

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 17, 2019

Present –President Scott, Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson – 8.

President Scott requested the Council to rise for a Moment of Silence.

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

Retirement:

COUNCIL:

Molly Clifford

DES:

*Juana Delgado

*Richard Koss

RPD:

*Cheryl Fridley

*Barbara Locke

*John Muller

Marvin Patterson Jr.

*Stacey Winter

Special Recognition:

Ramique Hill

Matt Ochs

Lydell Weatherspoon

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting on November 12, 2019 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

December 17, 2019

Quarterly Reports – Refund of Erroneous Taxes and Charges – November 2019 – 4318-19
Quarterly Reports – NBD Grants Report – September 30, 2019 – 4319-19.

The Council submits Disclosure of Interest Forms from Councilmember Harris on Int. No. 395.

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

Councilmember Patterson presented 800 signatures from the Rochester Hispanic Youth Baseball League supporting no more medical waste in form of needles in park areas – Petition No. 1767

Community presented 3,300 signatures supporting renaming the International Plaza to Officer Manuel Ortiz International Plaza. – Petition No. 1768

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

THE COUNCIL PRESIDENT --- REPORTS OF STANDING COMMITTEES AND ACTION THEREON.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on December 12, 2019 on the following matters:

Authorizing pavement width changes and the acquisition of property takings for the Mt. Hope Avenue Phase 2 Improvements Project Int. No. 402
No Speakers

Amending the Official Map by abandoning an unnamed alley located off of Wiley Street between Canal Street and Litchfield Street Int. No. 403
No Speakers

Determinations and findings relating to the acquisition of a permanent easement in furtherance of the West River Wall Project Int. No. 408
No Speakers

Authorizing the acquisition by negotiation or condemnation of a permanent easement in furtherance of the West River Wall Project Int. No. 409
No Speakers

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

December 17, 2019

By Councilmember Evans
December 17, 2019

To the Council:

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

- | | |
|--------------|--|
| Int. No. 387 | Authorizing an amendatory agreement for a rental vacancy study |
| Int. No. 388 | Authorizing an amendatory agreement with Tyler Technologies, Inc. |
| Int. No. 389 | Authorizing an agreement for State lobbying services |
| Int. No. 390 | Authorizing an agreement with MVP Select Care, Inc. for health insurance administration services |
| Int. No. 391 | Authorizing an agreement with The Guardian Life Insurance Company of America for dental plan administration services |
| Int. No. 392 | Authorizing an agreement with Lifetime Benefit Solutions, Inc. for the administration of flexible benefit plans |
| Int. No. 393 | Authorizing an agreement with MVP Health Care, Inc. for COBRA administration services |
| Int. No. 394 | Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2020 |
| Int. No. 395 | Local Law amending the Charter of the City of Rochester with respect to budget requirements for the City School District |

Respectfully submitted,
Malik Evans
Molly Clifford
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-352
Re: Amendatory Agreement - Northeast
& Bucks Co.

Council Priority: Rebuilding and
Strengthening Neighborhoods

December 17, 2019

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum additional compensation for an amendatory agreement with Northeast & Bucks Co. (aka Mullin & Lonergan Associates) (CEO, Michael Kearney) for the purposes of adding a rental vacancy study to the scope of work.

The original agreement with Northeast & Bucks Co. for \$60,000 was authorized in October, 2019 (Ordinance No. 2019-300). The proposed amendment will increase the maximum compensation by \$40,000 for a total of \$100,000. The amendatory amount will be funded from the Planning and Studies allocation for Project #31 of the Consolidated Community Development/2017-18 Annual Action Plan, as amended in Section 1 of Ordinance No. 2019-300.

The agreement authorized in October includes the preparation of the HUD-required Analysis of Impediments to Fair Housing Choice and the 2020-2025 Consolidated Community Development 5-year Strategic Plan. Because this agreement was already authorized for work that includes analyzing various aspects of the housing stock in the City of Rochester, including vacancy status, we are asking the consultant to go further in exploring the vacancy rate for rental units that qualify for rent stabilization under the ETPA. This will enable us to gather this information as quickly as possible.

The rental vacancy study will be conducted pursuant to the state Emergency Tenant Protection Act of 1974 (ETPA). The information gathered through this study will indicate whether there is a level of vacancy sufficient under the ETPA to allow the City to implement rent stabilization and will inform the programming for the 2020-2025 Consolidated Community Development 5-year Strategic Plan.

