach and total length of the campaign, including additional months and time to local media such as WDKX and The Beat. Additional platforms to be used are Snapchat and TikTok, as well as others that Jay Advertising's analytics find to be more successful than others.

The promotional video can be viewed here: <https://www.youtube.com/watch?v=eulACaMkCTs>.

Respectfully submitted,

Malik D. Evans  
Mayor



INTRODUCTORY NO.  
29

Ordinance No.

**Authorizing an agreement to assist with advertising and promotion of a recruitment campaign advertisement**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Building & Construction Trades Council in the maximum amount of \$100,000 to assist with the advertising and promoting of a recruitment campaign advertisement. The cost of the agreement shall be funded from the 2022-23 Budget of the Office of the Mayor. The term of the agreement shall be one year.

Section 2. The agreement shall have 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](http://www.cityofrochester.gov)

## FINANCE INTRODUCTORY NO.

30

Malik D. Evans  
Mayor

January 3, 2023 LAW 27

TO THE COUNCIL

Ladies and Gentlemen:

Re: Authorizing an amendatory agreement  
with Harter, Secrest & Emery LLP for legal  
services related to securities litigation

Transmitted herewith for your approval is legislation authorizing an amendatory agreement to increase the maximum compensation established by Ordinance No. 2022-183 relating to an agreement for securities litigation services with Harter, Secrest & Emery LLP.

Ordinance No. 2022-183 authorized a Professional Services Agreement with Harter, Secrest & Emery related to securities litigation, and established the maximum compensation for said agreement at \$50,000. Since the time that the agreement was authorized, the Law Department has concluded that additional funding is required. The amendatory agreement will increase compensation by \$50,000 to a new total of \$100,000, which will be funded from the 2022-23 Budget of Undistributed Expenses.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "ME", with a long horizontal line extending to the right.

Malik D. Evans  
Mayor



INTRODUCTORY NO.

30

Ordinance No.

**Authorizing an amendatory agreement relating to securities litigation services**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Harter Secrest & Emery LLP to provide additional legal services with regard to securities litigation. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-183 to increase the maximum compensation by \$50,000 to a new total of \$100,000. The amendatory compensation shall be funded from the 2022-23 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.