

ROCHESTER CITY COUNCIL

REGULAR MEETING

May 23, 2023

Present – President Meléndez, Councilmember Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith – 9.

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

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

**THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.**

**Special Recognitions:**

**The Asian/Pacific Islander/American Association of Greater Rochester (APAA) Recognitions:**

Mara Ahmed	Hkadin Lahtaw Lee
Marilyn Ajavananda	Lily Lee
Parvatha Chidambaram	Mimi Lee
Edline Chun	Kristin Kaihong Liu
Jeremy Cooney	Deborah McDell-Hernandez
Mar Doromal	Michael D. Mendoza
Rubin M. Garcia	Nannette Nocon
Nancy Gong	Joanna Ra
Brijen K. Gupta	John Ra
Patrick Ho	Moses Robinson
Randy Babara Kaplan	Masanori Seto
Frank Keophetlasy	William and Julie Sun
Bijaya Khadka	Meredith A. Vacca
Ann K. M. Lee	Karina Vattana

**Retirement:**

**DES:**

Patricia Bedard  
Philip School

**ECD:**

Amy Forero

**IT:**

Tricia Tang Chan

**RFD:**

James Geiger  
Richard Liberatore  
James Ryan

**RPD:**

Brian Bannerman  
Herbert McClellan  
Daniel Nowack  
Michael Perkowski  
Kevin Radke

**APPROVAL OF THE MINUTES**

By Vice President Lupien

RESOLVED, that the minutes of the Regular Meeting on April 25, 2023 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The Council submits Disclosure of Interest Forms from President Meléndez on Int. No. 196; Councilmembers Gruber and Martin on Int. No. 189

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

**THE COUNCIL PRESIDENT --- RECEIVED AND FILED.**

**PUBLIC HEARINGS.**

**Pursuant to law, a public hearing was held on May 18, 2023 on the following matters:**

Local Improvement Ordinance – establishing the levy and budget for the special work and services related to the Main Street improvements of the Downtown Enhancement District for 2023-24  
Int. No. 166

No speakers

Approving the Amended Marketview Heights Urban Renewal District Plan      Int. No. 171

No speakers

Local Improvement Ordinance authorizing special work and services related to the South Avenue/Alexander Street Open Space District for 2023-24      Int. No. 172

No speakers

Approving the 2023-24 Annual Action Plan      Int. No. 175

One speakers

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2023-24      Int. No. 203

No speakers

Continuation of Local Improvement Ordinance No. 1517 relating to the Woodside/Goodwill  
Neighborhood Commercial Parking Lot Int. No. 204

No speakers

Continuation of Local Improvement Ordinance No. 1651 relating to the Mt. Hope Avenue  
Neighborhood Commercial Parking Lot Int. No. 205

No speakers

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

By President Meléndez

President Meléndez introduced a motion to consider Int. No. 215 without referring to a committee.  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Harris  
Motion to consider passed unanimously.

**TO THE COUNCIL**

Ladies and Gentlemen:

Resolution No. 2023-13  
Re: Home Rule Message endorsing State legislation to correct the retirement pension status of  
a City employee (Bill numbers S. 6788 and A. 6706)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is Home Rule Message legislation requesting that the State  
Legislature enact legislation that will grant to a City employee an earlier initial membership in the  
New York state and local employees' retirement system (NYSLERS) to account for his prior  
employment record.

The Home Rule Request is a necessary prerequisite to allow the New York State Legislature to  
enact the State legislation entitled "AN ACT granting retroactive membership in the NYSLERS to  
Justin Whitmore," which is set forth in Senate Bill No. S. 6788 and Assembly Bill No. A. 6706. The  
City of Rochester does not have the power to enact such legislation on its own and, therefore it  
must seek the Legislature's approval through the Home Rule process pursuant to Article IX of the  
New York State Constitution.

Justin Whitmore is currently employed by the City of Rochester with the Rochester Police  
Department. He worked as a seasonal employee for Sampson State Park beginning in July of 2007  
and, through no fault of his own, was not enrolled into NYSLERS at the time. This error has  
impacted his Tier designation within the retirement system. The proposed State legislation will  
correct this error and establish Mr. Whitmore's initial NYSLERS membership date as July 7, 2007,  
thereby qualifying him for the Tier 2 classification in the system.

The NYSLER staff projects that the legislation will generate an immediate one-time past service  
charge of approximately \$42,500, which will be borne by the State of New York. The City of  
Rochester also will incur an increase in the annual contribution to Mr. Whitmore's retirement  
account, but those additional charges will not exceed what the City would have been required to  
pay had Mr. Whitmore been enrolled when he was qualified to do so in 2007.

Respectfully submitted,  
Miguel A. Meléndez  
City Council President

Resolution. No. 2023-13  
(Int. No. 215)

**Resolution for the purpose of a Home Rule Message regarding State legislation in relation to granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore**

Requesting the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council hereby requests that the Senate and the Assembly of the State of New York, constituting the New York State Legislature, enact the legislation set forth in the following bill entitled:

AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore

Being Senate Bill No. S. 6788 and Assembly Bill No. A. 6706.

This resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Lightfoot  
May 23, 2023

To the Council:

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

- |              |  |
|--------------|--|
| Int. No. 160 | Appropriating funds and authorizing amendatory agreements for the Erie Harbor Enhancements Phase II Project                    |
| Int. No. 161 | Amending an ordinance and authorizing an agreement relating to the Martin Luther King Jr. Memorial Playground Renovation       |
| Int. No. 162 | Amending ordinances, appropriating unspent playground funding and amending an agreement for the Playground Resurfacing Project |
| Int. No. 163 | Authorizing an agreement relating to the Humboldt Recreation Center Water Park Improvements                                    |

- Int. No. 164    Appropriating and reallocating funds for the Dewey Avenue and Emerson Street Improvement Project
- Int. No. 165    Appropriating and reallocating funds for the Bull’s Head Revitalization Project
- Int. No. 167    Authorizing grant agreement for the Brownfields Job Training Program
- Int. No. 168    Authorizing an amendatory agreement for drinking water quality laboratory services
- Int. No. 213    Resolution for the purpose of a Home Rule Message regarding State legislation authorizing the City of Rochester to convey to the Rochester Pure Waters District an easement in Genesee Valley Park for installation and maintenance of sanitary sewer facilities
- Int. No. 214    Authorizing the conveyance of an easement in Genesee Valley Park and the receipt of park funding and a conservation easement in return

The **PARK AND PUBLIC WORKS COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

- Int. No. 166    Local Improvement Ordinance – establishing the levy and budget for the special work and services related to the Main Street improvements of the Downtown Enhancement District for 2023-24

Respectfully submitted,  
 Willie J. Lightfoot  
 Mitch Gruber (*absent*)  
 Jose Peo  
 Mary Lupien  
 Miguel A. Meléndez, Jr.

**PARKS & PUBLIC WORKS COMMITTEE**

Received filed and published

TO THE COUNCIL  
 Ladies and Gentlemen:

Ordinance No. 2023-142  
 Re:    Amendatory Agreement- Stantec Consulting Services, Inc. – Erie Harbor Enhancements Phase II Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Erie Harbor Enhancements Phase II project. This legislation will:

1.    Appropriate \$425,289 in anticipated reimbursements from New York State Department of State (NYSDOS) to partially finance final design, construction administration, and construction for the project; and,

2. Authorize an amendatory agreement with Stantec Consulting Services, Inc. (James R. Hofmann, Jr., C.E.O., 61 Commercial Street, Suite 100, Rochester, New York) to provide final design and construction administration services for the project. The original agreement authorized in Ordinance No. 2017-136 and as amended in Ordinance Nos. 2019-89 and 2022-215 established maximum compensation of \$715,000. This amendment shall increase the maximum compensation provided under the existing agreement by \$30,000 to a new total of \$745,000. The amendatory agreement shall be funded with \$15,000 from NYSDOS funds appropriated herein and \$15,000 in 2022-23 Cash Capital; and,
  
3. Authorize an amendatory agreement with Ravi Engineering and Land Surveying, P.C. (Nagappa Ravindra, C.E.O., 2110 S. Clinton Avenue, Suite 1, Rochester, New York) to provide additional resident project representation services (RPR) for the project. The original agreement authorized in Ordinance No. 2022-51 established maximum compensation of \$500,000. This amendment shall increase the maximum compensation provided under the existing agreement by \$60,000 to a new total of \$560,000. The amendatory agreement shall be funded with 2020-21 Cash Capital.

The project will rehabilitate Genesee Gateway Park and the Genesee Riverway Trail within the project area to provide sightlines and access to the waterfront and trail system, enhance public recreational use of the parkland, and provide direct public recreational use of the Genesee River for non-motorized hand carried watercraft.

Concurrent with the design of the project, the City received an additional grant through the Environmental Protection Fund Local Waterfront Revitalization Program as administered through NYSDOS. The grant will fund the design and construction administration of a new parking lot and related infrastructure to support the car-top boat launch and park improvements currently under construction.

The project will be funded as follows:

Source of Funds	Design	Construction	RPR	Contingency	Total
NYSDOS Grant appropriated herein	15,000	0	0	410,289	\$425,289
NYSDOS Grant appropriated Ordinance 2022-215	42,211	0	0	0	\$42,211
2022-23 Cash Capital	22,449	0	0	60,051	\$82,500
ARPA funds appropriated Ordinance No. 2022-76	0	1,000,000	0	0	\$1,000,000
Bonds appropriated Ordinance No. 2022-77	0	1,250,000	0	0	\$1,250,000
RG&E grant appropriated Ordinance No. 2022-51	20,000	200,000	0	0	\$220,000
ROC the Riverway/URI funds appropriated Ordinance No. 2019-89	350,000	1,490,000	160,000	0	\$2,000,000
2016-17 Cash Capital	100,000	0	0	0	\$100,000
2017-18 Cash Capital	0	1,800	0	0	\$1,800

NYSDOS Grant appropriated Ordinance 2017-136	100,000	0	0	0	\$100,000
NYSDOS Grant Appropriated Ordinance No. 2019-89	0	726,250	123,750	0	\$850,000
Bonds appropriated Ordinance No. 2019-90	95,340	598,410	156,250	0	\$850,000
2020-21 Cash Capital	0	151,001.27	120,000	128,998.73	\$400,000
Total	\$745,000	\$5,417,461.27	\$560,000	\$599,338.73	\$7,321,800

The construction of the project began in summer 2022 and is anticipated to be completed in summer 2023.

The additional funding for the project will result in the creation and/or retention of the equivalent of 4.6 full-time jobs.

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

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AW-82

Ordinance No. 2023-142  
 (Int. No. 160)

**Appropriating funds and authorizing amendatory agreements for the Erie Harbor Enhancements Phase II Project**

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

Section 1. The sum of \$425,289 in anticipated reimbursements from the New York State Department of State (NYSDOS), through its Environmental Protection Fund Local Waterfront Revitalization Program, is hereby appropriated to fund a portion of the final design, construction administration and construction of the Erie Harbor Enhancements Phase II Project (Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Stantec Consulting Services, Inc. to provide final design and construction administration services for the Project. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2017-136 and amended by Ordinance No. 2019-89, Ordinance No. 2022-51 and Ordinance No. 2022-215 to provide such final design and construction administration services and to increase the maximum compensation by \$30,000 to a new total of \$745,000. The amendatory compensation shall be funded in the amounts of \$15,000 from the NYSDOS funds appropriated in Section 1 herein and \$15,000 from 2022-23 Cash Capital. The term of the amendatory agreement shall continue to three months after the completion of the two-year guarantee inspection of the Project.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Ravi Engineering and Land Surveying, P.C., Inc. to provide additional resident project representation services for the Project. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-51 to increase the maximum compensation by \$60,000 to

a new total of \$560,000. The amendatory compensation shall be funded in the amount \$60,000 from 2020-21 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-143

Re: Agreement – SWBR Architecture, Engineering & Landscape Architecture, D.P.C. – Martin Luther King Jr. Memorial Playground Renovation

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Martin Luther King Jr. Memorial Playground Renovation.

1. Amend Section 1 of Ordinance No. 2021-215 to amend the list of Community Development Block Grant (CDBG) assisted projects to include the Martin Luther King Jr. Memorial Playground Renovation Project; and,
2. Establish \$280,000 as maximum compensation for a professional services agreement with SWBR Architecture, Engineering & Landscape Architecture, D.P.C. (Thomas Gears, C.E.O., 387 East Main Street, Suite 500, Rochester, New York) for design services for the project. The cost of the agreement will be financed with \$225,000 from Community Development Block Grant (CDBG) funds appropriated in Ordinance No. 2021-215 and \$55,000 of 2022-23 Cash Capital.

The project includes the renovation of the existing playground and adjacent park spaces at Martin Luther King Jr. Memorial Park. The playground, last renovated in 2004, has reached the end of its useful life and is in need of significant renovation. Portions of the playground are presently closed to the public due to failed safety surfacing and damaged / broken play fetaures. The Consultant will provide preliminary design, final design, and construction administration services to enhance the usability, functionality, safety and accessibility of the playground for all users.

SWBR Architecture, Engineering & Landscape Architecture, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary.

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

Design will commence in summer of 2023 with construction anticipated to begin in summer 2024. The project will result in the creation and/or retention of the equivalent of 3.0 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



**Amending an ordinance and authorizing an agreement relating to the Martin Luther King Jr. Memorial Playground Renovation**

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

Section 1. Section 1 of Ordinance No. 2021-215, is hereby amended to fund design services for the Martin Luther King Jr. Memorial Playground Renovation (the Project), as follows:

Section 1. The sum of \$1,050,000 is hereby appropriated from the DRYS Play Apparatus allocation of the 2020-21 Annual Action Plan to fund infrastructure and playground improvements at various locations including but not limited to the Troup Street Playground, the Edgerton Playground and the Maplewood Playground and for design of the Martin Luther King Jr. Memorial Playground Renovation.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with SWBR Architecture, Engineering & Landscape Architecture, D.P.C. to provide design services for the Project. The maximum compensation for the agreement shall be \$280,000. Of that amount, \$225,000 shall be funded from a portion of the \$1,050,000 DRYS Infrastructure – Play Apparatus project allocation of the 2020-21 Annual Action Plan appropriated to the Project in Section 1 herein. The remainder, \$55,000, shall be funded from 2022-23 Cash Capital. The term of the agreement shall extend to three months after completion of the two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-144  
Re: Community Development Block Grant (CDBG), Playground Resurfacing Project

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the appropriation of Community Development Block Grant (CDBG) funds for Playground Resurfacing Project. This legislation will:

1. Amend Section 1 of Ordinance No. 2021-215 to amend the list of Community Development Block Grant (CDBG) assisted projects to include the Playground Resurfacing Project; and,
2. Amend Section 1 of Ordinance No. 2022-107 to amend the list of CDBG assisted projects to include the Playground Resurfacing Project; and,
3. Reappropriate \$6,932.19 of unspent CDBG funds from the DRYS Infrastructure – Play Apparatus allocation of the 2018-19 Annual Action Plan, previously authorized by Ordinance No. 2019-91 for continued use in the construction for the project; and,

4. Reappropriate \$7,545 of unspent CDBG funds from the DRYS Infrastructure – Play Apparatus allocation of the 2019-20 Annual Action Plan, previously authorized by Ordinance No. 2020-109 for continued use in the construction for the project; and,
5. Reappropriate \$9,854.60 of unspent CDBG funds from the DRYS Infrastructure – Play Apparatus allocation of the 2019-20 Annual Action Plan, previously authorized by Ordinance No. 2021-151 for continued use in the construction for the project; and,
6. Authorize an amendatory professional services agreement with Ravi Engineering and Land Surveying, P.C. (Nagappa Ravindra, C.E.O., 2110 S. Clinton Avenue, Suite 1, Rochester, New York) for RPR services for the Playground Resurfacing Project. The original agreement for \$75,000 was authorized by Ordinance No. 2022-107. This amendment will increase the maximum compensation by \$85,000 to a maximum total of \$160,000. The cost of the amendatory agreement will be financed with \$25,000 CDBG funds appropriated in Ordinance No. 2022-107 and \$60,000 of 2022-23 Cash Capital.

The project includes, but is not limited to the replacement of fibar mulch play surfacing with rubberized surfacing with concrete curb surround at four playground sites. The sites may include Carter Street R-Center Playground, Gantt R-Center Playground, JR Wilson Playground, and Grand Avenue Playground.

Ravi Engineering & Land Surveying, P.C. was selected for RPR services based on its familiarity with CDBG funded playground projects and the ability to work with in-house staff on playground projects for greater efficiency.

Construction of the project is anticipated to begin in summer 2023 with substantial completion in fall 2023. The newly appropriated CDBG funding will result in the creation and/or retention of the equivalent of 8.5 full-time jobs.

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

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-84

Ordinance No. 2023-144  
(Int. No. 162)

**Amending ordinances, appropriating unspent playground funding and amending an agreement for the Playground Resurfacing Project**

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

Section 1. Section 1 of Ordinance No. 2021-215, as amended by Ordinance No. 2023-143, is hereby amended to fund the Playground Resurfacing Project to replace with rubberized surfacing material and surrounding concrete curbs the existing surfaces of the playgrounds at the Carter Street and Gantt R-Centers and the JR Wilson and Grand Avenue Playgrounds (the Project), as follows:

Section 1. The sum of \$1,050,000 is hereby appropriated from the DRYS Play Apparatus allocation of the 2020-21 Annual Action Plan to fund infrastructure and playground improvements at various locations including but not limited to the Troup Street Playground,

the Edgerton Playground and the Maplewood Playground, ~~and~~ and for design of the Martin Luther King Jr. Memorial Playground Renovation, and for the rubberized resurfacing and concrete curbing of playgrounds at the Carter Street and Gantt R-Centers and the JR Wilson and Grand Avenue Playgrounds.

Section 2. Section 1 of Ordinance No. 2022-107, Authorizing an appropriation and agreement for Bronson Avenue Playground improvements, is hereby amended to fund the Project, as follows:

Section 1. The Council hereby appropriates \$1,000,400 in Community Development Block Grant (CDBG) funds from the Project No. 17 allocation for DRHS– Play Apparatus in the 2021-22 Annual Action Plan to fund improvements to the Bronson Avenue Playground and the rubberized resurfacing and concrete curbing of playgrounds at the Carter Street and Gantt R-Centers and the JR Wilson and Grand Avenue Playgrounds (the Project).

Section 3. The Council hereby appropriates to the Project \$6,932.19 left unspent from the following funding sources previously appropriated by Ordinance No. 2019-91 to improvements to the 4th Street and Peck Street Park playground, the Tacoma Park playground and Don Samuel Torres Park: \$300,000 from the DRYS Infrastructure – Play Apparatus project allocation of the 2017-18 Annual Action Plan and \$616,588 from the DRYS Infrastructure – Play Apparatus project allocation of the of the 2018-19 Annual Action Plan.

Section 4. The Council hereby appropriates to the Project \$7,545 left unspent from the following funding source previously appropriated to improvements at Don Samuel Torres Park by Ordinance No. 2020-109 and at the Merriman Playground by Section 2 of Ordinance No. 2021-151: \$300,000 from the DRYS Infrastructure – Play Apparatus project allocation of the 2019-20 Annual Action Plan.

Section 5. The Council hereby appropriates to the Project \$9,854.60 left unspent from the following funding source previously appropriated by Section 1 of Ordinance No. 2021-151 to improvements at Don Samuel Torres Park, Merriman Playground, Troup Street Playground and Edgerton Playground: \$470,461 from the DRYS Infrastructure – Play Apparatus project allocation of the 2019-20 Annual Action Plan.

Section 6. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Ravi Engineering and Land Surveying, P.C., Inc. to provide resident project representation services (RPR) for the Project. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-107 to add RPR services for the Project to the scope of work and to increase the maximum compensation by \$85,000 to a new total of \$160,000. The funding of the amendatory compensation shall include \$25,000 from a portion of the \$1,000,400 DRYS Infrastructure – Play Apparatus project allocation of the 2021-22 Annual Action Plan appropriated to the Project in Section 2 herein. The remainder of the amendatory compensation shall be funded in the amount \$60,000 from 2022-23 Cash Capital.

Section 7. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 8. This ordinance shall take effect immediately.

Strikeout indicated deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Agreement – Arcadis of New York, Inc., Humboldt Recreation Center Water Park Improvements

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Humboldt Recreation Center Water Park Improvements project. This legislation will establish \$80,000 as maximum compensation for a professional service agreement with Arcadis of New York, Inc., (John M. McCarthy, C.E.O., 100 Chestnut Street, Suite 1020, Rochester, New York) for Resident Project Representative (RPR) Services for the Humboldt Recreation Center Water Park Improvements project. The cost of the agreement will be financed with American Rescue Plan Act (ARPA) funds as appropriated in Ordinance No. 2022-312.

The Humboldt Recreation Center Water Park Improvements project will include, but is not limited to improvements to the existing splash pad at the Humboldt Street Recreation Center. The project includes new water lines, spray features, splash pad hardscapes, electrical control systems and a new utility vault. The improvements will significantly upgrade the park's infrastructure and streamline future maintenance efforts.

Arcadis was selected for RPR services through a request for proposal process, which is described in the attached summary.