This work will help to inform development of future housing policies and aligns with Goal HSG-2 of Rochester 2034, which is focused on improving understanding and monitoring of local housing and community development issues, needs, opportunities, and impacts. Strategies under that goal include conducting research, including research into the private rental market.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-352
(Int. No. 387)

Authorizing an amendatory agreement for a rental vacancy study

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 Northeast & Bucks Co., aka Mullin & Lonergan Associates, to complete a rental vacancy study. The maximum compensation for the agreement originally authorized in Ordinance 2019-300 is hereby increased by \$40,000 to a total amount of \$100,000. The amendatory compensation amount shall be funded from the Planning and Studies allocation for Project #31 of the Consolidated Community Development/2017-18 Annual Action Plan, as amended in Section 1 of Ordinance No. 2019-300.

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.

December 17, 2019

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-353
Re: Amendatory Agreement – Tyler
Technologies, Inc., Enterprise Process
and System Solution for Cashiering

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Tyler Technologies, Inc. for additional services related to the Enterprise Process and System Solution for Cashiering project.

The original agreement for \$180,000 was authorized in October, 2015 via Ordinance No. 2015-285. An amendment authorized in February 2019 via Ordinance No. 2019-19 extended the term for one year to February 25, 2020. This amendment will extend the term for one additional year to February 24, 2021 at no additional cost. The additional year will allow Tyler Technologies to continue to assist with implementation of Tyler Cashiering and Munis enhancements in support of City business needs/processes.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-353
(Int. No. 388)

Authorizing an amendatory agreement with Tyler Technologies, Inc.

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Tyler Technologies, Inc. to provide additional services related to the Enterprise Process and System Solution for Cashiering project. The term of the original agreement authorized in Ordinance No. 2015-285 and as amended in Ordinance No. 2019-19 is hereby extended for one additional year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-354
Re: Agreement – Ostroff Associates, Inc.
State Lobbying Services

December 17, 2019

Transmitted herewith for your approval is legislation establishing \$62,500 as maximum annual compensation for an agreement with Ostroff Associates, Inc. (President and CEO, Rick Ostroff) to research, track, and advocate for the City's legislative and administrative agenda with New York State. The cost of the agreement will be funded from the 2019-20 (\$31,250) and 2020-21 (\$31,250) Budgets of the Mayor's Office contingent upon approval of said budgets. The term will be for one year (January 1 – December 31, 2020) with the option of three, one-year renewals.

The \$62,500 includes \$60,000 annually for services and no more than \$2,500 annually for reimbursable expenses, including travel. Until this year, the City engaged Ostroff Associates primarily to advocate for ROC the Riverway and other capital priorities, while engaging Capitol Hill Management Services on other State priorities. With the expiration of Capitol Hill's contract, Ostroff Associates will become the City's sole State lobbyist and provide the following services:

- Present and explain the City's legislative proposals to State officials and staff,
- Arrange for introduction, consideration, and approval of specific bills,
- Identify, review, and present comments on legislation affecting the City,
- Review of the State budget with respect to its impact on the City,
- Arrange and coordinate meetings between State and City officials,
- Coordinate Rochester's activities with the NY State Conference of Mayors and the other large cities in New York, and
- General guidance on legislative matters.

Ostroff Associates, Inc. was selected through a request for proposal process as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-203

Ordinance No. 2019-354
(Int. No. 389)

Authorizing an agreement for State lobbying services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Ostroff Associates, Inc. for the provision of State lobbying services. The term of the agreement shall be one year with the option for up to three extensions of one year each. The maximum annual compensation for the agreement shall be \$62,500. The compensation for the first year shall be funded in the amounts of \$31,250 from the 2019-20 Budget of the Office of the Mayor and \$31,250 from the 2020-21 Budget of the Office of the Mayor, contingent upon approval of the latter Budget. The compensation for subsequent years, if any, shall be funded from subsequent years' Budgets of the Office of Mayor, contingent upon their 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.

December 17, 2019

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-355
Re: Agreement – MVP Select Care, Inc.

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with MVP Select Care, Inc. (MVP) for administration of health insurance plans for City of Rochester employees and retirees. Maximum annual compensation for the administrative charge has been established at \$1,800,000. Health plan “premium-equivalent rates” include this administrative charge, therefore, no separate encumbrance is required. The term of this agreement will be for three years, from January 1, 2020 through December 31, 2022, with the option for 2 one-year renewals.

