

COMMITTEE MEETING QUESTIONS
CITY COUNCIL MEETING JANUARY 24, 2023

PARKS AND PUBLIC WORKS COMMITTEE

Int. 1 — Amendatory Agreement - Erdman Anthony and Associates, Inc. - City Hall Cooling Tower Replacement and HVAC System Assessment

Q: What is the expected timeline? (Lightfoot)

A: Final design will commence in February 2023. The project is anticipated to be bid in late-2023 with major construction activities taking place throughout 2024 and completing in early-2025.

Int. 2 — Amendatory Agreement - Stantec Consulting Services, Inc., Joseph A. Floreano Rochester Riverside Convention Center (RCCC) South Terrace and Addition

Q: Please provide the breakdown of the different elements of the river wall and the overall project. (Lupien)

A: This ROC the Riverway project encompasses three major components that include, but are not limited to, the following:

- 1) Southwest Building Addition: A building addition and modernization to the southwest face of the RCCC along the river to create a new and revitalized event space that directly engages with the downtown riverfront. The west corridor pre-function area directly adjacent to the Highland Ballroom will be expanded along with an expansion on the second floor for direct access from the Exhibit Hall to a new exterior roof top terrace, creating a highly marketable experience. The addition will assist in alleviating current space congestion and allow for more exhibitor sales which translates into additional offerings to attendees and revenue to show organizers. The renovation will also create additional marketing opportunities and interest in Rochester as a convention destination at the state, regional, and national levels.
- 2) River Wall Rehabilitation: The stone masonry along the lower southern portion of the overall river wall pre-dates the RCCC and is in poor condition, including gaps; large voids; missing, cracked, or loose stones; vertical structural cracks; and areas of undermining. The cast-in-place concrete-faced lower wall sections exhibit deterioration including scaling, cracking, and spalling. The walls require rehabilitation to assure structural integrity and will be renovated to maximize longevity and performance.
- 3) Critical Building Envelope Repairs: This critical capital improvement will repair failed waterproofing systems and active water infiltration related to the metal panel façade, masonry and concrete components, granite, joints, and sealants. The improvements will also include building code updates and steps and walkway, ingress/egress door, and overall accessibility upgrades.

Below are current cost estimates for each project component inclusive of construction and soft costs (estimates for each component are expected to vary but the overall cost estimate remains at \$27 million):

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1. Southwest Building Addition: \$8,000,000
2. River Wall Rehabilitation \$13,000,000
3. Critical Building Envelope Repairs: \$6,000,000

Estimated Total Project Cost: \$27,000,000

This estimate breakdown assumes all three (3) project parts will be constructed as one singular project. A single project will result in significant cost savings for contractor mobilization, engineering inspection and oversight, staging, cranes and equipment, coffer dams for river side access, etc. It also removes the risk of needing to modify new construction at a later date for additional work during a future construction phase.

Q: Who will program this new event space, and what will the budget be? (Lightfoot)

A: The project is planned to supply expanded event space to be utilized for events and conventions programmed and booked through the RRCC. The overall project estimate at this time is \$27 million inclusive of engineering and architectural design, construction, and construction oversight.

Int. 3 — Agreement - Barton & Loguidice, D.P.C. - Maplewood Park Trail Rehabilitation

Q: Will there be synergy between in the physical and/or spatial planning of the Trail and the Nature Center projects? (Gruber)

A: From a physical planning perspective, the Maplewood Park Trail Rehabilitation project will route pedestrian traffic over the Maplewood diverter, bringing more pedestrian exposure to the Maplewood Nature Center and Maplewood Playground. From a logistical perspective, all three projects will be conducted with overlapping timeframes in order to inform each other. All three projects are being conducted by the DES Bureau of Architecture and Engineering in partnership with staff from DRHS, and the scope of each project has been coordinated with the partner projects. City staff will work with the selected consultants to ensure there is collaboration and coordination as the projects advance.

Int. 10 — Bond Authorization - 2023 Water Main Cleaning & Lining Project

Q: What percentage of mains are in the critical age range? (Patterson)

A: Approximately 100 miles of pipe in the system are 130 years or older, having reached or exceeded their average estimated service life based on industry standards (see table below). This means that cast iron (CI) pipes in the Northeast have lasted somewhere between 90 to 150 years based on the available data. Sixty-seven percent of the City water system is cast iron pipe, with the majority having a cement lining (CICL).