It is anticipated that construction will begin in summer 2023 with scheduled completion in fall 2023. The project will result in the creation and/or retention of the equivalent of 0.87 full-time jobs.

The term of the agreement shall extend through September 30, 2024, in order to allow time to repurpose any remaining ARPA funds, if available, from this project into another while meeting the guidelines for ARPA funding.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-85

Ordinance No. 2023-145  
(Int. No. 163)

### **Authorizing an agreement relating to the Humboldt Recreation Center Water Park Improvements**

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 Arcadis of New York, Inc. to provide Resident Project Representative services for the Humboldt Recreation Center Water Park Improvements project (the Project). The maximum compensation in the amount of \$80,000 shall be funded from American Rescue Plan Act of 2021 funds appropriated to the Project in Ordinance No. 2022-312. The term of the agreement shall continue to September 30, 2024.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-146  
Re: Dewey Avenue and Emerson 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 related to the Dewey Avenue and Emerson Street Improvement Project. This legislation will:

1. Appropriate \$3,825 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of right-of-way (ROW) incidental services for the Project; and,
2. Amend Section 2 of Ordinance No. 2023-70, which established funding for an agreement with the New York State Department of Transportation (NYSDOT) to participate and administer a portion of the ROW incidental services for the Project, by reducing \$3,825 of 2022-23 Cash Capital and replacing those funds with the NYS Marchiselli Aid appropriated herein.

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

The project includes, but is not limited to, pavement reconstruction, intersection realignment, curbs, sidewalks, curb ramps, catch basins, street lighting, signal upgrades, signage, water anodes, hydrants, adjustment and repair of manholes, catch basins, water valve castings, and other various improvements as funding allows. The addition of bicycle facilities and curb bump-outs will be evaluated during preliminary design. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

Final design services and the ROW acquisition phase are anticipated to begin in spring of 2024. Construction is anticipated to begin in spring 2026.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-86

Ordinance No. 2023-146  
(Int. No. 164)

**Appropriating and reallocating funds for the Dewey Avenue and Emerson Street Improvement Project**

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

Section 1. The sum of \$3,825 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the right-of-way incidental services for the Dewey Avenue and Emerson Street Improvement Project.

Section 2. Section 2 of Ordinance No. 2023-70, Authorizing agreements for Dewey Avenue and Emerson Street Improvement Project, is hereby amended as follows:

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer a portion of the right-of-way incidental services for the Project. The maximum compensation for the agreement shall be \$6,000, which shall be funded in the amounts of \$2,175 from 2022-23 Cash Capital and \$3,825 appropriated to the Project in Section 1 of Ordinance No. 2023-146 The term of the agreement shall extend to 6 months after final acceptance of the Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-147

Re: Bull's Head Revitalization Project

Council Priority: Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Bull's Head Revitalization Project. This legislation will:

1. Appropriate \$4,590 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of right-of-way (ROW) incidental services for the Project; and,
2. Amend Section 2 of Ordinance No. 2023-69, which established funding for an agreement with the New York State Department of Transportation (NYSDOT) to participate and administer a portion of the ROW incidental services for the Project, by reducing \$4,590 of 2020-21 Cash Capital and replacing those funds with the NYS Marchiselli Aid appropriated herein.

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

The project includes, but is not limited to, a combination of new street construction, pavement reconstruction and rehabilitation, milling and resurfacing, realignment of intersecting streets, curbs, sidewalks, street lighting improvements, water main installation, water services and hydrants, sewer main extensions, catch basins, manholes, adjustment of utility appurtenances, landscaping, and other various improvements as funding allows. The addition of bicycle facilities will be evaluated during preliminary design.

Final design services and the ROW acquisition phase are anticipated to begin in spring of 2024. Construction is anticipated to begin in spring of 2026.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-87

**Appropriating and reallocating funds for the Bull's Head Revitalization Project**

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

Section 1. The sum of \$4,590 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the right-of-way incidental services for the Bull's Head Revitalization Project (Project).

Section 2. Section 2 of Ordinance No. 2023-69, Authorizing agreements for a Bull's Head Revitalization Project, is hereby amended as follows:

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer a portion of the right-of-way incidental services for the Project. The maximum compensation for the agreement shall be \$7,000, which shall be funded in the amounts of ~~\$6,100~~ \$1,510 from 2020-21 Cash Capital ~~and~~ \$900 from 2021-22 Cash Capital ~~and~~ \$4,590 in anticipated Marchielli Aid reimbursements appropriated to the Project in Section 1 of Ordinance No. 2023-147. The term of the agreement shall extend to 6 months after final acceptance of the Project.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1800  
Re: Local Improvement Ordinance - Downtown  
Enhancement District, 2023-24 Budget

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2023-24 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, enters its 34<sup>th</sup> year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include, but are not limited to sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

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

Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the

consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2023-24 based upon the 34<sup>th</sup> year cumulative increase in the CPI (135.0%) is \$940,125. The recommended assessment is \$726,800, an increase of \$23,100 (3.26%).

Category of Expense	2022-23	2023-24	Variance
Salary and Wages	\$448,100	\$461,800	\$13,700
Employee Benefits	\$197,700	\$204,000	\$6,300
Personnel Total	\$645,800	\$665,800	\$20,000
Materials & Supplies	\$69,300	\$71,300	\$2,000
Contractual Services	\$19,200	\$19,700	\$500
Less: Operating Revenues	-\$30,000	-\$30,000	\$0
Less: Delinquent Tax Collected	-\$600	\$0	\$600
Net Expenses	\$703,700	\$726,800	\$23,100
Less: Use of Fund Balance	\$0	\$0	\$0
Required Assessment	\$703,700	\$726,800	\$23,100

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 20, 2023 by a vote of 5-0.

A public hearing on the District assessment is required.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AW-88

Local Improvement Ordinance No. 1800  
 (Int. No. 166)

**Local Improvement Ordinance – establishing the levy and budget for the special work and services related to the Main Street improvements of the Downtown Enhancement District for 2023-24**

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

Section 1. The cost of the special work and services for the 2023-24 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued and amended by Local Improvement Ordinances Nos. 1355, 1444, 1531, 1597, 1686 and 1756, is hereby established at \$726,800. Such amount plus \$30,000 in operating revenues, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2023-24 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2023.

Passed unanimously.

TO THE COUNCIL  
 Ladies and Gentlemen:



Ordinance No. 2023-148  
Re: Grant Acceptance – USEPA Brownfields Job Training Program

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

Transmitted herewith for your approval is legislation related to a Brownfields Job Training (BJT) program funded by the United States Environmental Protection Agency (USEPA). This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the USEPA; and
2. Authorize the receipt and use of \$500,000 in anticipated USEPA grant funds for the purpose of financing a Brownfields Job Training program.

In December 2022, the City was notified that our application for a USEPA Brownfields Job Training Program grant to implement the Brownfields Environmental Skills Training (BEST) program was approved. BEST is a new City brownfields job training program beginning in 2023 that builds on the success of the City's USEPA-funded Rochester Environmental Job (REJob) Training Program by providing high quality, advanced environmental training to fill key environmental inspection and monitoring positions. Many of Rochester's disadvantaged residents live in the proposed program target area, which includes more than 400 confirmed brownfields that inhibit investment in the community and reduce economic opportunities. BEST will provide program participants with skills needed to gain employment associated with brownfield cleanup and redevelopment. BEST targets dislocated workers, underemployed and unemployed individuals including low income and minority residents, veterans, and those with little or no advanced education.

The BEST Program will recruit and train up to 100 unemployed or underemployed City residents in core occupational and environmental areas that provide certifications to work in the environmental remediation field.

It is anticipated that BEST will begin in the fall of 2023 and will train eight (8) cohorts of program participants in the first four (4) years of the program. The fifth year of the grant will be dedicated to participant tracking and follow-up employment placement services as needed.

The term of the agreement is five (5) years.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-148  
(Int. No. 167)

### **Authorizing grant agreement for the Brownfields Job Training Program**

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the United States Environmental Protection Agency (USEPA) for the receipt and use of \$500,000 in anticipated reimbursements from the USEPA's Brownfields Job Training Program, which amount is hereby appropriated to implement a Brownfields Environmental Skills Training program. The term of the agreement shall be five years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-149

Re: Amendatory Agreement – Eurofins Eaton Analytical, LLC. Analytical services: Drinking Water, Annual Water Quality Report Compliance Monitoring

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Eurofins Eaton Analytical, LLC (Camilla Gadotti, C.E.O., 110 South Hill Street, South Bend, Indiana) to increase the maximum compensation from \$30,000 to \$60,000 as maximum annual compensation for laboratory services to analyze drinking water quality. The original agreement was authorized by Ordinance No. 2021-146. The cost of this agreement will be funded from the 2022-23 Operating Budget and future years' budgets, contingent upon their approval.

As part of the New York State Sanitary Code, Title 10 New York Codes, Rules and Regulations, Part 5, Subpart 5-1, Public Water Systems must perform system wide water quality monitoring. Much of this monitoring stems from requirements from the United States Environmental Protection Agency (USEPA) and consists of testing for disinfection-by-products, over 130 organic and inorganic chemicals and other contaminants as required for the City's Annual Water Quality Report and for National and State drinking water regulations compliance. The requirements are very stringent and compliance is critical to the safety of our drinking water.

There are four circumstances that have led to this increase in laboratory budget:

- In February of 2023 New York State Department of Health increased our Lead and Copper Rule monitoring requirements by a factor of 12.
- USEPA implemented compliance monitoring requirements as part of the Unregulated Contaminant Monitoring Rule 5 that require additional testing throughout 2023.
- The corrosion control study that the City is conducting requires additional testing that was above the scope of the original agreement.
- An HVAC improvement project in the Water Quality Laboratory scheduled for the upcoming fiscal year will require samples normally analyzed in house to be sent to Eurofins for analysis. This could last as long as three months.

The term of this agreement shall remain unchanged..

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-89

Ordinance No. 2023-149  
(Int. No. 168)

**Authorizing an amendatory agreement for drinking water quality laboratory 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 Eurofins Eaton Analytical, LLC for laboratory services to analyze drinking water quality. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2021-146 to increase the maximum annual compensation by \$30,000 to a new annual maximum of \$60,000. The amendatory compensation for the current year shall be funded from the 2022-23 Budget of the Department of Environmental Services (DES), and the funding for any optional extended term shall be funded from future years' Budgets of DES, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

#### TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-14  
Ordinance No. 2023-150

Re: Home Rule resolution and ordinance authorizing a sewer main through Genesee Valley Park

Transmitted herewith for your approval is legislation authorizing the installation and operation of an underground sewer main through a portion of Genesee Valley Park in return for \$100,000 in funding for future parkland acquisitions or improvements and for a conservation easement that will preserve approximately four acres of wooded land and natural habitat adjacent to the eastern boundary of the Park.

The new sewer main is necessary to provide additional capacity to the existing sewer system on the east side of the River that serves the University of Rochester's campuses and surrounding residences and businesses. The sewer improvement is necessary to accommodate the additional demand that will be generated by the University's Strong Memorial Hospital Expansion Project because the east-side sewer system is operating at full capacity.

The legislation consists of:

1. A resolution authorizing the City to submit a Home Rule Message requesting that the State Legislature enact legislation authorizing the City to grant to the Rochester Pure Waters District (Pure Waters) a permanent easement that is necessary to allow Pure Waters to construct and maintain the new sewer main (Sewer Easement).
2. An ordinance that, upon the State's enactment of the Home Rule legislation, will:
  - a) grant a permanent Sewer Easement to Pure Waters over 40-foot wide corridors to allow for the installation, operation and maintenance of the new sewer main and an accompanying fiber optic conduit;
  - b) authorize the City to receive and dedicate a \$100,000 contribution from the University for future park land acquisitions and/or improvements; and
  - c) authorize the City to agree to and accept from the University a Conservation Easement that will preserve approximately 3.962 acres of wooded area and other natural habitat located on University-owned land along an 80-foot wide strip adjacent to Genesee Valley Park.

Under New York State's "public trust" doctrine and laws, a locality may not allow its public park lands to be sold off or used for any non-park purpose without the approval of the State Legislature. The interference with or "alienation" of the use of park land need not be exclusive or permanent for this public trust doctrine to apply. Therefore, the Sewer Easement is deemed to be an alienation of park land that requires State approval even though the sewer main will be located entirely underground and constructed using directional drilling to minimize any potential impacts to the surface of the Park.

As is typical for the alienation of park land involving easements, the State legislation will require that the City dedicate an amount of funds and/or park land that is equal to or greater than the fair market value of the Sewer Easement for the acquisition of new park lands and/or capital improvements to existing park and recreational facilities. In a report dated May 4, 2023, Midland Appraisal Associates, Inc. appraised the Sewer Easement as having a fair market value of \$25,000.

As, and in excess of, the required compensation for the fair market value of the Sewer Easement, the University has offered to contribute \$100,000 for the City to dedicate to park land acquisition and/or improvements, and to establish a Conservation Easement that restricts the use of approximately 3.096 acres of its land to serve as a wooded and natural habitat buffer along the east side of Moore Road in the Park.

The set of transactions provided for herein will benefit the public in several ways, including: by providing \$100,000 for future park land acquisitions and/or improvements; by preserving the existing buffer of wooded and natural habitat lands along the east side of Moore Road; and by providing essential sanitary sewage capacity within the Wilson Boulevard Trunk System that serves the University's academic and medical center campuses as well as numerous businesses and residences located on the east side of the Genesee River.

The most significant and essential benefit of these transactions in the near term will be to provide the additional sewage capacity that is required for the University to proceed with the Strong Memorial Hospital Expansion Project. That Project, one of the largest projects in the region's history, will triple the size of the Emergency Department (ED), provide private single patient rooms, expand diagnostic and treatment spaces, improve mental and behavioral health care, enlarge the region's only Level-1 trauma facility to treat the most complex traumatic injuries, and enlarge the Pediatric ED unit in the Golisano Children's Hospital. The Project will help alleviate chronic bed shortages and ED overcrowding issues, as well as increase the availability of high-quality mental health and addiction services.

Respectfully submitted,  
Malik D. Evans  
Mayor

Resolution No. 2023-14  
(Int. No. 213)

**Resolution for the purpose of a Home Rule Message regarding State legislation authorizing the City of Rochester to convey to the Rochester Pure Waters District an easement in Genesee Valley Park for installation and maintenance of sanitary sewer facilities**

Concurring in the request by the Mayor of the City of Rochester to the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to the conveyance of an easement to install and maintain a sanitary sewer main in Genesee Valley Park.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council concurs in the request of Malik D. Evans, Mayor of the City of Rochester, to the Senate and the Assembly of the State of New York, constituting the New York State Legislature, that said Legislature enact the legislation set forth in the following bill entitled:

AN ACT in relation to authorizing the city of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park, for installation and maintenance of sanitary sewer facilities.

Being Senate Bill No. S. 6610-A and Assembly Bill No. A. 6724.

This resolution shall take effect immediately.

Adopted unanimously.

Ordinance No. 2023-150  
(Int. No. 214)

**Authorizing the conveyance of an easement in Genesee Valley Park and the receipt of park funding and a conservation easement in return**

WHEREAS, in a concurrent resolution, the Council of the City of Rochester concurs in the Mayor's request that the New York State Senate and Assembly enact home rule legislation that authorizes the City to convey to the Rochester Pure Waters District (District) a permanent easement within which to install and maintain a sanitary sewer main that will run through Genesee Valley Park;

WHEREAS, the home rule legislation endorsed by this Council requires that the City, prior to conveying the Sewer Easement, dedicate an amount of funds and/or parkland that is equal to or greater than the fair market value of the Sewer Easement for the acquisition of new parklands and/or capital improvements to existing park and recreational facilities;

WHEREAS, in a report dated May 4, 2023, Midland Appraisal Associates, Inc. appraised the Sewer Easement as having a fair market value of \$25,000;

WHEREAS, the Wilson Boulevard Trunk System sewer facilities that serve the University of Rochester's academic and medical center campuses bordering the Park as well as numerous businesses and residences located on the east side of the Genesee River, are presently operating at close to full capacity and do not have sufficient capacity to accommodate additional demand;

WHEREAS, the University has offered to contribute to the Sewer Easement transaction because the sewer main to be constructed and operated within the Sewer Easement will divert a substantial portion of the Wilson Boulevard Trunk System sewage across the river to a trunk system on the west side, thereby providing additional sanitary sewage capacity for the east-side system that is necessary to accommodate the additional demand that will be generated by the University's proposed Strong Memorial Hospital Expansion Project; and

WHEREAS, this ordinance shall not go into effect unless and until the State Legislature enacts the above described home rule legislation.

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

Section 1. The Council hereby approves the conveyance of a permanent, nonexclusive easement within Genesee Valley Park to the Rochester Pure Waters District (District) to enable the District to construct, operate, maintain, repair and replace a sanitary sewer main (Sewer Easement). The Sewer Easement may also allow the District to install, operate and maintain a fiber optic conduit next to the

sewer main. The District shall restore the parkland surface upon the completion of construction, repairs, or other work within the Sewer Easement. The Sewer Easement to be conveyed by the City pursuant to this ordinance, which constitutes an alienation of parkland, is described in Exhibit "A" which is attached hereto. The conveyance of the Sewer Easement shall not proceed until the City receives and dedicates \$100,000 to park purposes and the recording in the County Clerk's Office of a conservation easement to adjacent land, as follows.

Section 2. The sum of \$100,000 in anticipated compensation from the University of Rochester in consideration of the value of the Sewer Easement is hereby appropriated and dedicated for the acquisition of new parklands and/or for capital improvements to existing park and recreational facilities.

Section 3. The Mayor is hereby authorized to execute, and to accept as part of the consideration for the value of the Sewer Easement, a conservation easement from the University of Rochester that restricts the use and alteration of approximately 3.962 acres of wooded areas and other natural habitat located on University-owned land in an 80-foot wide strip adjacent to Genesee Valley Park (Conservation Easement). The Conservation Easement shall encompass the area described in Exhibit "B," which is attached hereto.

Section 4. The Mayor is hereby authorized to enter into an agreement with the District, the University and/or any other party that the Mayor deems necessary or appropriate to implement the transactions authorized herein.

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

Section 6. This ordinance shall take effect upon the State Legislature's enactment of legislation entitled "An Act in relation to authorizing the city of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park, for installation and maintenance of sanitary sewer facilities," being Senate Bill No. S. 6610-A and Assembly Bill No. A. 6724.

### **Exhibit A Description of Sewer Easement**

#### **Map 1, Parcel 1.**

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing at an angle point in the southerly property line of the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the north and property of the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83° 50' 06" W along said division line a distance of 122.53 feet to the true point of beginning, said point having coordinates of N 1,138,746.57 and E 1,401,724.37; thence, continuing south westerly along the said division line S 83° 50' 06" W, 44.77 feet to a point, said point having coordinates of N 1,138,741.76 and E 1,401,679.86; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001, N 32° 51' 14" W, 187± feet to a point on the approximate mean high water of the Genesee River: thence easterly along the approximate high water of the Genesee River 43± feet to a point; thence, through lands owned by the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001, S 32° 51' 14" E 193± feet to the point of beginning, being 7,572± square feet or 0.174± acres.

#### **Map 2, Parcel 1.**

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing at an angle point in the southerly property line of the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the north and property of the City of Rochester (reputed owner),

Tax Account No. 135.15-1-1 on the south; thence S 83° 50' 06" W along said division line a distance of 122.53 feet to the true point of beginning, said point having coordinates of N 1,138,746.57 and E 1,401,724.37; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 135.15-1-1, S 32° 51' 14" E, 280.84 feet to a point at the division line of lands owned by the University of Rochester (reputed owner), Tax Account No. 135.67-1-2.001 on the south and lands owned by the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the north, said point having coordinates of N 1,138,510.64 and E 1,401,876.73; thence south westerly along said division line on a curve to the right with a radius of 2,435.31 feet a distance of 43.72 feet to a point, said point having coordinates of N 1,138,474.12 and E 1,401,852.70; thence, through lands owned by the City of Rochester (reputed owner), Tax Account No. 135.15-1-1, N 32° 51' 14" W, 318.60 feet to a point at the division line of lands owned by the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the north and property of the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the south, said point having coordinates of N 1,138,741.76 and E 1,401,679.86; thence N 83° 50' 06" E along said division line a distance of 44.77 feet to the point of beginning, being 11,992± square feet or 0.275± acres.

**Map 3, Parcel 1.**

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing on the southerly boundary of Elmwood Avenue and the property line of the City of Rochester (reputed owner), Tax Account No. 135.58-1-1 on the east and property of the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west; thence, the following courses and distances along said division line S 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence, the following courses and distances through land owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-1, S 58° 00' 55" E, 197.66 feet to a point, said point having coordinates of N 1,139,461.53 and E 1,401,257.60, S 33° 08' 00" E, 290± feet to a point on the approximate mean high water of the Genesee River; thence southwesterly along the approximate high water of the Genesee River 40 feet ± to a point; thence, the following courses and distances through land owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-1, N 33° 08' 00" W, 278± feet to a point, said point having coordinates of N 1,139,432.27 and E 1,401,228.93, N 58° 00' 55" W, 188.14 feet to a point at the division line of lands owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-1 on the east and lands owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west, said point having coordinates of N 1,139,531.93 and E 1,401,069.35; thence, the following courses and distances along said division line, N 31° 12' 15" E, 35.19 feet, N 29° 22' 52" E, 4.82 feet to the point of beginning, being 19,075± square feet or 0.438± acres.