The City’s health insurance plan has been self-funded since January 2013. The transition from a fully-insured plan reduced the costs of administrative fees paid to health insurers and provided the City with control over plan design and clinical edits. MVP Select Care, the City’s sole health insurance provider since September 2009, assisted with implementation of this significant funding change and has continued to work with the City by providing third-party administration and medical management services.

A Request for Proposal process was facilitated by the City’s health insurance broker, Lawley Benefits Group. The process is described in the attached summary.

Following extensive review by the Labor Management Health Care Committee, MVP was selected to continue administration of the City’s health plans. Their services include the review and payment of health care claims for medical and pharmacy benefits received by City employees, retirees, and eligible dependents.

MVP has provided exemplary service to the City of Rochester over the past several years. Ongoing focus toward cost control strategies and fiscal responsibility has fostered the expansion of employee health promotion, well-being initiatives and medical case management. MVP excels in these areas of health plan administration and has provided a part-time employee to exclusively work with the City’s well-being program.

The consultant has been informed of the Living Wage requirements and the Department of Human Resource Management will ensure compliance.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-204
(Ordinance No. 390)

December 17, 2019

Authorizing an agreement with MVP Select Care, Inc. for health insurance administration services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with MVP Select Care, Inc. for administration of health insurance plans for City employees and retirees. The term of the agreement shall be three years with an option to renew for two additional one-year periods. The maximum annual compensation shall be \$1,800,000, which shall be funded from the Budget of Undistributed Expenses out of the payments made to MVP Select Care, Inc. as part of the City's self-insured monthly premium equivalent charges

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-356

Re: Agreement – Guardian Dental Plan
Administration Services

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$270,000 as maximum compensation for an agreement with The Guardian Life Insurance Company of America for administration of the Dental Insurance Plan for all City employees. The agreement shall be in effect for three (3) years (1/1/20 – 12/31/22). Of said amount, \$45,000 shall be funded from the 2019-2020 Budget for Undistributed Expense, \$90,000 shall be funded from the 2020-2021 Budget for Undistributed Expense, \$90,000 shall be funded from the 2021-2022 Budget for Undistributed Expense, and \$45,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, contingent upon approval of future budgets.

Guardian has provided dental benefits for City employees on both a fully-insured and self-insured basis since 2005. This recommendation provides the designation of Guardian as plan administrator for the self-funded dental plan that is offered to all benefit-eligible employees.

Guardian was selected through a Request for Proposal process described in the attached summary.

An annual maximum benefit per participant limits the City's self-insurance liability with regard to large claims.

Respectfully submitted,
Lovely A. Warren
Mayor
Attachment No. AS-205

Ordinance No. 2019-356

(Int. No. 391)

Authorizing an agreement with The Guardian Life Insurance Company of America for dental plan administration services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Guardian Life Insurance Company of America for administration of dental insurance plans for all benefit-eligible City employees. The maximum compensation for the agreement shall be \$270,000, which shall be funded from \$45,000 from the 2019-20 Budget of Undistributed Expenses, \$90,000 each from the 2020-21 and 2021-22 Budgets of Undistributed Expenses, and \$45,000 from the 2022-23 Budget of Undistributed Expenses, contingent upon the latter three budgets' approval. The term of the agreement shall be three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-357
Re: Agreement – Lifetime Benefit
Solutions, Inc. - Flexible Benefit Plans

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$120,000 as maximum compensation for an agreement with Lifetime Benefit Solutions, Inc. for administration of the Flexible Spending Accounts (FSA), Parking/Transit Reimbursement Accounts (PTRA) and remaining balances in previously-funded Health Reimbursement Accounts (HRA) for City employees. The agreement shall be in effect for three (3) years (1/1/20 – 12/31/22). Of said amount, \$20,000 shall be funded from the 2019-2020 Budget for Undistributed Expense, \$40,000 shall be funded from the 2020-2021 Budget for Undistributed Expense, \$40,000 shall be funded from the 2021-2022 Budget for Undistributed Expense and \$20,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, contingent upon approval of future budgets.