Figure 5: Average Estimated Service Lives by Pipe Materials (average years of service)										
Derived Current Service Lives (Years)	CI	CICL (LSL)	CICL (SSL)	DI (LSL)	DI (SSL)	AC (LSL)	AC (SSL)	PVC	Steel	Conc & PCCP
Northeast Large	130	120	100	110	50	80	80	100	100	100

CI: cast iron; CICL: cast iron cement lined; DI: ductile iron; AC: asbestos cement; PV: polyvinyl chloride; PCCP: prestressed concrete cylinder pipe

LSL indicates a relatively long service life for the material resulting from some combination of benign ground conditions and evolved laying practices etc.
SSL indicates a relatively short service life for the material resulting from some combination of harsh ground conditions and early laying practices, etc.

However, just because a pipe is past a certain age does not qualify it as being in a “critical state”. These are derived measures from historical data, and the true maximum service life of a well maintained pipe is unknown as it varies from pipe to pipe based on multiple factors. The current oldest pipe operating in the City was installed before 1873, which dates it at almost 150 years old.

The Water Bureau does not use age as a sole measure when determining pipe condition, so that measure alone would not qualify a pipe as being in critical state. A pipe is generally considered to be in critical state when it has experienced a number of recent breaks or serves a sensitive population where breaks would cause more significant impacts, like pipes feeding hospitals. Ultimately when prioritizing our renewal program with the limited funding available we use a holistic approach and leverage the many years of in-house experience and knowledge in order to minimize the total risk to the community. In addition, once a pipe has been rehabilitated, the useful life of that life can be considered to be extended, with the time of extension based on the rehabilitation technique used.

Q: We use Cleaning and Lining for our smaller mains in the residential neighborhoods to preserve them, is that a possibility with the larger ones?

A: The Water Bureau’s first use of cleaning & cement mortar lining (C&L) was in 1944 when 38,000 feet of a 36” wrought iron pipe that was installed in 1873 was lined. This continued until all three conduits from Hemlock Lake to the Cobb Hill/Highland Reservoirs were completed. In 1954, the Water Bureau started a five-year program to C&L the Holly fire-fighting system. This removed sediment and deposits that had formed on the inside of the pipe and returned the original flow capabilities to the Holly system. In 1956, the Water Bureau started C&L in the distribution system. The Bureau focused the C&L program on the large transmissions mains first and is now focusing on the smaller diameter water mains (larger to smaller).

Water mains installed after 1952 came from the factory with a cement mortar lining already applied. This eliminates the need to go back and apply the cement mortar after the main is installed. The Water Bureau has implemented an annual C&L project since the mid 1980’s. The C&L of most large diameter water mains have been completed. The Bureau is now focusing on the remaining smaller 8” and 6” diameter water mains for the C&L program. The Bureau plans to continue the C&L program until virtually all water mains have been cleaned and lined.

As of 2022 the water system consists of the following:

- 43.9% of the water main pipe have a field applied coating of cement mortar,
- 36.3% of the water main pipe have a factory applied lining.
- We still have 19.8% of water main pipe that need to be cleaned and lined. However, some of the remaining unlined pipe will be replaced due to having experienced multiple water main breaks.

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CITY COUNCIL MEETING JANUARY 24, 2023

NBD

Introductory No. 12 (NBD 09) - Authorizing an Amendatory Agreement with Flower City Habitat for Humanity, Inc.

“Q: Pertaining to the down payment & closing cost, to ensure affordability, is there or can there be a minimum percentage that is acceptable, or a clause that states the closing cost to the buyer will not exceed a certain amount? (Smith)” **NOTE: this question was from Agenda Review**

A. Habitat has several sources of funding available for down payment and closing cost assistance, including up to \$3,000 earned from “sweat equity”, up to \$5,000 from a local bank, and up to \$3,000 from the New York State Affordable Housing Corporation (AHC). Habitat asks for each family to pay \$2,300 towards the down payment and closing costs, and works with the family to ensure they are able to save that amount of money throughout the often 2-3 year relationship prior to closing. No other funds are collected from the household, as the aforementioned funding sources have been sufficient in covering down payments and closing costs for 99% of their clients. In the rare instances where this is the not the case, those households can access additional funding from the City and/or County.