**Map 4, Parcel 1.**

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing on the southerly boundary of Elmwood Avenue and the property line of the City of Rochester (reputed owner), Tax Account No. 135.58-1-1 on the east and property of the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west; thence, the following courses and distances along said division line S 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence, the following courses and distances along said division line, S 29° 22' 52" W, 4.82 feet, S 31° 12' 15" W, 35.19 feet to a point, said point having coordinates of N 1,139,531.93 and E 1,401,069.35; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8, N 58° 00' 55" W, 40.84 feet to a point at the division line of lands owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the east and lands owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-2 on the west, said point having coordinates of N 1,139,553.56 and E 1,401,034.71; thence, the following courses and distances along said division line, N 32° 46' 56"

E, 33.69 feet to a point, N 30° 57' 33" E, 6.32 feet to a point; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8, S 58° 00' 55" E, 39.79 feet to the point of beginning, being 1,612± square feet or 0.037± acres.

**Exhibit B**  
**Legal Description of Conservation Easement Property**

The Conservation Easement Property consists of the parcels CE-1 and CE-2 as follows:

CE-1  
PROPOSED 80' WIDE CONSERVATION EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN NEW YORK STATE, MONROE COUNTY, CITY OF ROCHESTER, CONTAINING 0.313+/- ACRES OF LAND MORE OR LESS AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE WITH ITS INTERSECTION WITH THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD AS SHOWN ON THE MOORE ROAD CONVEYANCES INSTRUMENT SURVEY MAP PREPARED BY THE CITY OF ROCHESTER, PROJECT NUMBER 90-028, DATED 1991 APRIL 19; THENCE,

1. S 61°28'48" E ALONG THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE A DISTANCE OF 80.00 FEET TO A POINT; THENCE,
2. S 28°26'50" W A DISTANCE OF 135.89 FEET TO A POINT OF CURVATURE; THENCE,
3. SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 508.23 FEET, A CENTRAL ANGLE OF 4°17'39" AND AN ARC LENGTH OF 38.09 FEET TO A POINT; THENCE,
4. N 61°28'48" W A DISTANCE OF 43.48 FEET TO A POINT OF CURVATURE; THENCE,
5. NORTHWESTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 38.00 FEET, A CENTRAL ANGLE OF 89°55'38" AND AN ARC LENGTH OF 59.64 FEET TO A POINT ON THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD; THENCE,
6. N 28°26'50" E ALONG THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD A DISTANCE OF 135.99' TO THE POINT OF BEGINNING ON THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE.

CE-2  
PROPOSED 80' WIDE CONSERVATION EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN NEW YORK STATE, MONROE COUNTY, CITY OF ROCHESTER, CONTAINING 3.649+/- ACRES OF LAND MORE OR LESS AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE WITH ITS INTERSECTION WITH THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD AS SHOWN ON THE MOORE ROAD CONVEYANCES INSTRUMENT SURVEY MAP PREPARED BY THE CITY OF ROCHESTER PROJECT NUMBER 90-028, DATED 1991 APRIL 19; THENCE,

- A. S 28°26'50" W ALONG THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD A DISTANCE OF 135.99 FEET TO A POINT OF CURVATURE; THENCE,



B. SOUTHERLY ON THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD ON A CURVE TO THE LEFT HAVING A RADIUS OF 588.23 FEET, A CENTRAL ANGLE OF 7°48'45" AND AN ARC LENGTH OF 80.21 FEET TO THE POINT OF BEGINNING; THENCE,

1. S 61°28'48" E A DISTANCE OF 80.89' TO A POINT OF CURVATURE; THENCE,

COURSES 2 THROUGH 10 ARE 80.00 FEET FROM AND PARALLEL WITH THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD.

2. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 508.23 FEET, A CENTRAL ANGLE OF 8°17'03" AND AN ARC LENGTH OF 73.48 FEET TO PONT OF REVERSE CURVATURE; THENCE,

3. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 790.77 FEET, A CENTRAL ANGLE OF 37°08'00" AND AN ARC LENGTH OF 512.50 FEET TO PONT OF REVERSE CURVATURE; THENCE,

4. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 77.03 FEET, A CENTRAL ANGLE OF 36°31'28" AND AN ARC LENGTH OF 49.11 FEET TO PONT OF REVERSE CURVATURE; THENCE,

5. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 666.39 FEET, A CENTRAL ANGLE OF 17°42'02" AND AN ARC LENGTH OF 205.87 FEET TO PONT OF COMPOUND CURVATURE; THENCE,

6. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2,515.35 FEET, A CENTRAL ANGLE OF 10°08'44" AND AN ARC LENGTH OF 445.40 FEET TO PONT OF REVERSE CURVATURE; THENCE,

7. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 692.38 FEET, A CENTRAL ANGLE OF 15°35'39" AND AN ARC LENGTH OF 164.28 FEET TO PONT OF REVERSE CURVATURE; THENCE,

8. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 695.86 FEET, A CENTRAL ANGLE OF 24°31'16" AND AN ARC LENGTH OF 297.81 FEET TO PONT OF TANGENT; THENCE,

9. S 50°28'53" W A DISTANCE OF 102.92 FEET TO A POINT OF CURVATURE; THENCE,

10. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 442.27 FEET, A CENTRAL ANGLE OF 19°26'32" AND AN ARC LENGTH OF 150.08 FEET TO PONT; THENCE,

11. N 55°42'48" W A DISTANCE OF 51.52 FEET TO A POINT; THENCE,

12. N 34°17'12" E A DISTANCE OF 30.00 FEET TO A POINT; THENCE,

13. N 55°42'48" W A DISTANCE OF 29.17 FEET TO A POINT OF CURVATURE ON THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD; THENCE,

THE REMAINING COURSES ARE ALONG THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD.

14. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 522.27 FEET, A CENTRAL ANGLE OF 15°39'08" AND AN ARC LENGTH OF 142.67 FEET TO PONT OF TANGENT; THENCE,
15. N 50°28'53" E A DISTANCE OF 102.92 FEET TO A POINT OF CURVATURE; THENCE,
16. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 615.86 FEET, A CENTRAL ANGLE OF 24°31'16" AND AN ARC LENGTH OF 263.57 FEET TO PONT OF REVERSE CURVATURE; THENCE,
17. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 772.38 FEET, A CENTRAL ANGLE OF 13°35'39" AND AN ARC LENGTH OF 183.26 FEET TO PONT OF REVERSE CURVATURE; THENCE,
18. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 2,435.35 FEET, A CENTRAL ANGLE OF 10°08'44" AND AN ARC LENGTH OF 431.31 FEET TO PONT OF COMPOUND CURVATURE; THENCE,
19. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 586.39 FEET, A CENTRAL ANGLE OF 17°42'02" AND AN ARC LENGTH OF 181.15 FEET TO PONT OF REVERSE CURVATURE; THENCE,
20. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 157.03 FEET, A CENTRAL ANGLE OF 36°31'28" AND AN ARC LENGTH OF 100.10 FEET TO PONT OF REVERSE CURVATURE; THENCE,
21. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 710.77 FEET, A CENTRAL ANGLE OF 37°08'00" AND AN ARC LENGTH OF 460.65 FEET TO PONT OF REVERSE CURVATURE; THENCE,
22. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 588.23 FEET, A CENTRAL ANGLE OF 9°32'07" AND AN ARC LENGTH OF 97.89 FEET TO THE POINT OF BEGINNING.

Passed unanimously.

By Councilmember Patterson  
May 23, 2023

To the Council:

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

- |              |   |
|--------------|---|
| Int. No. 169 | Authorizing the sale of real estate   |
| Int. No. 170 | Authorizing a use and operation agreement for City-owned riverfront facilities  |
| Int. No. 173 | Appropriating funds and authorizing agreements for the Small Mixed Use and Commercial Renovation Program  |
| Int. No. 174 | Authorizing the amendment of the 2021-22 Annual Action Plan, the submittal of the amended plan to HUD and entering into agreements relating to Lyell Avenue Neighborhood Planning |

- Int. No. 176 Appropriation of funds for the City Development Fund
- Int. No. 177 Appropriating 2023-24 Annual Action Plan funds, modifying the 2019-20 Annual Action Plan and authorizing agreements for the Aging in Place project
- Int. No. 178 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program
- Int. No. 179 Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for Legal Services for Seniors
- Int. No. 180 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Business Development Financial Assistance Program
- Int. No. 181 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Neighborhood Commercial Assistance Program
- Int. No. 182 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Demolition Program
- Int. No. 183 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Emergency Assistance Program
- Int. No. 186 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for Lead Hazard Control Program
- Int. No. 187 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Emergency Solutions Grant program
- Int. No. 188 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Homebuyer Assistance Program
- Int. No. 189 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for Street Liaison services
- Int. No. 190 Authorizing agreements and appropriating 2023-24 Annual Action Plan funds for Foreclosure Prevention
- Int. No. 191 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the HOME Rochester Program and for the Community Housing Development Organization Reserve program
- Int. No. 192 Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for Tenant and Landlord Services
- Int. No. 193 Amending Chapters 13A, 39, 52 and 90 of the Municipal Code to enhance and clarify the enforcement of the Property Conservation Code and to deter unauthorized demolitions
- Int. No. 194 Amending Chapter 90 of the Municipal Code, Property Conservation Code, to establish a Vacant Building Registry

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

Int. No. 172 Local Improvement Ordinance authorizing special work and services related to the South Avenue/Alexander Street Open Space District for 2023-24

Int. No. 175 Approving the 2023-24 Annual Action Plan

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends the following entitle legislation to be **HELD** in Committee

Int. No. 171 Approving the Amended Marketview Heights Urban Renewal District Plan

Int. No. 184 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Owner-Occupant Housing Rehabilitation Program

Int. No. 185 Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Rental Housing Rehabilitation Program

Int. No. 195 Establishing a Landlord-Tenant Bill of Rights and Responsibilities for residential dwellings

Respectfully submitted,  
Michael A. Patterson  
LaShay D. Harris  
Kimberly Smith  
Mary Lupien (*absent for Int. Nos. 193, 194 & 195*)  
Miguel A. Meléndez, Jr.

**NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE**

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-151  
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

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

The property is listed on the attached spreadsheet under the heading, I. Negotiated Sale - Unbuildable Vacant Land. The parcel at 623 Portland Avenue will be sold to Adrian G. and Jennifer C. Selever, 10 Malin Lane, Penfield, New York. The parcel is being sold for \$1.00 (as per City policy) and will be combined with the primary parcels owned by the identified adjoining owners.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$471.

All City taxes and other charges, except water charges against properties being sold by the City, will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the property free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW- 90

Ordinance No. 2023-151  
(Int. No. 169)

### **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 unbuildable parcel of vacant land to the owner of an adjoining parcel for \$1:

<b>Address</b>	<b>SBL#</b>	<b>Lot Size</b>	<b>Sq.Ft.</b>	<b>Purchaser</b>
623 Portland Av	106.26-2-14	30 x 100	3,157	Adrian G. & Jennifer C. Selever

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-152  
Re: Lease Agreement – Rochester Marinas Inc; 490 River Street, 105 Petten Street,  
110 Petten Street

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation approving a lease agreement for the use and management of three City-owned parcels between the City and Rochester Marinas Inc. (Steven Gibbs, Sole Proprietor). The City has contracted with Mr. Gibbs since 2006 for operation and maintenance of the City parcels including the boat slips, docking, walkways and decking in conjunction with Mr. Gibbs adjoining Genesee Marina. The three parcels are identified as 105 Petten Street, 110 Petten Street and 490 River Street. The three properties are waterfront parcels and contain 112 boat slips as well as pedestrian trails, a boaters service building, former train station depot and a personal watercraft boat launch.

This agreement gives Mr. Gibbs control of the boat slips as well as maintenance obligations for the parcels and improvements. The operator shall be obligated to provide public access to the river walkway/promenade throughout the year, weather permitting.

The City intends to contract with Mr. Gibbs for a 5-year agreement with one five-year renewal. The City will receive a lease rate of \$32,500 for the first year. This rate was determined via an independent appraisal from Midland Appraisal Associates as of October 2022. The rate will be increased by 1% annually and the lease renewal rate will be determined by an independent appraisal with similar 1% annual escalators thereafter.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), determinations regarding the environmental significance of these acquisitions. This was classified as a Type II action as of March 17, 2023 requiring no further action.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-91

Ordinance No. 2023-152  
(Int. No. 170)

### **Authorizing a use and operation agreement for City-owned riverfront facilities**

WHEREAS, the City has received a proposal to enter into an agreement with Rochester Marinas Inc. for the use and operation of City-owned riverfront land and facilities, including boat slips, docks, boat storage, boater services and other improvements located along the west bank of the Genesee River, and comprised of 105 Petten Street, 110 Petten Street and 490 River Street, for a term of five years with an optional additional renewal term of five years;

WHEREAS, a recent independent appraisal values such use and operation at \$32,500 per year; and

WHEREAS, the Council hereby finds that the terms of the proposed agreement and payment are satisfactory and the proposed use and operation is in the public interest, as the public benefit to be derived from the agreement is the continued operation and maintenance of these important public waterfront facilities.

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

Section 1. The Mayor is hereby authorized to enter into a an agreement with Rochester Marinas Inc. (the Operator) for the use and operation of the waterfront facilities and other improvements on three City-owned parcels along the west bank of the Genesee River comprised of 105 Petten Street, 110 Petten Street and 490 River Street (Property). The Operator shall perform all routine maintenance of the Property's boating facilities and other improvements, shall pay for all utilities required for the operation and maintenance of the facilities, and shall provide public access across the Property to the public river walkway/promenade throughout the year, weather permitting. The term of the agreement shall be five years with the option to extend the term an additional five years upon the consent of both parties. For the initial term, the Operator shall pay the City an annual charge of \$32,500 for the first year, which shall be increased by 1% for each of the subsequent four years. The annual charge for the first year of the optional extended term shall be determined by a subsequent independent appraisal, which amount shall be increased by 1% for each of the subsequent four years of the optional term.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1801:

Re: South Avenue/Alexander Street Open Space District Local Improvement Ordinance

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

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

Transmitted herewith for your approval is legislation related to the South Avenue/Alexander Street Open Space District Local Improvement Ordinance (LIO). This legislation will:

- 1) Establish \$8,900 as the total budget for maintenance for the public space at 62 Alexander Street for fiscal year 2023-24. This cost will be apportioned among the LIO district properties as a special assessment.
- 2) Authorize \$8,900 as maximum compensation for an agreement with South Wedge Area Neighborhood Council (SWANC), a subsidiary of Business Association of the South Wedge Area (BASWA) (Karrie Laughton, Chris Jones Co-Chairs, 540 South Avenue, Rochester, New York) to perform maintenance of the public space. The term of the agreement will be for one year.

This South Avenue/Alexander Street Open Space District was originally initiated on July 1, 2005. Local Improvement Ordinance No. 1740 re-established the District in 2018 for a term of ten years. The annual charges for maintenance of the open space are apportioned as a special assessment among the district properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). This assessment provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost for these services is based on estimates provided by SWANC. SWANC has been providing these services since 2005.

Parcels in the Outer Tier of the district shall be charged at half the rate as the Inner Tier parcels. The boundaries of the tiers will remain as follows:

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

A public hearing is required.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-92

Local Improvement Ordinance No. 1801  
(Int. No. 172)

**Local Improvement Ordinance authorizing special work and services related to the South Avenue/Alexander Street Open Space District for 2023-24**

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

Section 1. The cost of special work and services for the 2023-24 fiscal year for the South Avenue/Alexander Street Open Space District established in accordance with . Local Improvement Ordinance No. 1740 is \$8,900, which amount shall be assessed and billed on the 2023-24 tax bills and apportioned among the District properties based upon their assessed values (without reduction for exemptions) and in relation to their proximity to the open space. Parcels in the Outer Tier of the district shall be charged at half the rate of the Inner Tier parcels. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

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

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

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

Section 5. The ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-153  
Re: Small Mixed Use and Commercial Renovation Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity  
Transmitted herewith for your approval is legislation related to the new Small Mixed Use and Commercial Renovation Program. This legislation will:

- 1) Appropriate a total of \$2,500,000 from the Development Revolving Loan Fund for the program; and,
- 2) Authorize agreements as necessary to implement the program.



This new Small Mixed Use and Commercial Renovation Program will provide gap financing through low-interest loans to assist building owners with improvements to commercial buildings, or improvements to both the commercial and residential portions of small mixed-use buildings. The target buildings will be located in busy commercial corridors and in the downtown area, and the program will focus on buildings with the potential to improve the neighborhood if renovated and returned to vibrant use.

Staff will strive for geographic balance in the distribution of program funds. Information about the program will be made available at the Neighborhood Service Centers, through the Street Liaisons, and on the City's website. If this appropriation is approved, it will leave a balance of \$5,587,466.50 in the Development Revolving Loan Fund, which will remain available for assistance with development projects city-wide.

A program description is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-93

Ordinance No. 2023-153  
(Int. No. 173)

**Appropriating funds and authorizing agreements for the Small Mixed Use and Commercial Renovation Program**

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

Section 1. The sum of \$2,500,000 is hereby appropriated from the Development Revolving Loan Fund to implement the Small Mixed Use and Commercial Renovation Program to provide low-interest loans to eligible building owners to make improvements to commercial buildings or to the commercial and residential portions of small mixed-use buildings (the Program).

Section 2. The Mayor is hereby authorized to enter into Program agreements with eligible building owners. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen

Ordinance No. 2023-154  
Re: Amending 2021-22 Annual Action Plan, Neighborhood Planning - Lyell Avenue

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the 2021-22 Annual Action Plan to alter the scope of the Project 12 Neighborhood Planning – Lyell Avenue. This legislation will expand the scope of the project to allow the funds to be spent on costs to implement the neighborhood plan recommendations.

The original scope of the project listed in the Annual Action Plan included \$40,000 in Community Development Block Grant (CDBG) funds only for the costs of developing a neighborhood plan for the Lyell Avenue corridor. The Community Design Center of Rochester (Karen Nozik, Executive Director, Rochester 14609) developed the plan with significant community input, and was able to support the cost of the plan using a philanthropic funding source. None of the CDBG funds have been used. Some of the recommendations in the final plan include impactful intersection changes and streetscape beautification. Neighborhood residents desire to implement these elements with the remaining CDBG funding originally allocated to this project.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-154  
(Int. No. 174)

**Authorizing the amendment of the 2021-22 Annual Action Plan, the submittal of the amended plan to HUD and entering into agreements relating to Lyell Avenue Neighborhood Planning**

WHEREAS, in Ordinance No. 2021-185, the City approved and adopted the 2021-22 Annual Action Plan (Action Plan), which included the allocation of \$40,000 in Community Development Block Grant (CDBG) program funds provided by the U.S. Department of Housing and Urban Development (HUD) to project number 12 entitled Neighborhood Planning – Lyell Avenue to help facilitate the development of strategic neighborhood plans that would complement current assets and help guide future investments for neighborhood revitalization and enhancement (the Project);

WHEREAS, the Community Design Center of Rochester, Inc. subsequently developed a Project plan with significant community input (Lyell Plan) using funds from a philanthropic source and without using Project funds allocated in the Action Plan;

WHEREAS, Lyell Avenue neighbors have proposed to implement some of the recommendations in the Lyell Plan, including intersection changes and street beautification measures, and the Administration proposes to use the Action Plan’s \$40,000 Project allocation to implement those actions;

WHEREAS, the Administration’s proposal requires an amendment to the 2021-22 Action Plan to reallocate the funding, from the planning of, to the actual implementation of the Lyell Plan;

WHEREAS, the Administration has determined that the proposed amendment would not constitute a substantial amendment to the “purpose, scope, location or beneficiaries” of the original Project as defined by HUD’s regulations governing Annual Action Plans and by the City’s current Consolidated Community Development Citizen Participation Plan; and

WHEREAS, nevertheless, the proposed Lyell Plan Amendment has been publicized and reviewed in advance of this ordinance by presenting this ordinance in draft to the members of Council on May 2, 2023 and posting it on the Council’s proceedings page <https://www.cityofrochester.gov/councilproceedings/> by May 3, 2023.

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

Section 1. The Council hereby approves and adopts an amendment to project 12 of the 2021-22 Annual Action Plan to change the allocation of \$40,000 in CDBG funds therein from planning to actual implementation of the Community Design Center of Rochester, Inc. plan for the Lyell Avenue neighborhood corridor, including but not limited to intersections changes and streetscape improvements (Project Amendment).

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-155

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan

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

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

Transmitted herewith for your approval is legislation related to the acceptance and programming of the City's annual allocation of funding from the U.S. Department of Housing and Urban Development (HUD). This legislation will:

- 1) Approve the 2023-24 Annual Action Plan and authorize its submission to HUD
- 2) Authorize agreements with HUD necessary for the receipt and use of HUD funds to implement the plan, including subsequent amendments to such agreements to extend the term or period of performance.

This legislation addresses HUD's planning and application requirements for their annual formula grant programs, which include the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. HUD requires jurisdictions to prepare multi-year strategic plans and annual action plans to guide use of HUD funds.