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

The proposed rates per enrollee/per month for administration of FSA, HRA and PTRA are substantially lower than rates received from competitors; effective systems have been developed with Lifetime Benefit Solutions with reference to administration of the FSA and PTRA programs including the establishment of funding accounts, ongoing transfer of funds, production of reports and online administrative capabilities;

December 17, 2019

Lifetime Benefit Solutions includes the provision of a debit card for payment of expenses at the time of service, rather than paying out of pocket and waiting for reimbursement.

Lifetime Benefit Solutions, Inc. was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-206

Ordinance No. 2019-357
(Int. No. 392)

Authorizing an agreement with Lifetime Benefit Solutions, Inc. for the administration of flexible benefit plans

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

Section 1. The Mayor is hereby authorized to enter the City into a professional services agreement with Lifetime Benefit Solutions, Inc. for administration of the Flexible Spending Accounts, Parking/Transit Reimbursement Accounts and for the remaining balances in previously-funded Health Reimbursement Accounts for City employees. The agreement shall have a term of three years from January 1, 2020 to December 31, 2022.

Section 2. The maximum compensation for the agreement shall be \$120,000. The cost of the agreement shall be funded in the amounts of \$20,000 from the 2019-20 Budget of Undistributed Expenses, \$40,000 from the 2020-21 Budget of Undistributed Expenses, \$40,000 from the 2021-22 Budget of Undistributed Expenses, and \$20,000 from the 2022-23 Budget of Undistributed Expenses, contingent upon the approval of the future budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-358
Re: Agreement – MVP Health Care COBRA
Administration Services

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation for a professional services agreement with MVP Health Care, Inc. for administration services to comply with the Consolidated Omnibus Budget

December 17, 2019

Reconciliation Act (COBRA). The maximum compensation for the agreement shall be funded by the 2019-20 Budget of Undistributed Expenses and subsequent Budgets of Undistributed, contingent upon their approval, and be limited to the amount of premiums collected from separated employees and retirees which include an administrative fee for COBRA continuation coverage. The term of the agreement shall be three years.

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

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

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

- MVP proposed the lowest rates and rates are guaranteed for three years.
- MVP's rates include full administration of the Federally-mandated COBRA process, including notifications, invoicing, collecting premiums and maintaining required logs of activity.
- MVP has developed integrated systems that work with City data in order to provide seamless COBRA administration.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-207

Ordinance No. 2019-358
(Int. No. 393)

Authorizing an agreement with MVP Health Care, Inc. for COBRA administration services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with MVP Health Care, Inc. for administration services to comply with the Consolidated Omnibus Budget Reconciliation Act (COBRA). The maximum compensation for the agreement shall be funded by the 2019-20 Budget of Undistributed Expenses and subsequent Budgets of Undistributed, contingent upon their approval, and be limited to the amount of premiums collected from separated employees and retirees which include an administrative fee for COBRA continuation coverage. The term of the agreement shall be three years.

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.

December 17, 2019

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-359
Re: Authorization – 2020 Administrative
Tax Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to \$1,000 per account during the 2020 calendar year.

Each year, approximately 63,000 tax bills are issued by the City. In 2018-19 these bills contained a total of \$242,844,025.06 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling \$1,837,441.15, or 0.76 % of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 198 accounts or 0.31 % of the total number.

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

Delegation of this authority was initially approved by the Council in March 1987. Annual authorization is required. In December 2018, Council re-authorized the Director of Finance to cancel up to \$1,000 per account during 2019 (Ord. No. 2018-383). Such delegation reduces the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to apply:

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

Respectfully submitted,
Lovely A. Warren
Mayor

December 17, 2019

Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2020

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

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

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

Section 2. This ordinance shall be in effect for calendar year 2020.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Law #1

Re: Authorizing an exception to Cash
Capital Requirement for RCSD

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing a temporary, one-year exception for the Rochester City School District from the requirement per Section 3-9.1 D. of the City Charter that the RCSD Budget contain an amount of at least \$10,000,000 for Cash Capital.

By approving this temporary exception, the City is authorizing the District to amend its 2019-20 Budget to repurpose up to \$10,000,000 in Cash Capital for operating purposes. This is proposed as a temporary measure to provide RCSD with additional budgetary flexibility to manage its 2019-20 budget deficit. This is proposed only for the current fiscal year, as RCSD is expected to comply with the requirement as a part of its 2020-2021 Budget.