Closing costs are typically 5-6% of the total loan amount, and most homes have sold for \$100,000-120,000 over the past several years, resulting in estimated closing costs of \$5,000-7,200. Even at the higher end of the estimate, the household would have a surplus of closing cost assistance available to them.

Further, Habitat is involved with their households during all stages of the transaction, and works with them to review and understand any contracts, payments, and legal agreements. Prior to reimbursing or drawing down funds for any of the closing costs, Habitat reviews to ensure what is being charged is in line with what is being charged to their clients, as well as what is being charged on open market/non subsidized transactions. Habitat’s mission is to ensure stability and affordability for the families they serve, which starts at intake but continues during the home purchase and loan closing process. Lastly, loans are sized so that no household pays more than 30% of their income on housing costs.

Q: There is additional closing cost assistance available in the amount of \$3,000 at the COR. Are families utilizing COR funds? (Patterson)

A. Habitat’s clients receive closing cost assistance from non-City sources they have secured, including up to \$3,000 earned from “sweat equity”, up to \$5,000 from a local bank, and up to \$3,000 from the New York State Affordable Housing Corporation (AHC). These sources have been sufficient to cover closing costs, including down payments, for nearly all of Habitat’s

clients. The families Habitat works with are often eligible for the COR programs to further increase their closing cost assistance, but they have not needed it.

Introductory No. 15 (NBD 24) - Resolution endorsing Monroe County application for Restore New York Communities Initiative – Round 7 grant to support the Historic Sibley Triangle Building Rehabilitation Project

Q: Can the administration provide a breakdown of rental costs of the units? Units cannot be categorized as affordable as it's student housing and they technically have no income. (Lupien)

A:

Rent Schedule:

# Units	Unit Size	Projected Rent
28	1BR	\$785
8	2BR	\$1,100

Total: 36 units

Introductory No. 16 (NBD 25) Authorizing an application and grant agreement for Restore NY Communities Initiative – Round 7 Four Corners/Aqueduct Downtown Initiative

Q: Can administration provide an AMI monetary breakdown of 60%, 80% and the proposed market rate for review? (Patterson)

A:

Executive Office Building: 28-42 West Main Street

# Units	Unit Size	Rent (\$)	AMI
10	1BR	1,195	80%
5	1BR	1,215	80%
5	1BR	1,285	80%
15	1BR	1,450	100%
10	1BR	1,480	100%
15	1BR	1,550	100%
20	1BR	1,580	100%
15	1BR	1,610	100%
10	1BR	1,615	100%
5	1BR	1,650	100%
10	2BR	2,000	100%
5	1BR	1,700	Mkt
3	1BR	1,765	Mkt
1	2BR	2,350	Mkt
1	2BR	2,400	Mkt

Total: 130 units

Gannett Building: 55 Exchange Boulevard

# Units	Unit Size	Rent (\$)	AMI
14	1BR	1,029	60%
5	2BR	1,235	60%
1	Studio	1,265	100%
1	Studio	1,465	100%
13	1BR	1,530 – 1,690	100%
43	1BR	1,715 - 2,310	Mkt
17	2BR	2,280 – 2,665	Mkt

Total: 94 units

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PUBLIC SAFETY COMMITTEE

Int. 21 – Agreement - New York State Division of Criminal Justice Services, Motor Vehicle Theft and Insurance Fraud Prevention Grant

Q: What specific anti-theft training and/or technology will be used for this grant? (Lupien)

A: Last year officers and investigators were able to attend a conference on Vehicle Arson Awareness and a conference on Vehicle Crimes. In prior years the state would convene a meeting of the advisory group on the grant program, which the Department would participate in. At these trainings current trends and techniques of motor vehicle theft and insurance fraud are shared; such techniques may include the use of various technologies used in thefts and how to combat them, such as security features in automobiles and tracking technologies.