In June 2020, the City adopted a five-year strategic plan, the 2020-24 Consolidated Plan, that identifies priority needs and goals for community and economic development. It covers the period from July 1, 2020 through June 30, 2025.

The Annual Action Plan, which covers the period from July 1, 2023 to June 30, 2024, describes specific projects and activities that will be undertaken in the fourth program year of the Comprehensive Plan to address priority needs and goals.

The draft Annual Action Plan is available to download for review here:

<https://www.cityofrochester.gov/ConsolidatedPlan2020/>

Community input to inform the development of this plan was solicited via public hearing held on February 28, 2023. The draft plan was then posted for the required 30-day public review and comment period on April 17, 2023. An additional public hearing to review the draft plan was held on April 26, 2023. Input was also solicited via an online survey, email, and mail.

A final public hearing on the 2023-24 Annual Action Plan is required to be held by City Council and will be held on May 18, 2023.

The total funds available for 2023-24 is \$13,287,012 from the following sources:

<b>Source</b>	<b>Funding Available</b>
Community Development Block Grant (CDBG)	\$8,132,502
Home Investment Partnerships Program (HOME)	\$2,760,094
Emergency Solutions Grant (ESG)	\$718,502
Housing Opportunities for Persons with AIDS (HOPWA)	\$1,125,914
CDBG Program Income	\$400,000
HOME Program Income	\$150,000
<b><u>TOTAL</u></b>	<b><u>\$13,287,012</u></b>

Significant highlights of the 2023-24 Annual Action Plan include:

<b>2023-24 Annual Action Plan Project</b>	<b>HUD Grant Funding Type</b>	<b>Annual Budget</b>
Demolition Program	CDBG	\$1,960,439
Affordable Housing Development Fund	HOME	\$1,920,070
Owner Occupant Rehab Program	CDBG	\$750,000
Emergency Solutions Grants (ESG)	ESG	\$718,502
Housing for Persons with Aids- Trillium Health	HOPWA	\$546,069
Housing for Persons with Aids- CCFS	HOPWA	\$546,069
CHDO Reserve (HOME Rochester)	HOME	\$414,015
Job Creation Youth Development	CDBG	\$404,364
Lead Hazard Control	CDBG	\$400,000
Homebuyer Assistance	HOME	\$300,000

A public hearing is required.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Ordinance No. 2023 - 155  
 (Int. No. 175)

**Approving the 2023-24 Annual Action Plan**

WHEREAS, there is pending before this Council a 2023-24 Annual Action Plan (the Action Plan) to be funded with \$13,287,012 available to the City of Rochester from the federal Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), CDBG Program Income, and HOME Program Income;

WHEREAS, the five-year Five Year Consolidated Plan/2020-2024 approved in June, 2020 by Ordinance No. 2020-153 (Consolidated Plan) identifies the priority needs and goals for community and economic development, and the Action Plan, which covers the period from July 1, 2023 to June 30, 2024, describes the projects and activities that will be taken to pursue those needs and goals during the Consolidated Plan's fourth program year;

WHEREAS, the Action Plan has been prepared according to an approved Citizen Participation Plan and the Action Plan reflects the public comments received and the consultations that were conducted;

WHEREAS, the City conducted an initial round of citizen participation activities in February 2023 to inform the public about development of the Action Plan and the opportunities to participate, which included: the on-line posting of a public input survey from February 7 to May 18, 2023; hosting a public hearing in City Council Chambers on February 28, 2023; and posting on-line shortly thereafter the 14-page summary that was presented at the hearing;

WHEREAS, the City published the draft Action Plan for public review and invited public comments during a period extending from April 17 to May 18, 2023;

WHEREAS, on April 26, 2023, the City hosted a second public hearing in the City Council Chambers to present the draft Action Plan and to solicit additional public comments;

WHEREAS, on May 18, 2023, the City Council hosted a third public hearing in the City Council Chambers to solicit additional public comments regarding the Action Plan;

WHEREAS, a final draft of the Action Plan along with a summary of the public comments and recommendations received during the public comment period has been presented to the City Council and posted on-line through the City's Consolidated Community Development Plan Information webpage;

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions that are set forth in the Action Plan; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby approves the 2023-24 Annual Action Plan.

Section 2. The Council hereby authorizes the submission of said Action Plan to the United States Department of Housing and Urban Development (HUD).

Section 3. The Council hereby authorizes the Mayor to enter into such agreements and to execute such documents as HUD shall require to allow the City to receive and use the funds necessary to implement the programs and projects set forth in the Action Plan.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-156  
Re: City Development Fund Program Appropriations

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the allocation of Urban Development Action Grant program income to the City Development Fund to supplement the 2021-22, 2022-23, and 2023-24 Annual Action Plans. This legislation will:

- 1) Appropriate \$2,750,000 of principal and interest repayments from Urban Development Action Grant loans (UDAG) and any other program income funding to the City Development Fund (CDF) for the following purposes to supplement the 2021-22, 2022-23, and 2023-24 Annual Action Plans as follows:

<b>CDF Program</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>TOTAL</b>
Business Development	\$400,000	\$1,300,000	\$100,000	\$1,800,000
Project Development		\$275,000	\$100,000	\$375,000
Housing Development	\$300,000			\$300,000
Homebuyer Assistance		\$150,000	\$50,000	\$200,000
Homebuyer Training		\$50,000		\$50,000
Celebrate City Living		\$25,000		\$25,000
<b><u>TOTAL</u></b>	<b><u>\$700,000</u></b>	<b><u>\$1,800,000</u></b>	<b><u>\$250,000</u></b>	<b><u>\$2,750,000</u></b>

- 2) Authorize agreements necessary to implement the Business Development, Project Development, Homebuyer Assistance, Homebuyer Training, and Celebrate City Living programs funded with the CDF funds appropriated herein.

The City was a prior recipient of the UDAG grant program that was administered by the U.S. Department of Housing and Urban Development (HUD) from 1978 through 1988. After the program was phased out in favor of the Community Development Block Grant (CDBG) program, HUD has been requiring former UDAG participants to restrict the loan repayments and other forms of UDAG program revenue to specific types of community development activities listed in the UDAG or CDBG regulations. Moreover, under City Council Resolution No. 83-26 adopted in 1983, the Administration is required to submit to City Council an estimate of UDAG revenue anticipated for the upcoming fiscal year as well as a program for the use of that revenue. The submittal of the UDAG fund estimate and use program must coincide with the presentation of the proposed Annual Action Plan.

To satisfy these requirements, the City appropriates UDAG program income to the City Development Fund for use in specified programs that are either included within or supplement projects contained in the Annual Action Plan. In recent years CDF funding has been used primarily to fund or to supplement Business Development, Project Development, Housing Development, and Homebuyer Assistance activities set forth in the Annual Action Plan. An assessment of recent and projected impacts of CDF funds is provided below:

<b>CDF Program</b>	<b>CDF Impact Prior 5 Fiscal Years</b>	<b>Expected Impacts for CDF Funding Allocations 2021-22, 2022-23, 2023-24</b>
Business Development	123 businesses	25 businesses
Project Development	1 project	2 projects
Housing Development	N/A	1 project
Homebuyer Assistance	71 households	22 households
Homebuyer Training	71 households	22 households
Celebrate City Living	Social media and other digital programming reaches between 3,000-5,000 people each month. Viewers are able to receive personalized referrals for services related to their housing search.	Social media and other digital programming reaches between 3,000-5,000 people each month. Viewers are able to receive personalized referrals for services related to their housing search.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-156  
(Int. No. 176)

### **Appropriation of funds for the City Development Fund**

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

Section 1. In accordance with Resolution No. 83-26, the Council hereby appropriates \$2,750,000 in anticipated Urban Development Action Grant (UDAG) program revenues, including loan repayments, reversionary interest, and interest payments, to the City Development Fund (CDF) to supplement the following years' Annual Action Plans (AAPs) in service of the following six goals of the Five Year Consolidated Plan/2020-2024 approved in Ordinance No. 2020-153 (Consolidated Plan):

<b>Consolidated Plan Goal</b>	<b>Annual Action Plan</b>			<b>TOTAL</b>
	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	
Business Development	\$400,000	\$1,300,000	\$100,000	\$1,800,000
Project Development		\$275,000	\$100,000	\$375,000
Housing Development	\$300,000			\$300,000
Homebuyer Assistance		\$150,000	\$50,000	\$200,000
Homebuyer Training		\$50,000		\$50,000
Celebrate City Living		\$25,000		\$25,000
<b>TOTAL</b>	<b>\$700,000</b>	<b>\$1,800,000</b>	<b>\$250,000</b>	<b>\$2,750,000</b>

Section 2. The Director of Finance shall record all transfers authorized herein and shall have the authority to make adjustments to the allocation of the amounts set forth in Section 1 in the event that the anticipated UDAG revenue falls short of expectations.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs to be funded by the appropriations authorized herein. The agreements shall contain such terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-157  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Aging in Place

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Aging in Place project found in the 2023-24 and 2019-20 Annual Action Plans. This legislation will:

- 1) Appropriate \$60,000 of Community Development Block Grant (CDBG) funding from the Aging in Place project within the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize \$60,000 as maximum compensation for an agreement with Lifespan of Greater Rochester, Inc. (Ann Marie Cook, President/CEO, 1900 S. Clinton Avenue, Brighton) to provide Aging in Place services. The cost of the agreement will be funded from the appropriation authorized above.
- 3) Re-allocate \$32,339.48 of unspent Community Development Block Grant COVID relief (CDBG-CV) funds and amend the 2019-20 Annual Action Plan as follows:

<b>Re-allocate From Project</b>	<b>Transfer To Project</b>	<b>Amount</b>
38. CV - Digital Divide	32. CV- Aging in Place	\$41.19
33. CV - Eviction Prevention	32. CV- Aging in Place	\$8,763.44
41. CV- Assistance to Food Establishments	32. CV- Aging in Place	\$23,534.85
	<b>Total</b>	<b>\$32,339.48</b>

- 4) Authorize \$32,339.48 as maximum compensation for an agreement with Lifespan of Greater Rochester, Inc. (Ann Marie Cook, President/CEO, 1900 S. Clinton Avenue, Brighton) to provide Aging in Place services to respond to the impacts of the COVID-19 pandemic. The cost of the agreement will be funded from the appropriation authorized above.

The maximum compensation in total to Lifespan of Greater Rochester, Inc. will not exceed \$92,339.48 (\$60,000 in CDBG funds and \$32,339.48 in CV funds).

Lifespan of Greater Rochester, Inc. has collaborated with the City to deliver this program since 2006 and served 320 participants in 2021-22. So far this year, 149 people have been served and 17 informational sessions have been held. Approximately 296 participants will be assisted through this program in the upcoming year. Data for the previous five years is listed below.

<b><u>Quadrant</u></b>	<b><u>Number of Elders Served</u></b>	
	<b><u>Prior 4 Years</u></b>	<b><u>2022</u></b>
NE	47	53
SE	26	11
NW	39	67
SW	40	97



The Aging in Place Home Modification Program conducts residential safety evaluations to identify adaptations needed to support continued residence in a safe and comfortable environment. Further, the program provides selected home modifications and/or repairs, which directly increase livability options in one's own home.

The term of the agreement shall be for one year with an option to extend for an additional one year term if funds remain. A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-94

Ordinance No. 2023-157  
(Int. No. 177)

**Appropriating 2023-24 Annual Action Plan funds, modifying the 2019-20 Annual Action Plan and authorizing agreements for the Aging in Place project**

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

Section 1. The sum of \$60,000 is hereby appropriated from the Aging in Place project allocation of the 2023-24 Annual Action Plan to provide Aging in Place services, contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. to provide aging in place services. The maximum compensation for the agreement shall be \$60,000, which amount shall be funded from the appropriation in Section 1 herein. The term for the agreement shall be one year with the option to extend the term for one additional year if appropriated funds remain.

Section 3. The Council hereby approves and adopts an amendment of the 2019-20 Annual Action Plan to transfer a total of \$32,339.48 in unspent Community Development Block Grant COVID relief (CDBG-CV) funds to Project # 32 entitled CV-Aging in Place from the following projects: \$41.19 from # 38 entitled CV-Digital Divide; \$8,763.44 from #33 entitled CV-Eviction Prevention; and \$23,534.85 from #41 entitled CV-Assistance to Food Establishments. The Mayor is hereby authorized to submit this Annual Action Plan amendment to the U.S. Department of Housing and Urban Development for approval.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. to provide aging in place services that address the impacts of the COVID-19 pandemic. The maximum compensation for the agreement shall be \$32,339.48, which amount is hereby appropriated from the #32 CV-Aging in Place project allocation of the 2019-20 Annual Action Plan. The term for the agreement shall be one year with the option to extend the term for one additional year if appropriated funds remain.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-158

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Housing Opportunities for Persons with Aids

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Housing Opportunities for Persons with Aids projects found in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$1,092,138 Housing Opportunities for Persons with Aids (HOPWA) funds from the HOPWA- Trillium and the HOPWA- CCFCS project allocations of the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with Trillium Health, Inc. (Andrea DeMeo, CEO, 259 Monroe Avenue, Rochester) and Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Family and Community Services (Lori VanAuken, Executive Director, 1099 Jay Street, Rochester) for \$546,069 each to provide HOPWA services necessary to implement the program.

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes long-term (over 21 weeks) and short-term service, and financial assistance in the form of payments of mortgage, rent, and utilities. Both Trillium Health, Inc. and Catholic Charities Community Services maximize HOPWA assistance through the coordination of other funding sources and service providers.

These two organizations are uniquely qualified to provide services for this special needs population. Both receive additional State and Federal HIV/AIDS targeted funds, which provide for additional case management, housing placement, and other critical services. Both are active within the Rochester Area Task Force on AIDS that involves medical and support service providers, and have long-standing, close working relationships with each other.

The City has been a recipient of HOPWA funding since the 1990's and has collaboratively worked with agencies to implement the program. Trillium Health, Inc. served 108 participants last year and Catholic Charities Family and Community Services served 84. To date, we are on track to meet our projected number of 189 for this year. Approximately 108 participants will be assisted through this program in the upcoming year by each agency. Data for the previous five years is listed below.

<b>Year</b>	<b>Number Served</b>
2018	186
2019	157
2020	162
2021	183
2022	162

The term of the agreement shall be for one year with an option to extend for an additional one year term if funds remain in the original appropriation. A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,  
Malik D. Evans  
Mayor

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program**

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

Section 1. The sum of \$1,092,138 is hereby appropriated from the 2023-24 Annual Action Plan (Plan) to provide Housing Opportunities for Persons with AIDS (HOPWA) program services, contingent upon approval of the Plan. This appropriation shall be sourced in the amount of \$546,069 from each of the following two project allocations of the Plan: HOPWA – TH and HOPWA-CCFCS.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Trillium Health, Inc. to provide HOPWA program services. The maximum compensation for the agreement shall be \$546,069, which shall be funded from the HOPWA-TH project allocation of the Plan appropriated in Section 1 herein, contingent upon the approval of the Plan. The term of the agreement shall be one year, with an option to extend for one additional year if funds from the original appropriation remain.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Catholic Charities of the Diocese of Rochester to provide HOPWA program services. The maximum compensation for the agreement shall be \$546,069, which shall be funded from the HOPWA-CCFCS project allocation of the Plan appropriated in Section 1 herein, contingent upon the approval of the Plan. The term of the agreement shall be one year, with an option to extend for one additional year if funds from the original appropriation remain.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-159  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Legal Services for Seniors

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Legal Services for Seniors project found in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$40,000 of Community Development Block Grant (CDBG) funding from the Legal Services for Seniors project allocation of the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.

- 2) Authorize \$40,000 as maximum compensation for an agreement with Volunteer Legal Services Project of Monroe County, Inc. (VLSP) now doing business as JustCause (Tina M. Foster, Executive Director, 1 West Main Street Rochester) to provide Legal Services for Seniors services. The cost of the agreement will be funded from the appropriation authorized herein.

JustCause, through the Helping Elders Law Project (HELP Project), utilizes pro bono services of local attorneys. The program will deliver services to elderly low-income city residents on-site at Rochester Housing Authority developments and other senior-centered meeting spaces in order to create wills, healthcare proxies / living wills, powers of attorney and funerary plans.

JustCause has collaborated with the City to deliver this program since 2016 and served 35 participants last year. Approximately 47 participants will be assisted through this program in the upcoming year. Data for the past five years is listed below:

7/1/17 - 6/30/18: 38 clients served  
7/1/18 - 6/30/19: 40 clients served  
7/1/19 - 6/30/20: 35 clients served  
7/1/20 - 6/30/21: 41 clients served  
7/1/21 - 6/30/22: 61 clients served  
7/1/22 - 6/30/23: 58 clients served (as of 4/03/2023)

The term of the agreement shall be for one year with an option to extend for an additional one year term if funds remain. A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is enclosed.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-96

Ordinance No. 2023-159  
(Int. No. 179)

### **Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for Legal Services for Seniors**

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

Section 1. The sum of \$40,000 is hereby appropriated from the Legal Services for Seniors project allocation of the 2023-24 Annual Action Plan (Plan) to provide legal services for seniors, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Volunteer Legal Services Project of Monroe County, Inc., dba JustCause, to administer and manage the provision of legal services to seniors. The maximum compensation shall be \$40,000, which shall be funded from the appropriation in Section 1 herein. The agreement shall be for a term of one year, with the option to extend for one additional year if appropriated funds remain.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-160

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Business Development Financial Assistance Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Business Development Financial Assistance program as described in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$206,280 in Community Development Block Grant (CDBG) funds from the Business Development Financial Assistance Program project allocation in the 2023-24 Annual Action Plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with recipient businesses necessary to implement the program.

The majority of businesses who received funding, are found within Low to Moderate Income (LMI) census tracts. All businesses who utilize CDBG funding are required to meet CDBG LMI job requirements. Businesses not located within LMI census tracts utilizing CDBG funds are still required to meet CDBG LMI job creation and/or retention requirements.

Funding will be utilized to provide low-interest loans and grants to business through the Business Development Financial Assistance Program. It is anticipated seven businesses will be assisted and 90 jobs created/retained as a result of the CDBG funds. In fiscal year 2021-22, six businesses were approved for assistance with 68 jobs created/retained. Data for the current year as well as the previous five years is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-97

Ordinance No. 2023-160  
(Int. No. 180)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Business Development Financial Assistance Program**

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

Section 1. The sum of \$206,280 is hereby appropriated from the Business Development Financial Assistance Program (the Program) project allocation of the 2023-24 Annual Action Plan (the Plan) to implement the Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with recipient businesses as necessary to implement the Program. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-161  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Neighborhood Commercial Assistance Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Neighborhood Commercial Assistance Program as described in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate a total of \$50,000 in Community Development Block Grant (CDBG) funds from the Neighborhood Commercial Assistance Program allocation in the 2023-24 Annual Action Plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with recipient businesses necessary to implement the program.

The majority of businesses who received funding service Low to Moderate Income (LMI) census tracts. All businesses who utilize CDBG funding are required to service LMI areas, meet CDBG LMI job requirements, or assist micro-enterprises. Businesses not found within LMI census tracts, are required to meet CDBG LMI job requirements.

Funding will be utilized to provide small business grants to businesses through the Neighborhood Commercial Assistance Program. It is anticipated that seven businesses will be assisted and 15 jobs created/retained as a result of these funds. In fiscal year 2021-22, 14 businesses were approved for assistance with 71 jobs created/retained. Data for the previous five years is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-98

Ordinance No. 2023-161  
(Int. No. 181)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Neighborhood Commercial Assistance Program**

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

Section 1. The sum of \$50,000 is hereby appropriated from the Neighborhood Commercial Assistance Program (the Program) project allocation of the 2023-24 Annual Action Plan (the Plan) to implement the Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with recipient businesses as necessary to implement the Program. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-162  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Demolition Program

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

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Demolition Program found in the  
2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$1,960,439 in Community Development Block Grant (CDBG) funds from the  
Demolition Program project allocation of the 2023-24 Annual Action plan to fund the program,  
contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with contractors necessary to implement the program.

The funds will allow the City to continue its demolition program, which removes vacant, derelict, and  
fire damaged structures that are a public safety hazard and/or blight to surrounding neighborhoods.  
Demolition contracts are awarded based on the City's public bid process.

In fiscal year 2021-22, 40 buildings were demolished. In this current fiscal year 2022-23, we anticipated  
50 buildings will be demolished through this program. We are on target to meet the goal with 48  
buildings demolished this far. It is anticipated that approximately 80 structures will be demolished  
through this program in the upcoming fiscal year. Data for the past five years is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-99

Ordinance No. 2023-162  
(Int. No. 182)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the  
Demolition Program**

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

Section 1. The sum of \$1,960,439 is hereby appropriated from the Demolition Program project  
allocation of the 2023-24 Annual Action Plan (Plan) for the Demolition Program (Program) to remove  
vacant, derelict and fire damaged structures in the City of Rochester, contingent upon approval of the  
Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with contractors to  
implement the Program. All such agreements shall contain such additional terms and conditions as  
the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-163

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Emergency Assistance Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Emergency Assistance Program found in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$200,000 in Community Development Block Grant (CDBG) funds from the Emergency Assistance Program project allocation of the 2023-24 Annual Action Plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements necessary to implement the program.

The program provides financial assistance to eligible owner-occupants to address emergencies related to furnaces/boilers, hot water tanks and other emergency repairs. The City will continue to use its existing term agreements with the service providers to perform the necessary work. Contracts are awarded based on the City's public bid process.

Owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income, to be adjusted annually.

In fiscal year 2021-22, 65 housing units were assisted. In this current fiscal year, 2022-23, we anticipated that 19 housing units would be assisted through this program. However, we exceeded that goal by assisting 75 housing units because we were able to use prior years' CDBG funds in addition to last year's allocation. It is anticipated that approximately 80 housing units will be assisted through this program in the upcoming fiscal year.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-100

Ordinance No. 2023-163  
(Int. No. 183)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Emergency Assistance Program**

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

Section 1. The sum of \$200,000 is hereby appropriated from the Emergency Assistance Program (EAP) project allocation of the 2023-24 Annual Action Plan (Plan) for the Emergency Assistance Program to assist eligible owner-occupant households to address emergencies related to heating furnaces/boilers, hot water tanks and other emergency repairs (the Program), contingent upon the approval of the Plan.



Section 2. The Mayor is hereby authorized to enter into agreements with service providers to implement the Program. All such agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-164

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Lead Hazard Control Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Lead Hazard Control Program found in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$400,000 in Community Development Block Grant (CDBG) funds from the Lead Hazard Control Program project allocation within the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with property owners to implement the program.

In November 2022, City Council authorized the receipt and use of \$3,689,491.70 from the U.S. Department of Housing and Urban Development (HUD) to fund the City's 2022 Lead Hazard Control Program through Ordinance No. 2022-334.

The appropriation in number 1 above represents the City's contribution to support the Lead Hazard Control Program by offering financial assistance to eligible property owners of 1-4 family residential structures built before 1978.

To be eligible, property owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income, to be adjusted annually.

The funds are available citywide to households that have children under the age of six residing in the home or visiting the home. Landlords are required to contribute 10% of the total project cost. Eligible repairs include: window and/or door replacement, siding, porch repair or replacement, painting and soil remediation and minor repair work associated with the lead hazard control work.

In fiscal year 2021-22, 86 housing units received assistance. In this current fiscal year, 2022-23, we anticipated that 19 housing units would be assisted through this program; we have already exceeded that goal with 20 housing units assisted to date. It is anticipated that 25 housing units will be assisted through this program in the upcoming fiscal year.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-164  
(Int. No. 186)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for Lead Hazard Control Program**

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

Section 1. The sum of \$400,000 is hereby appropriated from the Lead Hazard Control Program project allocation of the 2023-24 Annual Action Plan (Plan), contingent upon the approval of the Plan, to implement the City’s Lead Hazard Control Program (Program).

Section 2. The Mayor is hereby authorized to enter into Program agreements with eligible owners of 1-4 family residential buildings to assist with the costs of remediating lead paint hazards. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-165  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Emergency Solutions Grants Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Emergency Solutions Grants (ESG) Program as found in the 2023-24 Annual Action Plan, for the continuation and expansion of services for homeless or at-risk of homelessness populations. This legislation will:

- 1) Appropriate \$664,615 in ESG funds from the Emergency Solutions Grants allocation of the 2023-24 Annual Action plan to fund the program, contingent upon the approval of the 2023-24 Annual Action Plan.
- 2) Authorize new professional services agreements and establish as maximum compensation for those agreements for the organizations as listed below, to implement the program. The cost of the agreements will be funded from the appropriation authorized herein.

<b>Organization</b>	<b>Principal</b>	<b>Award</b>
Catholic Charities of the Diocese of Rochester dba Catholic Charities Family and Community Services	Lori VanAuken	\$73,087
Coordinated Care Services, Inc. (Coordinated Entry)	Anne Wilder	\$166,234
Coordinated Care Services, Inc. (Rapid ReHousing)	Anne Wilder	\$39,203
Family Promise of Greater Rochester, Inc.	Kim Hunt-Uzelac	\$50,000
House of Mercy, Inc.	Dr. Tammy Butler	\$20,000
Person Centered Housing Options Inc.	Charles Albanese	\$29,920

Saving Grace Ministries of Rochester, Inc.	James Crowley	\$42,000
Spiritus Christi Prison Outreach, Inc.	Jim Smith	\$49,849
The Center for Youth Services, Inc. (Emergency Shelter Operations)	Elaine Spaul	\$40,000
The Center for Youth Services, Inc. (Street Outreach)	Elaine Spaul	\$24,000
The Salvation Army of Greater Rochester	Major Deborah Burr	\$21,982
The Young Women's Christian Association of Rochester and Monroe County, N.Y.	Dr. Myra Henry	\$35,459
Veteran's Outreach Center, Inc.	Laura Stradley	\$40,000
Volunteers of America of Western New York, Inc.	Dr. Junior Dillion	\$32,881
<b>TOTAL</b>		<b>664,615</b>

City Council last authorized this program on June 19, 2022 via Ordinance No. 2022-186. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid re-housing. The appropriation will fund street outreach, essential services and emergency shelter operations, homelessness prevention, and rapid rehousing.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Emergency Solution Grants Program require that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with Partners Ending Homelessness (formerly Rochester/Monroe County Continuum of Care - CoC). ESG Program Year 2023-24 providers were selected through a Request for Proposal (RFP) process; the RFP was issued February 27, 2023. The RFP development and funding distribution decisions were conducted jointly with Monroe County. A Vendor Selection Form is attached.

HUD's Emergency Solutions Grants (ESG) funding was established in 2012, as a modification to the Emergency Shelter Grants funding. The City of Rochester and Monroe County have provided approximately \$3 million in ESG funding for these programs over the last five program years, during which time grantees have served the needs of over 11,500 persons (2017-2022). Of those, approximately 40% were children, 6% were chronically homeless individuals, and just over 5% were veterans. For program year 2022-23, we estimated that ESG funded programs would serve 1,250 people, and our programs are on track to accomplish that. It is anticipated that approximately 1,230 people will be served through ESG funded programs in the upcoming year.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for one additional year if funds remain in the original appropriation.

Attached are summaries of the RFP process and agency services. This legislation supports the City Housing Policy's Section 4: Promote Housing Choice.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-101

Ordinance No. 2023-165  
(Int. No. 187)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Emergency Solutions Grant program**

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

Section 1. The sum of \$664,615 is hereby appropriated from the Emergency Solutions Grants (ESG) project allocation of the 2023-24 Annual Action Plan (Plan) to implement an Emergency Solutions Grant program (ESG Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional service agreements with the following organizations to provide ESG Program services to individuals and families who are homeless or at risk for homelessness. The agreements shall obligate the City to pay an aggregate amount not to exceed \$664,615 with the maximum compensation for each agreement being as follows:

<b>Organization (Purpose)</b>	<b>Maximum Compensation</b>
Catholic Charities of the Diocese of Rochester	\$73,087
Coordinated Care Services, Inc. (Coordinated Entry)	\$166,234
Coordinated Care Services, Inc. (Rapid ReHousing)	\$39,203
Family Promise of Greater Rochester, Inc.	\$50,000
House of Mercy, Inc.	\$20,000
Person Centered Housing Options Inc.	\$29,920
Saving Grace Ministries of Rochester, Inc.	\$42,000
Spiritus Christi Prison Outreach, Inc.	\$49,849
The Center for Youth Services, Inc. (Emergency Shelter Operations)	\$40,000
The Center for Youth Services, Inc. (Street Outreach)	\$24,000
The Salvation Army of Greater Rochester	\$21,982
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	\$35,459
Veteran's Outreach Center, Inc.	\$40,000
Volunteers of America of Western New York, Inc.	\$32,881
<b>TOTAL</b>	<b>\$ 664,615</b>

Section 3. The compensation for the agreements shall be funded from the appropriation authorized in Section 2 herein. If funds are not available or are less than anticipated, the agreement amounts and terms may be adjusted accordingly. The term of the agreements shall be for one year, with an option to extend for an additional year if funds from the original appropriation remain.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-166  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Homebuyer Assistance Program

Transmitted herewith for your approval is legislation related to the Homebuyer Assistance Program described in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$300,000 in Home Investment Partnership (HOME) funds from the Homebuyer Assistance project allocation of the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements necessary to implement the program, including with the recipients for up to \$8,000 to purchase houses through the City’s housing initiatives.
- 3) Authorize the Director of Finance to record all transfers of Program funds and to make adjustments to the income eligibility, homebuyer's matching contribution and anticipated number of Program recipients served based on any changes that may occur after the date of this ordinance.

Homebuyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds of a minimum of \$1,500 towards the purchase of the home. HOME funds may only serve households with incomes up to 80% of area median family income (MFI). Each buyer must complete a pre-purchase education class before closing and attend post-purchase classes. Information about some of the City’s purchase programs is available on the City’s website at <https://www.cityofrochester.gov/homebuyer/> or <https://www.cityofrochester.gov/employerassisted.aspx>.

In fiscal year 2021-22, we assisted 48 participants. We projected that we would serve 57 participants in 2022-23; however, due to the difficult housing market, we have only assisted 14 participants so far this year. We anticipate serving 50 participants in the upcoming fiscal year.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-166  
(Int. No. 188)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Homebuyer Assistance Program**

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

Section 1. The sum of \$300,000 is hereby appropriated from the Homebuyer Assistance project allocation of the 2023-24 Annual Action Plan (Plan) to implement a Homebuyer Assistance Program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with each recipient of Program funds in an amount up to \$8,000, to be funded from the appropriation in Section 1 herein. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. The Director of Finance is hereby authorized to record all transfers of Program funds and to make adjustments to the income eligibility, homebuyer’s matching contribution and anticipated number of Program recipients based on any changes that occur after this ordinance goes into effect.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-167  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan,  
Street Liaison Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Quadrant Planning Support Program. This legislation will:

- 1) Appropriate \$90,000 from the Street Liaison allocation of the 2023-24 Annual Action plan for the City's use to operate the program.
- 3) Establish the following as maximum compensation for agreements with the following entities to provide business development street liaison services for each of the city's quadrants. This program will be funded from the appropriation listed in number 1 above.

Northeast Quadrant

- Action for a Better Community, Incorporated, \$20,000 (CEO: Jerome Underwood)  
Serving:
  - Portland Avenue
  - Joseph Avenue
  - Hudson Avenue
  - Public Market
- Isla Housing and Development Corporation, \$5,000 (Executive Director: Sonia Nuñez) Serving:
  - North Clinton Avenue

Northwest Quadrant

- Highland Planning LLC, \$20,000 (Principal: Tanya M. Zwahlen)  
Serving:
  - Lyell Avenue
  - Dewey Avenue
  - West Ridge Road
  - Lake Avenue

Southeast Quadrant

- Highland Planning LLC, \$20,000 (Principal: Tanya M. Zwahlen)  
Serving:
  - South Avenue
  - South Clinton Avenue
  - Monroe Avenue
  - East Main Street (Goodman to Culver)

Southwest Quadrant

- 19th Ward Community Association of Rochester, New York, Inc., \$25,000 (President: Josie T. McClary)  
Serving:
  - West Main Street
  - Arnett/Thurston/Brooks
  - Genesee Street/Jefferson Avenue
  - Mt Hope Avenue
  - Chili Avenue

The mission of the Street Liaison is to function as a liaison between the City of Rochester Business Development Team, the Neighborhood Service Center Administrator and neighborhood businesses; provide detailed reports of business activities and concerns faced by businesses to City of Rochester staff; and work collaboratively with business associations and City of Rochester staff to attract and populate business corridors with products and services that meet the consumer needs of the local and greater community.

In 2021-22 the program served 120 businesses. We anticipated serving 200 businesses in 2022- 23 as well as in the upcoming year. As of the end of February, we have assisted 87 businesses so far this year. Attached is the Final Report for 2021-22, as well as information on the businesses assisted to date.

The above agencies were selected through an RFQ that was completed March 2023. All selecte agencies provided a satisfactory performance through the RFQ scoring rank.

Action for a Better Community and Highland Planning have been contracted to serve the City in this capacity as far back as 2014. 19th Ward Community Association began contracting in 2017, and Isla Housing and Development Corporation began in 2019.

The agreements will be in effect from July 1, 2023 through June 30, 2024.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-102

Ordinance No. 2023-167  
(Int. No. 189)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for Street Liaison services**

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

Section 1. The sum of \$90,000 is hereby appropriated from the Street Liaison project allocation of the 2023-24 Annual Action Plan (Plan) to implement a Street Liaison program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional services agreements to obtain business development Street Liaison services for each of the City's four quadrants for the maximum compensation amounts as follows:

- a) Northeast Quadrant: with Action for a Better Community, Incorporated for \$20,000 and with Isla Housing and Development Corporation for \$5,000;
- b) Northwest Quadrant: with Highland Planning LLC for \$20,000;
- c) Southeast Quadrant: with Highland Planning LLC for \$20,000; and
- d) Southwest Quadrant: with 19<sup>th</sup> Ward Community Association of Rochester, New York, Inc. for \$25,000.

The agreements shall be funded from the funds appropriated in Section 1 herein, and the term for each agreement shall be from July 1, 2023 to June 30, 2024.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-168

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Foreclosure Prevention Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Foreclosure Prevention services found in the 2019-20 and 2023-24 Annual Action Plans. This legislation will:

- 1) Establish \$13,231 as maximum compensation for an agreement with Empire Justice Center (Principal: Kristin Brown, 1 West Main Street, Rochester, New York) to provide legal services related to foreclosure prevention specific to the COVID-19 pandemic. The cost of the agreement will be funded from unspent 2019-20 Community Development Block Grant Covid Relief (CDBG-CV) funds previously appropriated via Ordinance No. 2019-175, and 2021-184 for this purpose. The term will be for one year;
- 2) Appropriate \$120,000 Community Development Block Grant (CDBG) funds from the Foreclosure Prevention project allocation of the 2023-24 Annual Action plan to fund the services, contingent upon the approval of the 2023-24 Annual Action Plan.
- 3) Authorize \$104,500 as maximum compensation for an agreement with The Housing Council at PathStone, Inc. (Principal: Mary Leo, 75 College Avenue, Rochester, New York) to provide foreclosure prevention services, funded from the appropriation authorized in number 2 above; and
- 4) Authorize \$15,500 as maximum compensation for an agreement with Empire Justice Center to provide legal services related to foreclosure prevention, the cost of which will be funded from the appropriation authorized in number 2 above.

These two organizations are uniquely qualified and have partnered with the City to deliver these programs for two decades. The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include the review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services. The Empire Justice Center will provide legal advice and litigation services when required by analysis of clients' circumstances.

In the 2021-22 fiscal year 149 households were assisted. The program has exceeded the 107 households proposed for the current fiscal year, and it is anticipated that 120 households will be assisted in the upcoming year. Data for the current year to date and the previous five years is below.



	<b>FY 17-18</b>	<b>FY 18-19</b>	<b>FY 19-20</b>	<b>FY 20-21</b>	<b>FY 21-22</b>	<b>FY 22-23 (to date)</b>
<b>Housing Council</b>	173	148	135	85	126	95
<b>Empire Justice</b>	15	16	13	15	23	17
<b>Total</b>	188	164	148	100	149	112

The term of these agreements will be for one year. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-103

Ordinance No. 2023-168  
(Int. No. 190)

**Authorizing agreements and appropriating 2023-24 Annual Action Plan funds for Foreclosure Prevention**

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 Empire Justice Center to provide legal services for foreclosure prevention related to the COVID-19 pandemic. The maximum compensation for the agreement shall be \$13,231, which shall be funded from unspent funds previously appropriated for foreclosure prevention in section 1 of Ordinance No. 2019-175 and in sections 3 and 4 of Ordinance No. 2021-184. The agreement shall have a term of one year.

Section 2. The sum of \$120,000 is hereby appropriated from the Foreclosure Prevention project allocation of the 2023-24 Annual Action Plan (Plan) to provide Foreclosure Prevention services, contingent upon approval of the Plan.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with The Housing Council at PathStone, Inc. to provide foreclosure prevention services. The maximum compensation shall be \$104,500, which shall be funded from the appropriation authorized in Section 2 herein. The agreement shall have a term of one year.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Empire Justice Center to provide legal services related to foreclosure prevention. The maximum compensation shall be \$15,500, which shall be funded from the appropriation authorized in Section 2 herein. The agreement shall have a term of one year.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate. If funds are not available or are less than anticipated, the agreement compensation amounts and terms shall be adjusted accordingly.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-169

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, HOME Rochester Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the HOME Rochester Program Management and Community Housing Development Organization Reserve (CHDO) programs described in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate a total of \$600,015 from the 2023-24 Annual Action Plan, contingent upon the approval of the 2023-24 Annual Action Plan, as follows:

Amount	Source	Purpose
\$186,000	2023-24 Community Development Block Grant (CDBG), HOME Rochester Program Management allocation	Program Operation
\$414,015	2023-24 HOME Investment Partnership Program (HOME) Funds, Community Housing Development Organization (CHDO) Reserve allocation	Development subsidies – incomes no more than 80% of Median Family Income (MFI)

- 2) Establish \$186,000 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC; Theodora Finn, President, 16 East Main Street, Suite 601, Rochester, New York) for operation of the HOME Rochester program. The cost of the agreement will be financed from the CDBG funds appropriated herein;
- 3) Establish \$414,015 as maximum compensation for an agreement with RHDFC, a qualified CHDO, for the administration of development subsidies for families whose incomes are no more than 80% of MFI. The cost of the agreement will be financed from the HOME funds appropriated herein;
- 4) Establish \$100,000 as maximum compensation for an agreement with RHDFC for the administration of development subsidies for families whose incomes are no more than 120% of MFI. The cost of the agreement will be financed from 2023-24 Cash Capital funds contingent on the approval of the 2023-24 Cash Capital Budget; and
- 5) Amend an agreement with RHDFC authorized in Ordinance No. 2019-173 to extend the term of the existing agreement with RHDFC for one additional year for a total of five years, funded with 2019-20 Cash Capital dollars for the administration of development subsidies for families whose incomes are no more than 120% of MFI.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet U.S. Department of Housing and Urban Development (HUD) requirements pertaining to CHDOs.

The HOME Rochester Program provides for the acquisition and rehabilitation of vacant, single family houses for resale to income-eligible households. RHDFC operates the HOME Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP; Theodora Finn, President, 16 East Main Street, Suite 601, Rochester, New York), and neighborhood based, non-profit

developers. RHDFC buys vacant homes and oversees home rehabilitation for sale to low-moderate income first-time homebuyers.

Since its inception in 2001, more than 800 properties have been rehabilitated and sold to firsttime homebuyers. In the 2021-22 fiscal year, seven houses were completed. In the current fiscal year, 2022-23, six properties are on track to be completed, half of 12 that were anticipated during the two-year timeframe of the funds. Acquisition of properties throughout has been a challenge for the program. Rehabilitation includes efforts to provide and improve ‘green’ and energy efficiency activities to promote sustainability and cost savings for the low-moderate income households who reside in the home.

Data for the previous six years (FY 16-17 through FY 21-22) by income and quadrant is included in the chart below:

<b>MFI Band</b>	<b>Northeast</b>	<b>Northwest</b>	<b>Southeast</b>	<b>Southwest</b>	<b>Grand Total</b>
30-50%	4	8	2	4	18
51-60%	5	3	5	4	17
61-70%	1	3	5	4	13
71-80%	2	7	4	0	13
81-120%	1	6	4	5	16
<b>Grand Total</b>	<b>13</b>	<b>27</b>	<b>20</b>	<b>17</b>	<b>77</b>

The total of \$514,015 proposed for new development subsidies will provide an average of \$50,000 each for the acquisition and rehabilitation of approximately 10 vacant structures or parcels. The funds are a required match for the City’s agreement with HUD for its Asset Control Area program, as well as NYS’s Affordable Housing Corporation subsidy program, both of which are used to mitigate the costs of acquisition and rehabilitation and reduce blight in the City of Rochester.

Properties rehabilitated through HOME Rochester are eligible for purchase by households approved through the City’s Homebuyer Services Program. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 15 years, or sell the property to another City-approved income eligible household.

The term for the Program Operation Agreement will be for one year. The term for the new subsidy agreements will be for two years, with an option to extend for an additional year if funds remain in the original appropriation.

These programs support the Housing Development Fund objective of the City Housing Policy as well as recommendations from the Housing Quality Task Force. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AW-104

Ordinance No. 2023-169  
 (Int. No. 191)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the HOME Rochester Program and for the Community Housing Development Organization Reserve program**

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

Section 1. The sum of \$600,015 is hereby appropriated from the following project allocations of the 2023-24 Annual Action Plan (Plan), contingent upon approval of the Plan, for HOME Rochester Program Management and to subsidize Community Housing Development Organization (CHDO) affordable housing development projects as follows:

<b>Amount</b>	<b>2023-24 Plan project</b>	<b>Purpose</b>
\$186,000	HOME Rochester Program Management	Program Operation
\$414,015	CHDO Reserve	Development subsidies – incomes no more than 80% of the Median Family Income (MFI)

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Housing Development Fund Corporation (RHDFC) in the maximum amount of \$186,000 to operate the HOME Rochester Program. The agreement shall be funded from the HOME Rochester Program Management funds appropriated in Section 1 and shall have a term of one year.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC, a qualified CHDO, for the administration of housing development subsidies totaling \$414,015 for families whose incomes do not exceed 80% of MFI. The agreement shall be funded from the CHDO Reserve funds appropriated in Section 1. The term of the agreement shall be two years with the option to extend for up to one additional year if funds remain from the appropriation provided for herein.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with RHDFC in the maximum amount of \$100,000 to administer housing development subsidies for families whose incomes are no more than 120% of MFI. The compensation for the agreement shall be funded from 2023-24 Cash Capital, contingent upon approval of the 2023-24 Budget. The term of the agreement shall be two years with the option to extend for up to one additional year if funds remain from the allocation provided for herein.