Int. 31 — Rochester City School District, Overtime Police Services

Q: Is there any data on the effectiveness of having police outside of schools last year? (Lupien)

A: There is no data on the effectiveness of having police outside of schools from last year.

Q: Is it possible to look into making the arrival time shifts earlier? (Patterson)

A: The arrival time for four of the schools is 7:15 am and one of the schools is 8:15 am. Officers will be arriving at the schools at 7:00 am which allows for the Officers to be present outside for most of the school day. This will include a few hours after school when there are still after school activities occurring such as sports practice, etc. where students may be walking to and from school. These were the times specified by the school district.

A start time earlier than 7:00 am would make it extremely difficult to staff as a majority of the spots being filled are by officers coming off the overnight shift.

Q1: Please provide the outcomes of the complaint and awareness campaigns so far and any measured results. (Lightfoot)

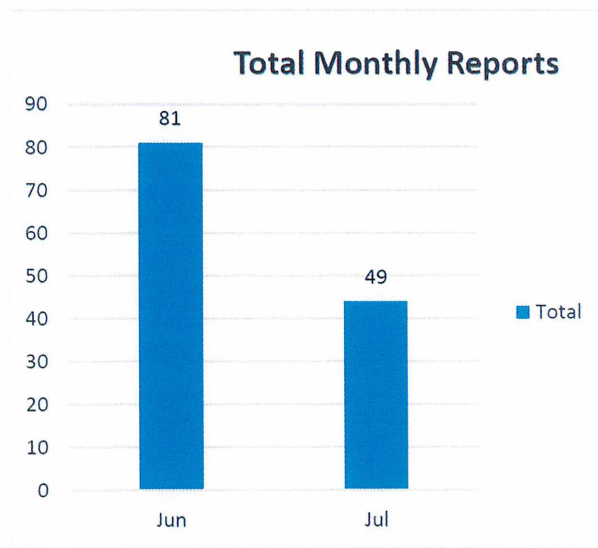
In 2022, PAB partnered with Causewave in order to develop a two-year integrative strategic communications plan to:

- 1. Increase awareness of PAB overall**
- 2. Increase awareness of PAB's services**
- 3. Build community knowledge around misconduct and increase community participation and education**
- 4. Develop community partnerships that create two-way communication between the Board and City residents**

This campaign sought to utilize integrative communications platforms such as radio, TV, social media, and other community-based platforms to further the above-named goals.

PAB's Complaints Soft Launch began on June 20th, 2022 where we opened our doors to complaints from the community around police misconduct. PAB launched a series of advertisements during that timeframe with 103.9 WDKX, 105.5 The Beat, and La Mega. We also ran social media ads on Facebook and LinkedIn. These ads ran approximately from June 20th – July 8th.

June 20th – July 8th 2022 Complaint Data During Radio Ad Run



Month	Count of Reports
June	81
July	49
Grand Total	130

August 2022 – September 2022

As the public became more aware of PAB and its services, we began to focus on our social media content and boots-on-the-ground community engagement efforts. Spending included: continued ad dollars for social media promotions, increased educational content, and development of a new and soon-to-be-launched PAB website. PAB purchased tents, tables, and promotional items and utilized these items to attend and participate in over 70 community engagement and outreach events throughout the summer and early fall.

During this period the complaint data was as follows:

- **August Count Report: 24**
- **September Count Report: 20**

In September 2022, PAB and Causewave engaged community partners to help us with identifying stakeholders who would participate in focus groups for the purpose of determining what was working, what wasn't, and where the gaps in our engagement and marketing efforts existed. Acting Manager, Duwaine Bascoe and Chief of Public Affairs Natalie Banks were also meeting with community leaders to talk about PAB, answer questions and gain valuable feedback.

September 2022 Focus Groups (3 months post soft launch)

PAB was able to engage 58 community members for participation in the focus groups and we learned the following:

- **35.7% of respondents were unfamiliar with PAB**
- **42.9% were somewhat familiar with PAB, and;**
- **24.1% of respondents were very familiar with PAB**

August 2022 – September 2022 Community Leader Conversations

As part of our conversations with community leaders, we learned from Latino leaders that their constituencies did not feel that PAB included them and was only "for black people". We also learned that RPD was utilizing ICE for its translation services within the Latino community which is in conflict with Rochester's status as a Sanctuary City.