Section 5. The Mayor is hereby authorized to enter into an amendatory agreement with RHDFC to continue its administration of housing development subsidies for families whose incomes are no more than 120% of MFI. The amendatory agreement shall amend the existing agreement authorized by Section 4 of Ordinance No. 2019-173 and as extended by Ordinance No.2022-195 to extend the term for one additional year for a total of up to 5 years.

Section 6. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate. If a specified funding source should be unavailable or provide less funds than anticipated herein, the agreement amounts and terms may be adjusted accordingly. The City and RHDFC shall enter into the agreements only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-170

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Tenant Landlord Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Tenant Landlord Services program described in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$100,000 of Community Development Block Grant funds from the Tenant Landlord Services allocation of the 2023-24 Annual Action Plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan; and
- 2) Establish \$100,000 as maximum compensation for an agreement with The Legal Aid Society of Rochester, New York (Principal: Carla Palumbo, 1 West Main Street, Rochester, New York) to implement the program. The cost of the agreement will be funded from the appropriation authorized herein.

The Tenant and Landlord Services program provides housing stabilization services to both tenants and landlords. The Legal Aid Society of Rochester New York will serve as lead agency in partnership with Legal Assistance of Western New York, Inc. (Principal: C. Kenneth Perri, 1 West Main Street, Rochester, New York) and The Housing Council at PathStone, Inc. (Principal: Mary Leo, 75 College Avenue, Rochester, New York). The programs have been ongoing for over a decade. Services include:

- Eviction prevention services for tenants to re-establish or maintain stable housing, in particular related to income issues and/or warrants of habitability concerns; and,
- Training and information for landlords on operating rental property as a business and compliance with fair housing quality standards.

In the 2021-22 fiscal year, the program assisted 178 tenants and 666 landlords, and is on track to exceed the proposed 174 tenants and 300 landlords for the current 2022-23 fiscal year. We anticipate serving 190 tenants and 340 landlords in the 2023-24 fiscal year.

The chart below shows the total percentage of households served between FY 16-17 and FY 21-22, by quadrant:

QUADRANT	NE	NW	SE	SW
<b>FY 16-17 to FY 21-22</b>	29%	30%	24%	16%

The chart below shows the same data for the first two quarters of the current fiscal year, 2022-23:

QUADRANT	NE	NW	SE	SW
<b>Q1-2 FY 2022-23</b>	27%	17%	26%	30%

The term of the agreement will be for one year. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A Justification Statement for not issuing a Request for Proposals is attached

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-105

Ordinance No. 2023-170  
(Int. No. 192)

**Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for Tenant and Landlord Services**

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

Section 1. The sum of \$100,000 is hereby appropriated from the Tenant and Landlord Services project allocation of the 2023-24 Annual Action Plan (Plan) to implement a Tenant and Landlord Services program that provides housing stabilization services for both tenants and landlords (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Legal Aid Society of Rochester, New York in the maximum amount of \$100,000 to coordinate and provide Program services. The agreement shall be funded from the appropriation in Section 1 herein. The agreement shall be for a term of one year. If funds are not available or are less than anticipated herein, the agreement amount and term may 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.

Passed unanimously.

President Meléndez introduced a motion to discharge Int. No. 195  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Harris  
Motion to discharge passed unanimously.

Motion to amend Int. No. 195  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Peo  
Motion to amend passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-171  
Ordinance No. 2023-172  
Ordinance No. 2023-173  
Re: Code Enforcement Legislation

Council Priority: Rebuilding & Strengthening Neighborhood Housing

Transmitted herewith for your approval is a package of legislation containing three ordinances. This legislation addresses some of the more egregious problems that had not yet been acted upon as well as additional proposals of the administration to insure that there is safe, quality residential housing in the City of Rochester.

1. Addresses a variety of code enforcement amendments including re-naming the categories and raising the fines for all levels of property code violations; establishing a fine of up to \$5,000 for performing a demolition without a permit; adding disclosure requirements for property owners holding rental properties in corporate capacities and addressing penalties which may be sought when it becomes necessary to bring proceedings in City Court or State Supreme Court relative to a property owner who refuses to address dangerous conditions.
2. Creates a vacant property registry requiring owners of properties vacant for more than 60 days to register with the City and to present a plan for use of the property.
3. Creates a landlord/tenant bill of rights outlining the rights and responsibilities of both parties which will be distributed by the City.

This administration has made significant strides in addressing the issue of safe and quality housing including the addition of a housing attorney and increasing the number of code enforcement officers. This legislation, some of which was discussed by the Housing Quality Task Force, is needed as tools to respond to those property owners who ignore citations or violate requirements. Additionally, the Landlord/Tenant Bill of Rights and Responsibilities makes clear to both parties what their respective rights and responsibilities are and what is expected of them by the City of Rochester.

The registry seeks to address the significant challenges that vacant buildings pose. Clearly, as has been recently demonstrated, vacant buildings represent a fire hazard. They jeopardize both the neighborhood and the lives of our firefighters. Additionally, it is well documented that long term vacant properties often result in their use for drug activity, sex trafficking and the location of homeless individuals in unsafe conditions. Rather than just registering these properties, this ordinance requires the owner to make a plan for the future of the property and share that plan with the City. It allows both the owner and the government to be mindful of what we are currently facing.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Miguel A. Meléndez Jr.  
 City Council President

Attachment No. AW-106  
 Attachment No. AW-107

Ordinance No. 2023-171  
 (Int. No. 193)

**Amending Chapters 13A, 39, 52 and 90 of the Municipal Code to enhance and clarify the enforcement of the Property Conservation Code and to deter unauthorized demolitions**

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

Section 1. Chapter 13A of the Municipal Code, Municipal Code Violations Bureau, as amended, is hereby further amended to revise subsections D(1)(a), (b) and (c) of § 13A-11, Penalties for offenses, as follows:

- D. The fines and penalties for any violations of the Building Code, Plumbing Code, Electrical Licensing Ordinance, Conveyance Code, Junkyards Code, Stationary Engineers and Refrigeration Operators Licensing Ordinance, New York State Uniform Fire Prevention and Building Code, Multiple Residence Law, Property Conservation Code or Zoning Code, except as provided in Subsections C and E herein, shall be as follows:
  - (1) Penalties for violations of the Zoning Code may be assessed on the basis of the two categories specified in subsections D(1)(d) and (e) herein. Violations of the other codes and ordinances shall be categorized as low, medium and high in descending order of gravity as immediate hazard, health and safety, and all other violations in accordance

with a list established by the Department of Neighborhood and Business Development or the Director of the Neighborhood Service Centers which is approved by City Council and which is on file with the City Clerk, Commissioner of Neighborhood and Business Development and Director of Parking Violations. The following fines shall be assessed for violations referred to the Municipal Code Violations Bureau:

- (a) ~~Low~~All other violations. Tickets for unabated ~~low~~ violations may be issued every ~~60~~30 days.

<del>Low</del> <u>All other violations</u>	<del>Initial Penalty</del>	<del>Penalty Upon Default</del>
First offense	<del>\$50</del> <u>\$100</u>	<del>\$100</del> <u>\$200</u>
Second offense	<del>\$100</del> <u>\$200</u>	<del>\$200</del> <u>\$400</u>
Third and subsequent offense	<del>\$200</del> <u>\$400</u>	<del>\$400</del> <u>\$800</u>

- (b) ~~Medium~~Health and safety. Tickets for unabated medium violations may be issued every 30 days.

<del>Medium</del> <u>Health and safety violations</u>	<del>Initial Penalty</del>	<del>Penalty Upon Default</del>
First offense	<del>\$75</del> <u>\$250</u>	<del>\$150</del> <u>\$500</u>
Second offense	<del>\$150</del> <u>\$300</u>	<del>\$300</del> <u>\$600</u>
Third and subsequent offense	<del>\$300</del> <u>\$600</u>	<del>\$600</del> <u>\$1,200</u>

- (c) ~~High~~ Immediate Hazard [except for zoning violations, which fine schedules are set forth in Subsection D(1)(d) and (e) below]. Tickets for unabated high violations may be issued every seven days, except that tickets that are authorized to be issued immediately may be issued every day.

<del>High</del> <u>Immediate Hazard offense</u>	<del>Initial Penalty</del>	<del>Penalty Upon Default</del>
First offense	<del>\$150</del> <u>\$500</u>	<del>\$300</del> <u>\$1,000</u>
Second offense	<del>\$300</del> <u>\$600</u>	<del>\$600</del> <u>\$1,200</u>
Third and subsequent offense	<del>\$600</del> <u>\$1,200</u>	<del>\$1,200</del> <u>\$2,400</u>

Section 2. Chapter 39 of the Municipal Code, Building Code, as amended, is hereby further amended to revise subsection B of §39-225, Penalties for offenses, as follows:

- B. Violations of this chapter may be referred to the Municipal Code Violations Bureau, wherein violators shall be subject to the penalties for high immediate hazard category violations set forth in § 13A-11D(1) of the Municipal Code.

Section 3. Chapter 39 of the Municipal Code, Building Code, as amended, is hereby further amended §39-303, Demolition, as follows:

Prior to the issuance of any building permit for demolition, the applicant must meet, to the satisfaction of the Commissioner, the standards for demolition approval and associated regulations as established in Chapter 47A, Demolition Regulations, of the Municipal Code. Any demolition performed without the required approval shall be subject to a fine of \$5,000.

Section 4. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended to revise subsection A(1) of § 90-16, Certificates of occupancy, as follows:



A. When required:

- (1) No person shall permit the occupancy of a one-family rental dwelling, a building containing two or more dwelling units, or a mixed-occupancy building containing one or more dwelling units unless a valid certificate of occupancy is in effect for said building. If such a building is occupied in violation of this section, a ticket may be served on the owner of the building. The violation shall be considered a high-level a health and safety violation for which the penalties set forth in § 13A-11D(1)(c) of the Municipal Code shall apply.

Section 5. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended to revise subsection D, Responsibilities of owners, as follows:

- D. The hearing examiner may grant an owner an adjournment in contemplation of dismissal, for a period not to exceed four months, on any violation which the owner proves clear and convincing evidence was caused by the lessees or occupants of a specific unit. The violation shall be dismissed if, prior to the expiration of the period of adjournment, the owner provides proof that the violation has been corrected. Notwithstanding such an adjournment, the premises, if vacated by the current lessees or occupants, shall not be reoccupied until all high-level health and safety immediate hazard category violations relating to the unit have been corrected. If, at the expiration of the period of adjournment, the violation has not been corrected, the proceeding shall not be dismissed, and the hearing examiner shall promptly determine the charge.

Section 6. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended in §90-20, Building owner's registry required, to modify subsection E(5) as follows:

- (5) It shall be a violation of this chapter for an owner to fail to provide the information or to provide inaccurate information required herein for the registry. A ticket may be served on the owner of a building who fails to register, reregister or otherwise comply with the provisions of this section. The violation shall be considered a medium-level health and safety category violation for which the penalties set forth in § 13A-11D(1)(b) of the Municipal Code shall apply.

Section 7. Chapter 52 of the Municipal Code, Enforcement Procedures, as amended, is hereby further amended in §52-3, Penalties for offenses, by adding subsections D and E as follows:

- D. Should it become necessary for the City to bring a legal action due to the failure of a property owner to correct violations of the New York State Uniform Fire Prevention and Building Code and as specified and required under a notice and order and within the deadline specified therein in accordance with New York State Executive Law Section 382(2) and state regulation 19 NYCRR § 1203.5, the Corporation Counsel shall be authorized to seek fines and penalties pursuant to the authorization set forth in that state statute as follows, or in accordance with any subsequent amendment to the state statute:

- (1) for the first 180 days following the expiration of the deadline, a fine of up to \$1,000 per day of violation, or imprisonment not exceeding one year, or both; and
- (2) if the violation remains uncorrected thereafter, then for the next 180 days the violation shall be punishable by a fine of no less than \$25 and not more than \$1,000 per day of the continuing violation or imprisonment not exceeding one year, or both; and
- (3) if the violation remains uncorrected thereafter, it shall be punishable by a fine of no less than \$50 and not more than \$1,000 per day of the continuing violation or imprisonment not exceeding one year, or both.

E. In any legal action or special proceeding commenced in accordance with this section, the City of Rochester shall be entitled to recover reasonable attorney fees as well as all other reasonable costs and expenses incurred.

Section 8. This ordinance shall take effect on August 1, 2023.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2023-172  
(Int. No. 194)

**Amending Chapter 90 of the Municipal Code, Property Conservation Code, to establish a Vacant Building Registry**

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

Section 1. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended to revise subsections A and B of § 90-17, Vacant properties, as follows:

§ 90-17. Vacant properties.

A. Purpose and definitions.

(1) Purpose. In the City of Rochester there are vacant structures which do not possess the protective measures normally provided by legal occupants, making such structures subject to unlawful entry, vandalism and fires. Therefore, these vacant structures present a potential health and safety hazard to the general public, the immediate neighbors and residents and public employees performing municipal duties and services in the area or at the site of the vacant structure.

(2) Definitions. As used in this section, the following terms shall have the meanings indicated:

SECURE — To render inaccessible to unauthorized entry by closing, bolting, repairing, boarding or otherwise fastening all doors, windows and other openings through which unauthorized entry may be gained.

VACANT BUILDING — ~~A building which is not occupied or used or lived in.~~  
Any building, commercial or residential, in which no occupant lawfully resides or no tenant is in lawful possession, or any building otherwise not being used for any lawful occupancy.

VACANT LOT — A lot, other than parklands, which is not improved by a structure and is not regularly maintained.

B. Owner's duties.

- (1) Vacant buildings. It shall be the duty of every owner of property which has a vacant building thereon:
- (a) To maintain the building in a safe and sanitary condition and in compliance with this Property Code and Sections 302 and 304 of the Property Maintenance Code of New York State.
  - (b) To secure the building to prevent unauthorized entry.
  - (c) To maintain the yard free of trash and debris, high grass and overgrown weeds.
  - (d) To paint all boarded openings in a neutral or earth-tone color. A "neutral color" is defined as one which is a similar shade to the existing color of the structure.

- (e) For a building that has been vacant more than sixty days, to register the building on the City's vacant building registry in accordance with § 90-21 of this chapter.
- (2) Vacant lots. It shall be the duty of every owner of a vacant lot to maintain the lot in a safe and sanitary condition and in compliance with the Property Code. It shall also be the duty of every owner of a vacant lot to maintain the lot free of refuse, high grass and overgrown weeds.

Section 2. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended in §90-20, Building owner's registry required, to insert a new subsection F and to recodify the existing subsection F as subsection G, as follows:

- F. If the owner is a limited liability company, the following additional information and documentation shall be provided to the building owner's registry:
- (1) A document identifying the names and business addresses of all members, managers, and any other authorized persons, if any, of such limited liability company.
- (2) If any such member, manager, or authorized person of the limited liability company is itself a limited liability company or any other business entity that is not a publicly traded entity, REIT, a UPREIT, or a mutual fund, the names and addresses of the shareholders, directors, officers, members, managers, and partners of such limited liability company or other business entity shall also be disclosed until full disclosure of ultimate ownership by natural persons is achieved.
- (3) For the purposes of this subsection F, the terms "members," "managers," "authorized person," "limited liability company" and "other business entity" shall have the same meaning as those are defined in section one-hundred two of the limited liability company law.
- (4) The identification of such names and addresses shall not be deemed an unwarranted invasion of personal privacy pursuant to article six of the NYS Public Officers Law.

FG. This section shall not apply to buildings that are owner-occupied one-family dwellings or owner-occupied two-family dwellings; buildings owned by federal, state or local government units; hospitals; schools, colleges or universities; or commercial or industrial buildings that maintain operations for 24 hours each day or that have security on site 24 hours each day. A single registration shall be required for all buildings on a property.

Section 3. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended by adding § 90-21 as follows:

§ 90-21. Vacant building registry required.

- A. Purpose. The City of Rochester faces a growing vacant building crisis. Vacant buildings, by their very nature, impose disproportionate costs on both the City at large and the neighborhoods in which they are located. These include, but are not limited to, increased risk of fire, illegal occupancy, and use for sex trafficking and drug sales. The purpose of this section is to establish a program for identifying and registering vacant buildings in order to incentivize their rehabilitation and improve public safety in concert with other vacant property obligations and remedies set forth in § 90-17 and elsewhere in this chapter.

B. Definitions. As used in this section, the following term shall have the meaning indicated:

VACANT BUILDING — Any building, commercial or residential, in which no occupant lawfully resides or no tenant is in lawful possession, or any building otherwise not being used for any lawful occupancy.

C. Vacant building registration. With the exception of exemptions specified in subsection F herein, the owner or owners of a vacant building (hereinafter referred to individually and collectively as the owner) shall register such building with the Commissioner of Department of Neighborhood and Business Development (Commissioner) no later than 60 days after the building becomes vacant and shall renew the registration on an annual basis thereafter for so long as the building remains vacant.

(1) Initial registration. The initial registration shall be submitted on a form provided by the Commissioner and shall include the following information and documents:

(a) The address of the vacant building.

(b) The name, address, and telephone number of each owner of the building.

(c) A photocopy of a government issued photo identification for each owner.

(d) If the owner is a limited liability corporation (LLC), then the registration shall identify the names and business addresses of all members, managers, and any other authorized persons, if any, of such LLC, and, if any such member, manager, or authorized person of the LLC is itself a LLC, then the registration shall include such additional information and documentation as is required by §90-20F for LLCs enrolling in the building owner's registry.

(e) If the owner is not a natural person, then the registration shall specify the name, street address and business telephone number of a natural person who is designated by the owner as responsible to serve as an agent, manager or principal maintenance person who is in control of the vacant building property.

(f) If the owner resides or is located outside of Monroe County, the registration must include the name, street address, and telephone number of a person or business entity residing or located in Monroe County who shall be responsible for maintaining the vacant building property.

(g) A vacant building management plan in accordance with subsection D herein.

(h) A certificate indicating that the property is insured for the period that the building remains vacant.

(i) Payment of the registration fee in the amount specified herein in subsection 90-21C(3).

(2) Renewed registration. The term for each initial registration and for each renewed registration filed in accordance with this section shall expire on the last day of the 12th month following the filing of the initial or renewed registration. If a subject building remains vacant after the registration term expires, then the owner must file a renewed registration no later than the expiration date. The renewed registration shall be submitted on a form provided by the Commissioner and shall include an updated version of the information and documents that are required for the initial registration listed in subsection 90-21C(1).

(3) Registration fee. Each registration, whether it be initial or renewed, shall be accompanied by the payment of a registration fee that is based on the type and the tenure of the vacant building in accordance with the following fee schedule:

<u>Building Type</u>	<u>Year 1: Initial registration</u>	<u>Year 2: First renewed registration</u>	<u>Years &gt; 3: Each subsequent registration</u>
<u>1-3 unit residential</u>	<u>\$250</u>	<u>\$500</u>	<u>\$1,000</u>
<u>4-6 unit residential</u>	<u>\$500</u>	<u>\$1000</u>	<u>\$2,000</u>
<u>7+ unit residential</u>	<u>\$100 per unit</u>	<u>\$200 per unit</u>	<u>\$400 per unit</u>
<u>Commercial: the greater of:</u>	<u>\$1,000 or \$0.05 per square foot</u>	<u>\$2,000 or \$0.10 per square foot</u>	<u>\$4,000 or 0.20 per square foot</u>

provided, however, that the fee shall be \$100, regardless of property type, for every initial registration that is accompanied by a vacant building management plan that provides for either of the demolition or the rehabilitate/reoccupy option compliant with subsection D herein and provided further that if the plan for demolition or rehabilitate/reoccupy is not approved by the Commissioner or is not implemented in accordance with the plan and timeframe specified by the owner, the owner shall be required to pay an additional surcharge fee on the subsequent renewal registration that shall be the initial year 1 registration fee for the pertinent building type, less \$100.

- (4) Transfer of ownership. One owner's filing of a vacant building registration is not transferrable to a subsequent owner. Regardless of whether the prior owner has filed a complete registration, the new owner must submit to the Commissioner its own registration for a vacant building within 60 days of any transfer of ownership interest therein. The registration form must include all the elements, including the fee, that are required for an initial registration.

D. Vacant Building Management Plan. Every vacant building registration shall be accompanied by a vacant building management plan (Management Plan). The Management Plan shall address one or more of the following three management options for the vacant building property:

- (1) Demolition. The plan for this option shall include a time schedule indicating when major phases of the work are to be initiated and completed, including those activities necessary to protect worker safety, human health and the environment and to satisfy site restoration and design standards as set forth in the City's Demolition Regulations in Chapter 47A of the Municipal Code.
- (2) Rehabilitate and reoccupy. The plan for this option shall include a time schedule of the major phases of repair, renovation and rehabilitation activities to be completed no later than the expiration of the the registration to which it is attached.
- (3) Stabilize and Maintain. If the building is to remain vacant indefinitely or for so long as it will remain vacant prior to the implementation one of the foregoing demolish or rehabilitate/reoccupy options, the plan should include a list and time schedule for all measures necessary to maintain and secure the building in accordance with the owner's duties and standards of safety and sanitation set forth in § 90-17 of this chapter, as well as a statement of the reasons why the building will be left vacant either indefinitely or temporarily prior to implementing one of the demolition or rehabilitate/reoccupy options.

The Management Plan shall be reviewed by the Commissioner and the registration to which it is attached shall not be deemed complete until the Management Plan is approved by the Commissioner. The Management Plan shall be submitted on a form provided by the Commissioner, and upon completing the review, the Commissioner shall notify the owner that the Management Plan is either accepted or rejected and, in

the case of a rejection, what additions or modifications are necessary to make the Management Plan acceptable.

E. Violations: The failure to abide by the vacant building registry requirements of this section, including but not limited to, the obligations to submit a complete registration, to submit the correct registration fee, to submit a complete Management Plan, to remedy any deficiencies in the Management Plan identified by the Commissioner, and to implement all the elements of the approved Management Plan on a timely basis, shall constitute a violation of this Property Conservation Code chapter, which shall be subject to the enforcement procedures, notices and orders, and penalties for offenses that are specified or referenced in Chapter 52 of the Municipal Code, Enforcement Remedies. A ticket may be served on the owner of a vacant building who fails to register, renew a reregistration or otherwise comply with the provisions of this section. The violation shall be considered a health and safety category violation for which the penalties set forth for that category in § 13A-11D(1) of the Municipal Code shall apply.

F. Exemptions. The vacant building registration requirements of this section do not apply to:

(1) Any single-family owner-occupied residential dwelling where the owner departs Rochester for the winter months, provided that:

(a) the property is secured in a manner that does not indicate from the exterior that the property is vacant;

(b) the property does not have outstanding code violations;

(c) the owner will return to Rochester no later than 180 days after departing;

(d) the owner has arranged for property maintenance, including snow removal, grass-cutting, and other landscaping obligations.

(2) Any property owned by the Rochester Land Bank Corporation.

Section 4. This ordinance shall take effect on January 1, 2024.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2023-173  
(Int. No. 195)

### **Establishing a Landlord-Tenant Bill of Rights and Responsibilities for residential dwellings, as amended**

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

Section 1. The Municipal Code of the City of Rochester, as amended, is hereby further amended by adding Chapter 95 as follows:

#### **Chapter 95 Residential Landlord-Tenant Bill of Rights and Responsibilities**

§ 95-1. Purpose.

The Council and Administration hereby find that educating residential landlords and tenants of their respective rights and responsibilities is an essential step to address pressing housing concerns in the City of Rochester.

§ 95-2. Bill of Rights and Responsibilities.

The Commissioner of Neighborhood and Business Development, in consultation with the Corporation Counsel, shall compose a clear and concise document entitled Landlord-Tenant Bill of Rights and Responsibilities (Bill of Rights and Responsibilities), which shall spell out

significant rights and responsibilities of both the landlords and tenants of residential rental properties in the city. The Bill of Rights and Responsibilities shall be derived from those sources of law and policy that the Commissioner determines to be pertinent, including but not limited to Federal, State, and City statutes, charter, codes, ordinances, regulations, and policies. The Commissioner and the Corporation Counsel shall revise the Bill of Rights and Responsibilities as they deem appropriate to:

- A. reflect changes to relevant laws and policies; or
- B address new or previously unforeseen issues that are identified during the City's implementation of its code enforcement, nuisance prevention, affordable housing, human rights, zoning, health and sanitation, and other functions relevant to rental housing.

§ 95-3. Distribution.

The Commissioner shall ensure that copies of the Bill of Rights and Responsibilities are distributed to landlords and tenants on a regular basis as follows:

- A. to the tenants of every known residential rental property by mail once per year to the best of the City's ability;
- B. to the landlord of every known residential rental property by mail once per year addressed to:
  - (1) the owner of record on the City's real property tax records; and
  - (2) the local property maintenance person identified in lieu of a principal, partner or owner residing in the Rochester region on the building owner's registry pursuant to § 90-20 of the City's Property Conservation Code;
- C. attached to every Certificate of Occupancy that is issued to a landlord or tenant; and.
- D. in other circumstances where code enforcement officers interact with landlords and tenants

Section 2. This ordinance shall take effect on August 1, 2023, and the first annual mailing of the Bill of Rights and Responsibilities to landlords and tenants shall occur no later than January 5, 2024.

Section 3. The City Administration will present the Landlord-Tenant Bill of Rights to City Council for review each July – reflecting any changes or modifications which occurred over the prior twelve months.

Underlining indicates new text

Passed unanimously.

President Meléndez introduced to discharge Int. No. 171  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Peo  
Motion passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-174  
Re: Amendment - Marketview Heights Urban Renewal District

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing amendments to the Marketview Heights Urban Renewal District (MHURD) Plan, originally approved in Ord. No. 2014-380.

The original plan accommodated a large rental component contingent on the acquisition of a parking lot owned by AMETEK on Augusta Street through a land swap. This was unable to be successfully negotiated. As a result of the change, the community groups, Marketview Heights Collective Action Project (MVH CAP) and Marketview Heights Association (MVA), were engaged to weigh in on options. They determined that the neighborhood needs more single-family owner-occupied affordable housing. These houses, once built, would be available to diverse households with a wide variety of income levels.

While single-family homes were a part of the original MHURD plan, the rental units played a significant role. However, by removing the rental component and adding a number of affordable, single-family homes, this will promote neighborhood growth across the Urban Renewal area as well as provide wealth-building opportunities for disenfranchised families that may have previously been unable to access them. It will also provide aging in place options for some of the City's most vulnerable members.

The plan showing the proposed changes and associated maps showing adjustments from rental projects to single-family homes are included as exhibits to this transmittal. This change reflects the community's desire for and the City's commitment to provide more affordable single-family houses. The City Planning Commission held a meeting on March 27, 2023 concerning the proposed changes. Three people spoke in support of the rezoning, and no one spoke in opposition. By a vote of 5 to 0, the Planning Commission recommended approval.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-108

Ordinance No. 2023-174  
(Int. No. 171)

### **Approving the Amended Marketview Heights Urban Renewal District Plan**

WHEREAS, this Ordinance applies to the Marketview Heights Urban Renewal District (URD), which is an area within an irregularly shaped boundary generally including properties located along the west side of Scio Street from the Inner Loop to the railroad tracks, easterly along the railroad tracks and cutting over to Augusta Street running east, properties along the east side of North Union Street running south of Champeney Terrace to Kenilworth Terrace, then including properties on the north side of East Main Street and west of Prince Street, and then east of the Inner Loop from East Main Street to the west side of Scio Street;

WHEREAS, by Ordinance No. 2011-343 adopted on January 24, 2011, the Council designated the Marketview Heights URD as an area that is appropriate for urban renewal in accordance with an urban renewal plan to be developed in accordance with the provisions of Article 15 of the General Municipal Law of the State of New York;

WHEREAS, by Ordinance No. 2014-380 in December 2014, the Council approved the Marketview Heights Urban Renewal District Plan for the Marketview Heights URD as prepared by Interface Studio LLC, Real Estate Strategies, Inc. / RES Advisors and Bergmann Associates and dated June 11, 2014 (Marketview Heights URD Plan);



WHEREAS, on behalf of the Mayor, the Department of Neighborhood and Business Development's Division of Housing has prepared and proposed the adoption of an amended Marketview Heights URD Plan which would redirect development efforts in portions of the MVH URD away from multi-family rental dwellings and toward single-family owner-occupied dwellings (Amended Plan); and

WHEREAS, after reviewing the Amended Plan and hearing testimony at a public information meeting on March 27, 2023 in accordance with Zoning Code §120-190C(3)(c), the City Planning Commission voted 5-0 to recommend approval of the Amended Plan.

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

Section 1. The Council hereby approves the Amended Marketview Heights Urban Renewal District Plan as modified by the Department of Neighborhood and Business Development and dated March, 2023 (the Amended Plan), copies of which shall be filed with the Manager of City Planning and the Manager of Zoning and with another kept on file and available for public review in the zoning and building permit office in Room 121B of City Hall.

Section 2. The Council finds that:

- (a) The Marketview Heights URD is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the City.
- (b) Financial aid to be provided to the City is necessary to enable the urban renewal program to be undertaken in accordance with the Amended Plan.
- (c) The Amended Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City as a whole, to undertake an urban renewal program.
- (d) The Amended Plan conforms to a comprehensive community plan for the development of the City as a whole.
- (e) There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings at affordable prices or rents and reasonably accessible to their places of employment.
- (f) Undertaking and carrying out the urban renewal activities set forth in the Amended Plan in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Marketview Heights URD.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

President Meléndez introduced a motion to discharge Int. No. 184  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Vice President Lupien  
Motion to discharge passed unanimously.

Motion to amend Int. No. 184  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Harris  
Motion to amend passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-175

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Owner Occupant Housing Rehabilitation Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Owner Occupant Housing Rehabilitation Program found in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$750,000 in Community Development Block Grant (CDBG) funds from the Owner Occupant Housing Rehabilitation Program project allocation of the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with property owners to implement the program.

The program provides financial assistance to eligible property owners of 1-4 family residential structures. To be eligible, property owners must live in the property as their primary residence, be current with City and Monroe County property taxes, and not be subject to tax or mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to, be adjusted annually. The funds are available citywide in areas that support other City investment. Eligible repairs include, but are not limited to, addressing lead based paint hazards, health and safety hazards, code violations, and eliminating blight.

In fiscal year 2021-22, 24 housing units received assistance through this program. In this current fiscal year, 2022-23, we anticipated that 21 housing units would be assisted through this program; we are on target to meet this goal with 20 housing units completed. It is anticipated that approximately 25 housing units will be assisted through this program in the upcoming fiscal year. Data for the past five years is included on the attached chart and is listed by quadrant.

Respectfully submitted,  
Malik D. Evans  
Mayor  
Attachment No. AW-109

Ordinance No. 2023-175  
(Int. No. 184)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Owner-Occupant Housing Rehabilitation Program, as amended**

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

Section 1. The sum of \$750,000 is hereby appropriated from the Owner-Occupant Housing Rehabilitation Program project allocation of the 2023-24 Annual Action Plan (Plan) to provide financial assistance to eligible owner-occupants of one- to four-family residential buildings in low-mod income census tracts to address health, safety and other blighting conditions (the Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with property owners to implement the Program. All such agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Underlining indicates new text

Passed unanimously.

President Meléndez introduced a motion to discharge Int. No. 185  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Harris  
Motion to discharge passed unanimously.

Motion to amend Int No. 185  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Vice President Lupien  
Motion to amend passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-176  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan, Rental Housing  
Rehabilitation Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Rental Housing Rehabilitation Program found in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$190,000 in the Community Development Block Grant (CDBG) funds from the Rental Housing Rehabilitation Program project allocation of the 2023-24 Annual Action plan to fund the program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize agreements with participants necessary to implement the program.

This is a new program that will provide financial assistance to eligible Landlords who own a 1-4 family occupied residential structure. The funds are available citywide in areas that support other City investment. Eligible repairs include, but are not limited to, addressing lead based paint hazards, health and safety hazards, code violations, and eliminating blight.

To be eligible, landlords must be current with City and Monroe County property taxes, must not be subject to tax or mortgage foreclosure, and must be code-compliant with all properties owned in the city of Rochester. The tenant's total household income must be at or below 80% of the Housing and Urban Development (HUD) Area Median Income (AMI), to be adjusted annually.

It is anticipated that approximately eight housing units will be assisted through this program in the 2023-24 fiscal year.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-176  
(Int. No. 185)

**Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Rental Housing Rehabilitation Program, as amended**

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

Section 1. The sum of \$190,000 is hereby appropriated from the Rental Housing Rehabilitation Program project allocation of the 2023-24 Annual Action Plan (Plan) to provide financial assistance to eligible owners of 1-4 family residences located in low-mod income census tracts that house low-income tenants to address health, safety and other blighting conditions (the Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with participating parties to implement the Program. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Underlining indicates new text

Passed unanimously.

By Councilmember Harris  
May 23, 2023

To the Council:

The **RECREATION & HUMAN SERVICES COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 196     Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for the International Plaza
- Int. No. 197     Appropriating STEAM Engine funds from the 2023-24 Annual Action Plan and authorizing an agreement for the ROCmusic program
- Int. No. 198     Appropriating 2023-24 Annual Action Plan funds for the Roc Paint Division Mural Arts Project

Respectfully submitted,  
LaShay D. Harris  
Willie J. Lightfoot  
Stanley Martin  
Mary Lupien  
Miguel A. Meléndez, Jr. (*abstained from Int. No. 196*)  
**RECREATION & HUMAN SERVICES COMMITTEE**

Received filed and published

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-177

Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan- International Plaza-IBERO-American Development Corporation

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the activation and operation of the International Plaza event space and marketplace described in the 2023-24 Annual Action Plan. This legislation will:

1. Appropriate \$52,000 of Community Development Block Grant (CDBG) funds from the 2023-24 Annual Action Plan, International Plaza project allocation, for services related to the engagement, operation, and activation of the International Plaza, contingent upon approval of the 2023-24 Annual Action Plan.
2. Establish \$72,000 as maximum compensation for an agreement with the IBERO-American Development Corporation (IBERO) (Eugenio Marlin, Rochester, NY) which will be used to fund a full-time position and the delivery of culturally appropriate entertainment, art, and community events at the International Plaza project site. The term of the agreement will be from July 1, 2023 through June 30, 2024 and the cost of the agreement will be funded from the appropriation made herein, and \$20,000 from the 2023-24 Budget of the Department of Recreation and Human Services (DRHS) contingent upon approval.

The International Plaza provides a community gathering space to build on the tremendous arts and cultural assets of the surrounding neighborhood and a market where entrepreneurs and/or existing businesses can locate and sell their products and services in a flexible environment that is envisioned to become an incubator for neighborhood economic development. The International Plaza is operated by DRHS staff in the Public Market Division with on-site assistance from IBERO.

IBERO was chosen for this agreement based on their long history of community involvement and advocacy in the Northeast Rochester area and their leadership through Project Hope and other initiatives in creating a vision for the area including the International Plaza. The position funded in this item is housed at IBERO and has the primary responsibility for the day-to-day operation and activation of the site. This is the third year that the City has had this agreement with IBERO and a full justification for not issuing a request for proposals is attached. This was last authorized by City Council Ordinance No. 2022-231.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-110

Ordinance No. 2023-177  
(Int. No. 196)

**Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for the International Plaza**

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

Section 1. The sum of \$52,000 is hereby appropriated from the International Plaza allocation of the 2023-24 Annual Action Plan (Plan), contingent upon approval of the Plan, to provide services related to the engagement, operation, and activation of the International Plaza at 828 North Clinton Avenue.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with IBERO-American Development Corporation in a maximum amount of \$72,000 to fund a full-time position and to deliver entertainment, art, and community events at the International Plaza. The maximum amount for the agreement shall be funded in the amounts of \$52,000 from the appropriation in Section 1 herein and \$20,000 from the 2023-24 Budget of the Department of Recreation and Human Services, contingent upon approval. The term of the agreement shall be from July 1, 2023 through June 30, 2024.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 8.

Nays - None - 0.

President Meléndez abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-178

Re: 2023-24 Annual Action Plan Consolidated Community Development Plan – STEAM Engine, Agreements – David Hochstein Memorial Music School Inc.

Council Priority: Creating and Sustaining a Culture of Vibrancy; Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the STEAM (Science, Technology, Engineering, Arts, and Math) Engine program as described in the 2023-24 Annual Action Plan. This legislation will:

- 1) Appropriate \$25,000 of Community Development Block Grant funds from the 2023-24 Annual Action Plan, STEAM Engine allocation, for the ROCmusic program, contingent upon approval of the 2023-24 Annual Action Plan.
- 2) Authorize \$20,000 as maximum compensation for an agreement with the David Hochstein Memorial Music School Inc. (The Hochstein School) (Hilary Field Respass, President and Executive Director, Rochester, NY) to provide music instructors for the ROCmusic program. The term of the agreement will be for one year and the cost of the agreement will be funded from the appropriation authorized herein.

The remaining \$5,000 will be used for supplies and other programmatic costs such as the repair of musical instruments.

ROCmusic is an after-school and summer community-based music enrichment program that offers tuition-free music instruction, instruments, small-group lessons, and monthly concert performances. The program includes two tracts – traditional instrumental music instruction with a focus on string and brass instruments and contemporary music instruction with a focus on piano, bass guitar, drums, and production. All students can also participate in electives such as African Drumming, Gospel Choir, Classical Guitar, and Improvisation. In addition to instruction, the students have special access to guest artists and local cultural events, with transportation and meals arranged at no additional cost to the student or their families.

The program will serve up to 140 youth ages 6 and older at the David F. Gantt, Frederick Douglass, Edgerton and the Pamela & Trenton Jackson R-Centers, and will culminate with music tracks created in the Gantt R-Center recording studio and a community performance including all participants. The funds appropriated herein will be used for music instruments and equipment, program supplies, and instructor fees.

The ROCmusic program began in 2012 as a partnership between the City, Hochstein School of Music & Dance, University of Rochester Eastman School of Music, Eastman Community Music School, Rochester Philharmonic Orchestra, and the Rochester City School District. The program has served 626 students since its inception. The program was last authorized by City Council Ordinance No. 2022-317 in October 2022.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-111

Ordinance No. 2023-178  
(Int. No. 197)

**Appropriating STEAM Engine funds from the 2023-24 Annual Action Plan and authorizing an agreement for the ROCmusic program**

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

Section 1. The sum of \$25,000 is hereby appropriated from the STEAM Engine project allocation of the 2023-24 Annual Action Plan (Plan) to fund the ROCmusic enrichment program for youth, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the David Hochstein Memorial Music School Inc. to provide music instructors for the ROCmusic program. The maximum compensation for the agreement shall be \$20,000, which shall be funded from the Plan's STEAM Engine allocation appropriated in Section 1 herein. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-179  
Re: 2023-24 Annual Action Plan, Consolidated Community Development Plan- Job Creation and Youth Development

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing the appropriation of \$6,000 of Community Development Block Grant funds from the Job Creation/Youth Development project allocation of the 2023-24 Annual Action Plan for the “Roc Paint Division” Mural Arts project, contingent upon of the 2023-24 Annual Action Plan. The funds will be used for program supplies, artistic training fees, and educational field trip expenses.

The Mural Arts Project, initiated in 2012, in collaboration with the Department of Neighborhood and Business Development, engages Rochester youth to create, develop, and install public art projects to enhance and improve the community. Each year, a “Roc Paint Division” mural arts team is assembled consisting of two lead artists and ten youth workers. As in prior years, the youth hired for the 2023-24 project will receive training in employment soft skills, community art development, leadership, and artistic techniques as well as attend arts-related field trips. Following that training, the team will identify opportunities for mural/arts installations at underserved Rochester parks and green spaces (weather permitting), Rochester Public Library branches and community-based nonprofit agencies. The team will determine locations through consultation with youth and adult community stakeholders and create opportunities to engage the public during the design and installation process. Since the program’s inception, murals have been installed at the various locations throughout the City including: Adams Street, Avenue D , Carter, Edgerton, Frederick Douglass, Gantt, Jackson, Lightfoot, Roxie Ann Sinkler and Ryan R-Centers, Maplewood and Lincoln Branch Library, and Jones Square Park.

This current phase of the project will begin this summer and conclude by June 30, 2024.

This program was last approved by Council in July 2022 via Ordinance No. 2022-230 and a sampling of photographs from previous years’ mural installations are attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-112

Ordinance No. 2023-179  
(Int. No. 198)

**Appropriating 2023-24 Annual Action Plan funds for the Roc Paint Division Mural Arts Project**

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

Section 1. The sum of \$6,000 from the Job Creation/Youth Development project allocation of the 2023-24 Annual Action Plan (Plan) is hereby appropriated for the Roc Paint Division Mural Arts project (Project), contingent upon approval of the Plan. The appropriation shall be used for Project supplies, educational field trips, and artistic training.

Section 2. This ordinance shall take effect immediately.



Passed unanimously.

By President Meléndez  
May 23, 2023

To the Council:

The **PUBLIC SAFETY COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 199     Appropriating 2023-24 Annual Action Plan funds for smoke and carbon monoxide detectors installation program
- Int. No. 200     Authorizing an agreement and amending the 2022-23 Budget in relation to a Project Safe Neighborhoods – Group Violent Dispute Intervention Program
- Int. No. 201     Authorizing an agreement for an Officer Assistance Program for the Police Department

Respectfully submitted,  
Miguel A. Meléndez Jr.  
Mary Lupien (*absent*)  
Mitch Gruber  
LaShay D. Harris  
Willie J. Lightfoot  
Stanley Martin (*voted against Int. No. 200*)  
Michael A. Patterson  
Jose Peo  
Kimberly Smith  
**PUBLIC SAFETY COMMITTEE**

Received filed and published

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-180  
Re:     2023-24 Annual Action Plan, Consolidated Community Development Plan, Fire Department Small Equipment

Council Priority: Public Safety  
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Fire Department Small Equipment – smoke detector and carbon monoxide detectors installation project found in the 2023-24 Annual Action Plan. This legislation will appropriate \$55,000 of Community Development Block Grant (CDBG) funds from the Fire Department Small Equipment allocation of the 2023-2024 Annual Action plan to fund the program, contingent upon approval.