Based on the data from the focus groups and feedback from our conversations with community leaders, we learned that we needed to make changes with regard to the language we were using in our ads and engagement efforts. Respondents stated that the "File a Report Today" verbiage was too strong and was not enough to make them call if they had witnessed or experienced an incident. This is due to them being unsure whether or not what they witnessed/or experienced amounted to misconduct. We also received feedback that the complaints forms were too long and community members had concerns over the privacy of their information and potential police retaliation.

We also learned that a significant part of our marketing and community engagement needed to be focused on developing a separate, yet authentic and engaging strategy for Latino adult and youth marketing and engagement. These changes would need to be inclusive of internal operational changes to certain processes in order to better address the needs of Spanish speakers when calling in or attempting to leave a message with PAB.

Because of the helpful information we received from the focus groups and community leader conversations, PAB and Causewave decided not to continue to run ads, but instead pivot our strategy based on the information we gathered. We also began to focus our social media efforts solely on educational content and PAB updates as we work on developing new marketing and community engagement strategies for the next year.

October 2022 and November 2022 Complaint Data

- **October Count Report: 17**
- **November Count Report: 15**

December 2022

In November, PAB was able to secure a new and easier-to-remember complaints hotline number and worked with Causewave to promote the new (585) 428-9999 number by running radio and social media ad campaigns to promote awareness of the new number during the month of December. Note that while we were still working on new ad strategies, this promotion was focused solely on updating the community about the new hotline number. The radio ads to promote our new number ran from December 11-17 and again on December 25-31.

December 2022 Complaint Data

- **December Count Report: 21**

June 19, 2022 – December 31, 2022, Complaint Data (6 months post soft launch)

- **6-month Count Report: 246 reports total received by PAB**

Social Media Data & Analysis

PAB has had solid social media engagement numbers. Our social media followership and engagement have doubled since the June soft launch. Our reach, impressions, and click-through numbers are very good. We have the highest level of social media engagement when compared to other PABs across the country, as social media continues to be underutilized by agencies and organizations. Rochester's PAB is a leader in this area. PAB's social media platforms include Facebook, Twitter, LinkedIn, and Instagram, and our website: www.ROCPAB.org.

The chart below reflects our Facebook data for 2022. This data is inclusive of engagement/reach during months when Facebook ads were run (*i.e. February PAB jobs advertisements and May and June ads promoting the soft launch*).

Month	Reach	New Likes	Likes & Reactions	Link Clicks	Shares
January	1710	49	30	200	17
February	7330	73	375	306	118
March	3,304	21	121	309	42
April	3,527				
May	13256				
June	10,383				
July	2,382				
August	1,682				
September	2,398				
October	1,014				
November	2,167				
December	547				

Community Engagement Analysis

PAB has participated in or conducted over 70 outreach events between the June soft launch and EOY 2023. We are measuring our reach and success through # of attendees at events, pre and post-surveys, focus groups, newsletter signs ups, community outreach requests, # flyers and others marketing materials distributed, direct individual/group engagement, and new reports received by the Case Management Team.

Our outreach has been and will continue to focus on individual quadrants and developing relationships with key stakeholders and community leaders within these neighborhoods.

PAB's community engagement numbers are solid and we have exceeded our KPIs in this area.

Q: Have any cases been heard? If not, why are we paying for a campaign to increase complaints sent to the PAB, which in turn, creates more of backlog? (Peo)

PART A (response needed).

According to the City Charter, Article XVIII, Police Accountability Board, Section 18.5 H (2). Reasonable cause determination, The PAB Board has been involved in reviewing cases for closing. Upon review of the report (referencing investigated cases) and recommendations from the Executive Director the Board members may either affirm or reverse the recommendation as to whether or not there is reasonable cause to proceed to a hearing. The Board has reviewed and determined twenty (20) cases did not contain reasonable cause to proceed to a hearing and were closed by the Board. The posted Board meeting minutes of November 20, 2022 reflects that the Board reviewed and made this determination. Pursuant to Section 103(e) of the Open Meeting Law, the posting of these Board meeting minutes qualifies as proper notice of action taken by the Board. By or before the February 2nd meeting, the Board will determine whether or not to proceed with closing 69 additional cases (52 cases for being out of our jurisdiction, and 17 for having insufficient information to proceed).