The Rochester Fire Department (RFD) provides and installs free smoke and carbon monoxide detectors to low and moderate income families in residential properties. The RFD coordinates and implements fire prevention and education programs to reach at-risk target populations. During fiscal year 2021-2022, RFD installed 940 smoke detectors and 497 carbon monoxide detectors in residential properties

throughout the city. It is anticipated RFD will install 925 smoke detectors and 549 carbon monoxide detectors in residential properties throughout the city through this program in the upcoming year.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-180  
(Int. No. 199)

**Appropriating 2023-24 Annual Action Plan funds for smoke and carbon monoxide detectors installation program**

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

Section 1. The sum of \$55,000 is hereby appropriated from the Fire Department Small Equipment project allocation of the 2023-24 Annual Action Plan to fund the purchase of smoke and carbon monoxide detectors for the Rochester Fire Department to install in the residences of low and moderate income families.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-181  
Re: Agreement – Rochester Institute of Technology Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation relating to a Project Safe Neighborhoods – Group Violent Dispute Intervention Program from the Rochester Institute of Technology. This legislation will:

1. Authorize an agreement with Rochester Institute of Technology (RIT) for the Project Safe Neighborhoods - Group Violent Dispute Intervention Program in return for the reimbursement of the City's costs in an amount not to exceed \$100,000. The term of this agreement is October 1, 2022 through September 30, 2025.
2. Amend the 2022-23 Budget by of the Police Department by \$25,000 and Undistributed by \$8,800. The remaining funds will be included in the 2023-24 Budget contingent upon approval.

This award, from the Department of Justice, Bureau of Justice Assistance, will fund a project to reduce gang-related violent disputes. RIT will use funds to provide a student researcher to update an existing Department database with shootings that occurred between 2010 and 2022. Information to be tracked includes data on the victim, suspect, and situational characteristics associated with the incident that will provide a basis for group/dispute selection for the project. The Department will use its funds for police overtime which will be used on efforts to intervene in violent retaliatory gang-involved disputes. Police Department and RIT executives will co-manage the project, with RPD's Deputy Chief of Operations overseeing the Department's component.

This is the first time the City has received these funds.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-113

Ordinance No. 2023-181  
(Int. No. 200)

**Authorizing an agreement and amending the 2022-23 Budget in relation to a Project Safe Neighborhoods – Group Violent Dispute Intervention 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 Institute of Technology (RIT) for the City and RIT to cooperate in the design, management and implementation of a Group Violent Dispute Intervention Program in order to reduce violent gang-related disputes (Program) to be funded by the United States Department of Justice’s Project Safe Neighborhoods initiative. RIT shall reimburse the City for its costs implementing the Program, in an amount not to exceed \$100,000. The term of the agreement shall extend from October 1, 2022 through September 30, 2025.

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 \$25,000 and to the Budget of Undistributed Expense by \$8,800, which amounts are hereby appropriated to the Project from anticipated reimbursements of Project expenses authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith - 8.

Nays - Councilmember Martin - 1.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-182  
Re: Agreement – University of Rochester Medical Center UR medicine OAP, Officer Assistance program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for the first year of an agreement with University of Rochester Medical Center, UR Medicine OAP located at 179 Sully’s Trail, Suite 200, Pittsford, 14534, for administration of the Officer Assistance Program (OAP). The term of the agreement will be July 1, 2023 through June 30, 2024 with the option to renew for up to four additional one-year periods. Each renewal will have up to a 3.5% increase. The cost of this agreement will be funded from the 2023-24 and future Budgets of the Police Department, contingent upon approvals.

UR Medicine OAP will administer the Officer Assistance Program by providing confidential employee assistance services to the Rochester Police Department Officers and their families and provide a 24 hours per day, 7 days per week Critical Incident Stress Management Team Program which will include both crisis intervention and stress management services to Police Department members who have experienced a traumatic event or critical incident.

UR Medicine OAP was selected through a request for proposal process, described in the attached summary.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-114

Ordinance No. 2023-182  
(Int. No. 201)

**Authorizing an agreement for an Officer Assistance Program for the Police Department**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the University of Rochester Medical Center to administer an Officer Assistance Program that provides counseling and critical incident stress management services to Police Department officers and their families. The term of the agreement shall be one year with the option to extend for up to four additional one-year periods. The maximum compensation for the initial term shall be \$25,000, which shall be funded from the 2023-24 Budget of the Police Department, contingent upon approval. The maximum compensation for each optional one-year extension may be increased by up to 3.5% and shall be funded from a subsequent year's Budget of the Police Department, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber  
May 23, 2023

To the Council:

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

Int. No. 202     Approving the apportionment of taxes and charges

Int. No. 206     Authorizing an amendatory agreement for upgrades to the 311 Call Center system

Int. No. 207     Authorizing an amendatory agreement for change management training for the Project Management Office

- Int. No. 208 Authorizing an agreement for conflict counsel services for Police Department disciplinary hearings
- Int. No. 209 Approving the commitment of tax relief and retirement reserves
- Int. No. 210 Determining and certifying base proportions, current percentages, and base percentages for the 2023 Assessment Roll
- Int. No. 211 Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2023 Assessment Roll
- Int. No. 212 Authorizing an amendatory agreement with General Code, LLC for indexing Council Proceedings

The **FINANCE COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation

- Int. No. 203 Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2023-24
- Int. No. 204 Continuation of Local Improvement Ordinance No. 1517 relating to the Woodside/Goodwill Neighborhood Commercial Parking Lot
- Int. No. 205 Continuation of Local Improvement Ordinance No. 1651 relating to the Mt. Hope Avenue Neighborhood Commercial Parking Lot

Respectfully submitted,  
 Mitch Gruber  
 Michael A. Patterson  
 Kimberly Smith  
 Mary Lupien  
 Miguel A. Meléndez, Jr.  
**FINANCE COMMITTEE**

Received, filed and published

TO THE COUNCIL  
 Ladies and Gentlemen:

Ordinance No. 2023-183  
 Re: Apportionment of Taxes and Charges

City Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 47 properties. This apportionment has been certified by the Assessor and is authorized by §6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in 2022-2023 These taxes and charges, which total \$116,329.10, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2023 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2023.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-183  
(Int. No. 202)

**Approving the apportionment of taxes and charges**

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon 47 parcels of land as certified by the Assessor of the City of Rochester, pursuant to Section 6-78 of the Charter of the City of Rochester, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1802  
Local Improvement Ordinance No. 1803  
Local Improvement Ordinance No. 1804

Re: LIO Continuing Assessments and Agreements for Special District Parking Lots

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation providing for the continued operation and maintenance of the city's six special assessment district parking lots for 2023-24. The first ordinance sets the 2023-24 budget and costs to be assessed for each district. The second and third ordinances extend by ten years the operating term for each of the Woodside/Goodwill and Mt. Hope districts, which are set to expire. The legislation authorizes a total of \$70,403 in anticipated costs for 2023-24 to be assessed on the 2023 City property tax bills of the benefited properties that make up each district. The anticipated 2023-24 budget and assessment for each parking lot district is as follows.

<b>Lot Name</b>	<b>23/24 Budget</b>	<b>22/23 Budget</b>	<b>Variance</b>	<b>Reason</b>	<b>Consultant/Contractor</b>
Lyell Avenue	\$10,462.00	\$10,462.00	\$0.00	N/A	Quality Home Furnishings, LLC Thomas Sullivan
Monroe/Oxford	\$16,991.00	\$18,700.00	\$-1,709.00	Reduction in landscaping, and cleaning	Goodman Properties Management LLC Andrew Tickle

Woodside/Goodwill	\$16,000.00	\$16,250.00	\$-250.00	Reduction in street sweeping and beautification rates	Woodside Goodwill Parking Lot LLC Dominic C. Zicari
Culver/Merchants	\$14,250.00	\$13,750.00	\$500.00	Increase in snow removal, cleaning, and insurance rates	Culver Merchants Business Association, Inc. Ann Page
North Street	\$11,700.00	\$11,700.00	\$0.00	N/A	Domicello Enterprises, LLC Phillip Domicello
Mt Hope	\$1,000.00	\$1,000.00	\$0.00	N/A	1400 Mt. Hope Ave LLC David L. Gandell
<b>Total Budgets</b>	<b>\$70,403.00</b>	<b>\$71,862.00</b>	<b>\$-1,459.00</b>		
<b>Rollover Untaxed</b>	\$0.00	\$0.00	\$0.00		
<b>Total Assessments</b>	<b>\$70,403.00</b>	<b>\$71,862.00</b>	<b>\$-1,459.00</b>		

The City Council first authorized the establishment of Special Assessment District parking lots in 1979 in Resolution Nos. 79-15 and 79-16. The authorized districts currently are: Lyell Avenue, Monroe Avenue/Oxford Square, Woodside/Goodwill, Culver/Merchants, and Mt. Hope, in the College town district. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments fund snow plowing, cleaning, landscaping, maintenance, lighting and parking enforcement. These services are provided either by City personnel, by private companies under contract to the City, or by the property owners themselves. It is impractical to go out to bid due to the direct involvement of each contractor to each respective lot.

A public hearing is required for these local improvements.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-115

Local Improvement Ordinance No. 1802  
(Int. No. 203)

**Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2023-24**

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

Section 1. The 2023-24 assessment for operation and maintenance of the special assessment district parking lots listed below shall be \$70,403. The assessment amounts are hereby authorized and appropriated and shall be allocated and levied against the properties benefited by the special assessment district parking lots that were established and continued by the Local Improvement Ordinances (LIOs) specified, as follows:

<b>Lot Name</b>	<b>Establishing and latest LIO No.</b>	<b>2023-24 Assessment</b>
Lyell Avenue	1548/1704	\$10,462
Monroe/Oxford	1289/1770	\$16,991
Woodside/Goodwill	1517/1803	\$16,000
Culver/Merchants	1534/1688	\$14,250
North Street	1258/1771	\$11,700
Mt. Hope	1651/1804	\$ 1,000

Section 2. The 2023-24 budget for the operation and maintenance of the special assessment district parking lots shall be \$70,403 comprised of the assessed amounts specified in Section 1 herein.

Section 3. It is hereby determined that it is impracticable to have the operation and maintenance work provided for herein done by competitive contract. Therefore, contracts for the work may be awarded to such qualified persons, companies or neighborhood associations as may be selected from those located in or adjacent to the aforementioned special assessment districts.

Section 4. This ordinance shall take effect on July 1, 2023.

Passed unanimously.

Local Improvement Ordinance No. 1803  
(Int. No. 204)

**Continuation of Local Improvement Ordinance No. 1517 relating to the Woodside/Goodwill Neighborhood Commercial Parking Lot**

WHEREAS, by Local Improvement Ordinance No. 1517 adopted in 2003, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Woodside/Goodwill Neighborhood Commercial Parking Lot; and

WHEREAS, said Local Improvement Ordinance was extended for a subsequent term of ten years by Local Improvement Ordinance No. 1665, and the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1517, relating to the levying of local improvement assessments to fund the cost of special work and services for the Woodside/Goodwill Neighborhood Commercial Parking Lot, as extended by Local Improvement Ordinance No. 1665, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2023 and continuing through June 30, 2033.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1804  
(Int. No. 205)



**Continuation of Local Improvement Ordinance No. 1651 relating to the Mt. Hope Avenue Neighborhood Commercial Parking Lot**

WHEREAS, by Local Improvement Ordinance No. 1651 adopted in 2012, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Mt. Hope Avenue Neighborhood Commercial Parking Lot for a term of ten years; and

WHEREAS, the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1651, relating to the levying of local improvement assessments to fund the cost of special work and services for the Mt. Hope Avenue Neighborhood Commercial Parking Lot, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2022 and continuing through June 30, 2032.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-184  
Re: Agreement Amendment- Verint Americas Inc.

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Verint Americas Inc. to provide additional services related to upgrading the 311 Call Center program. The original agreement, authorized in October, 2022 established maximum compensation of \$626,430 for a term of three years. This amendment will increase the compensation by \$21,741.52 to a maximum total of \$648,171.52, with no change to the term. This additional cost will be funded from the 2022-23 Budget of Information Technology.

The additional services required include migrating citizen data and case data from the current, on-premises Verint solution to the cloud-based, modern Verint solution. This will allow ECD agents to view historical data in the new system, allowing the City to remove the data and previous Verint software from legacy servers.

The initial agreement was authorized in October 2022 via Ord. 2022-295.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-184  
(Int. No. 206)

**Authorizing an amendatory agreement for upgrades to the 311 Call Center system**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Verint Americas Inc. to upgrade the 311 Call Center system. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2022-295 to provide for migrating citizen and case data to a modern, cloud-based solution and to increase the maximum compensation by \$21,741.52 to a new total of \$648,171.52. The amendatory compensation shall be funded from the 2022-23 Budget of Information Technology.

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.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-185

Re: Agreement – Luz Flores Lee, DBA of Loving All of You, Change Management Training for the Project Management Office (PMO)

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Luz Flores Lee, DBA of Loving All of You (Luz F. Lee, Owner, Rochester, NY), related to change management training services for the PMO. The original agreement, authorized in March 2023 was for \$10,000 with a term of one year and did not require Council authorization. This amendment will increase the compensation by \$20,000 to a maximum total of \$30,000. The cost of the amended amount will be funded from the 2022-23 Budget of the Mayor's Office and the term will remain one year.

The PMO is currently managing the Mainframe Replacement Program to replace 10 key applications running on an extremely outdated mainframe solution, and 13 applications running in an outdated Microsoft Access environment. Moving these 23 legacy applications to more modern technology will result in many changes to business processes across the enterprise. To ensure a successful project implementation, PMO project managers require formal training directed towards managing a large-scale change while concurrently facilitating improvements to city business processes.

In March 2023, the City of Rochester entered into an agreement with Loving All of You to conduct Beginner Change Management training sessions for PMO staff. During these training sessions, the vendor demonstrated an exceptional set of skills and experience around change management, project management, and business process analysis. PMO staff would like to enter into a new agreement with the vendor to receive customized training designed around the project management components of replacing the city's legacy systems on the Mainframe. We strongly believe that the vendor is uniquely qualified to perform this critical training for our PMO staff. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-116

Ordinance No. 2023-185  
(Int. No. 207)

**Authorizing an amendatory agreement for change management training for the Project Management Office**

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 Luz Flores Lee, doing business as Loving All of You, to continue to provide change management training to the City’s Project Management Office (PMO), including elements customized to the PMO’s management of replacements and upgrades to the City’s legacy mainframe systems. The amendatory agreement shall amend the existing agreement that was authorized in March 2023 to account for the additional training and to increase the maximum compensation by \$20,000 to a new total of \$30,000. The amendatory compensation shall be funded from the 2022-23 Budget of the Office of the Mayor. The term of the amendatory agreement shall remain one year.

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.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-186  
Re: Agreement – Law Offices of Pullano &  
Farrow PLLC, Conflict Counsel

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$82,500 as annual maximum compensation for an agreement with the Law Offices of Pullano & Farrow PLLC (Managing Partner: Brett Farrow) located at 69 Cascade Drive, Rochester, 14614, to provide legal services as Conflict Counsel for Rochester Police Department Disciplinary Hearings. The term of the agreement will be June 18, 2023 through June 30, 2024, with the option to renew for up to four additional one-year periods, and will be funded from the 2022-23 Budget of the Police Department, and future Budgets of the Police Department contingent upon approval.

The Law Offices of Pullano & Farrow, PLLC will represent the Rochester Police Department in employee disciplinary hearings conducted pursuant to New York Civil Service Law Section 75 and the City’s collective bargaining agreement with the police union, where the Chief of Police has sustained allegations of misconduct against a police officer or other Rochester Police Department employee, and where the City Law Department has a conflict of interest.

Attached is a No RFP Justification statement.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-117

Ordinance No. 2023-186  
(Int. No. 208)

**Authorizing an agreement for conflict counsel services for Police Department disciplinary hearings**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Law Offices of Pullano & Farrow PLLC to provide legal services as conflict counsel for Police Department disciplinary hearings in those circumstance in which the Law Department has a conflict of interest. The maximum annual compensation for those services shall be \$82,500. The term of the agreement shall be from June 18, 2023 through June 30, 2024, with the option to extend for up to four additional one-year periods. The compensation for the initial term shall be funded from the 2022-23 Budget of the Police Department, and the compensation for any extended terms shall be funded from future years' Budgets of the Police Department contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith - 8.

Nays - Councilmember Martin - 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-187

Re: Committing Tax Relief and Retirement Reserves

Council Priority: Deficit Reduction and Long Tern Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

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

From the surplus available at the end of fiscal year 2021-22, the Director of Finance, as authorized in the City Charter, assigned \$12,889,400 to Property Tax Relief and \$7,931,000 to Retirement Costs. In order to change the classification from assigned to committed, City Council action is required. The commitment of these balances would bring the total General Fund Balance committed for Property Tax Relief to \$38,163,400 and for Retirement Costs to \$37,360,000. These balances are further reduced by the budgeted appropriations of fund balance for 2022-23 which are \$16,693,300 for Property Tax Relief and \$5,638,800 for Retirement Costs.

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

These additional funds are available as a result of favorable 2021-22 year-end revenue variances attributable to higher sales tax distributions as well as favorable expenditure variances resulting from personnel and fringe benefit savings from vacancies and other miscellaneous expense.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-187  
(Int. No. 209)

**Approving the commitment of tax relief and retirement reserves**

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

Section 1. The Council hereby approves the commitment of \$12,889,400 for the purpose of property tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$7,931,000 for the purpose of retirement to assist in managing future retirement costs

Section 2. The funds to be committed shall be funded from the surpluses available from the 2021-22 Budget of the City of Rochester, said funds having previously been assigned to the purpose of property tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-188  
Ordinance No. 2023-189  
Re: Tax Apportionment Assessment Classes - Tax Shift

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation certifying certain calculations related to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves the determination of the “base proportion.” In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination involves two computations. The first is the calculation of the current base proportions using 1989 and 2022 data. The second is the calculation of the adjusted base proportions using 2022 and 2023 data. Both calculations are attached.

The current base proportion, as calculated by the formula specified by Article 19, are as follows:

Homestead:	.4373852
Non-Homestead:	<u>.5626148</u>
Total:	1.0000000

In comparison, the new adjusted bas proportions are as follows:

Homestead:	.4342486
Non-Homestead:	<u>.5657514</u>
Total:	1.0000000

The new proportions result in the following shifts in the share of the tax levy allocated to each class:

Homestead:	+4.24%
Non-Homestead	-3.03%

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-118

Ordinance No. 2023-188  
(Int. No. 210)

**Determining and certifying base proportions, current percentages, and base percentages for the 2023 Assessment Roll**

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2023 assessment roll to be as follows:

	<b>Homestead Class</b>	<b>Non-Homestead Class</b>
Current base proportions	43.73852%	56.26148%
Current percentage	62.24670%	37.75330%
Base percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Smith - 8.

Nays - Councilmember Peo - 1.

Ordinance No. 2023-189  
(Int. No. 211)

**Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2023 Assessment Roll**

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2023 assessment roll to be as follows:

<b>Homestead Class</b>	<b>Non-Homestead Class</b>	
Adjusted base proportion	.4342486	.5657514
Taxable assessed value	4,565,936,564	3,092,023,299
Net change in assessed value from 2022 resulting from physical and quantity changes	+14,315,783	+12,340,658
Net change in assessed value from 2022 resulting from other than physical and quantity changes	-246,700	-7,803,800

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-190  
Re: Amendatory Agreement: Indexing Council Proceedings

Transmitted herewith for your approval is legislation extending the term of a professional services agreement with General Code, LLC, which provides for the indexing of the Council Proceedings for the years 2017 through 2021 (the Project). The original agreement authorized in Ordinance No. 2022-72 established a term of one year. While General Code has been working diligently and has made good progress, the collaborative formatting and review process between the company and Clerk's Office staff has taken more time than expected and it is anticipated that the Project will require up to one additional year to complete.

Therefore, this legislation authorizes extending the term of the Project agreement by up to one additional year. The parties expect that the maximum compensation of \$25,000 that was authorized in the original ordinance will be sufficient to complete the Project so that no additional compensation will be required.

Respectfully submitted,  
Miguel A. Meléndez Jr.  
City Council President

Ordinance No. 2023-190  
(Int. No. 212)

**Authorizing an amendatory agreement with General Code, LLC for indexing Council Proceedings**

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 General Code, LLC to complete the preparation of annual indexes for the Council Proceedings for the years 2017 through 2021. The amendatory agreement shall add six months to the term of the original agreement authorized in Ordinance No. 2022-72, for a total term of 18 months.

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.

Passed unanimously.

The meeting was adjourned at 7:28 pm.

HAZEL L. WASHINGTON  
City Clerk