There have been no cases heard by the Board at this time. The courts have ruled the Hearing process and Discipline process outlined in Section 18.5(I) of the City Charter, are invalid at this time.

PART B: If not, why are we paying for a campaign to increase complaints sent to the PAB, which in turn, creates more of backlog? (Peo)

PAB's communications and community engagement efforts are part of a larger multi-pronged approach to not only promote awareness and PAB and increase the number of complaints that come into PAB but to also create community partnerships, support community empowerment, build community capacity around definitions of misconduct and what it looks like in our communities, share information about PAB, engage the community in RPD-related policy change, create a two-way way communications channel that assists the Board in prioritizing the communities voice and input and to also set the policy agenda for PAB's Policy Division. The work of PAB's Public Affairs Division and related partnership with Causewave feeds into the entire agency through:

- An increase in calls to the Case Management Division
- A steady flow of reports to be followed up on for the Investigations Division
- A funnel of non-investigable policy items for the Policy Division to review, analyze and recommend policy change
- A communications channel that provides direct community feedback to guide PAB's Executive Director, its Board, and Senior Staff to set PAB's agenda and priorities based on what the community needs—and even pivot when necessary based on this feedback.

While the Executive Director works to identify the cause of the backlog, the Public Affairs Division plans to spend down the 80K from the Causewave contract extension to continue to drive results in all areas of PAB as outlined above.

Q: Once completed, please provide the plan the Interim ED mentioned related to cases – including the identified bottlenecks, reasons we haven't heard cases, and the plan ahead. (Lupien)

A major barrier/bottleneck to hearing cases is that there is a legal question as to whether or not the Board can hear cases. In our opinion it is unclear whether or not the court has prohibited all hearings, investigative hearings or just disciplinary hearings.

The word *Heard* refers to the Board conducting hearings involving witnesses and testimony, civilians and police officers. The City's Law Department has informed the PAB that the courts have ruled the Hearing process **and** Discipline process outlined in Section 18.5(I) Hearing process and (J) Discipline, of the City Charter, are invalid at this time. The reason cases have not been *heard*, the bottleneck, is due to the limitations of the Charter.

Based on the inability to have Hearings, we plan to move forward with reviews. We anticipate having the Board review the investigative findings and reports for twenty (20) cases by their meeting on March 2, 2023. These "reviews" will then provide a determination by the Board to recommend a finding to the Chief of Police. This would mean that a total of 109 cases will have been reviewed and closed by the Board, representing approximately 87% completion of PAB's KPI for cases investigated.

FINANCE COMMITTEE

Int. 24 — Agreement - Living Cities

Q: Regarding eligibility, please provide the annual income for your low-income target population once determined. (Smith)

A: We will determine eligibility criteria over the next few months can share this information with Council at that time.

Int. 28 — Cable Franchise Renewal Agreement with Spectrum Northeast, LLC (“Charter”)

Q: Please submit the breakdown of the payment agreement with Charter (including lump sum and annual payments over course of agreement). (Patterson)

A: The public channel, RCTV, will receive a total of approximately \$1,622,800. Of this amount, \$222,800 will be received from Charter, pro-rated over the twelve year term of the Agreement, for a little over \$18,500 a year. This amount is paid by Charter customers, so is paid annually as collected. In addition approximately \$1,000,000 will come from an amount already paid by Charter for the years 2020 and 2021 and being held by the City in escrow. Finally RCTV can retain approximately \$350,000 from 2020 already released to them. These 2020 and 2021 PEG amounts are from the period after the 2019 FCC Third Report and Order went into effect, and were not in compliance with the Order. Resolution of the terms of the Agreement allows these amounts to be paid to RCTV and protects the City’s Charter franchise fee.

Additionally, Council requests the following from RCSD/Mike Schmidt:

Int. 26 — Capital Improvement Program - City School District

Q: Please submit the most recent School Closure plan. (Meléndez)

A: Answer forthcoming.