Despite this exception, the City will remain well within its Constitutional operating tax limit for the 2019-20 fiscal year. Upon RCSD action to amend its Budget, the City will file an updated calculation of the 2019-20 Constitutional operating tax limit with the Office of the State Comptroller.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law # 1
(Int. No. 395)

December 17, 2019

Local Law amending the Charter of the City of Rochester with respect to budget requirements for the City School District

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester,” as amended, is hereby further amended by adding Subsection D(3) to Section 3-9.1, Allocation of funding and debt-incurring power between City and City School District, to read in its entirety as follows:

3. Notwithstanding § 3-9.1D(2) of the City Charter, there shall be no minimum cash capital requirement for the 2019-20 fiscal year budget of the City School District.

Section 2. This local law shall take effect upon its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Passed by the following vote:

Ayes – President Scott, Councilmember Clifford, Evans, Gruber, Lightfoot, Ortiz, Patterson – 7

Nays – 0.

Councilmember Harris abstained due to a professional relationship.

By Councilmember Patterson
December 17, 2019

To the Council:

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

Int. No. 396	Authorizing the sale of real estate and amending Ordinance No. 2016-359
Int. No. 397	Authorizing funding and agreements for the 2019 Lead Hazard Control Grant Program, <u>as amended</u>
Int. No. 398	Authorizing an agreement with Nextcorps, Inc. for economic development services
Int. No. 399	Authorizing an agreement for economic development services
Int. No. 400	Authorizing an amendatory lease agreement for 200 East Main Street

Respectfully submitted,
Michael A. Patterson
LaShay D. Harris

December 17, 2019

Jacklyn Ortiz
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-360
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of 29 properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first 24 properties are listed on the attached spreadsheet under the heading, I. Regular Auction – Improved Property. These properties were sold to the respective highest bidder at a surplus auction. All purchasers will be required to rehabilitate the structures within 12 months.

The next property is a four-family structure listed under the heading, II. Request for Proposal. It was sold by request for proposal and must be rehabilitated within 12 months.

The next property is an improved lot listed under the heading III. Negotiated Sale Vacant Land. It was sold by negotiated sale to the adjacent owner to cure a title defect. The purchasers will combine the lot with their existing parcel.

The remaining three properties are unbuildable vacant lots listed under the heading, IV. Unbuildable Vacant Land. Each is being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these 29 properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$23,520.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-208

Ordinance No. 2019-360
(Int. No. 396)

Authorizing the sale of real estate and amending Ordinance No. 2016-359

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

Section 1. The Council hereby approves the sale of the following parcels of improved property by regular auction:

Address	SBL#	Lot Size	Use	Price	Purchaser
30 Ave A	105.28-2-25	40 x 120	2 Fam	\$ 7,300	Aamir Waqar
26 Cady St	121.53-1-79	42 x 117	1 Fam	\$ 7,600	Muhammad Raza
278 Champlain St	120.60-2-83	33 x 148	1 Fam	\$ 4,900	Al Langlais & Willina Price
469 Colvin St	105.81-2-52	35 x 100	1 Fam	\$ 8,400	Morningnights Realty, LLC
‡ 465 Colvin St	105.81-2-51	35 x 100	Vacant		
3 Emanon St	091.61-1-79	40 x 117	2 Fam	\$ 12,300	Shmaria Thomas
25 Epworth St	120.51-4-13	39 x 80	1 Fam	\$ 500	Richard A. Holmes
20-22 Fair Pl	106.60-1-40	40 x 109	3 Fam	\$ 5,500	Miguel Remigio Vazquez
195 Grand Av	107.61-2-17	40 x 128	1 Fam	\$ 6,500	Marvalyn Napier
1396 Jay St	105.78-1-63	40 x 120	1 Fam	\$ 16,500	Kenny Chonge
58 Ketchum St	106.23-1-36	35 x 92	1 Fam	\$ 3,600	Lawrence Campbell
106 Lincoln St	106.42-1-61	30 x 110	1 Fam	\$ 15,200	Aamir Waqar
‡ 110 Lincoln St	106.42-1-62	30 x 110	Vacant		
170 Lincoln St	106.34-3-24	40 x 110	2 Fam	\$ 13,000	Ajay S. Fadia
6 Lorraine Pl	105.73-1-17	35 x 110	1 Fam	\$ 3,600	Shontell Williams
42 Malvern St	105.35-1-31	33 x 77	1 Fam	\$ 3,900	Emmanuel Perez
304 Orange St	105.82-2-48	53 x 64	3 Fam	\$ 8,400	Lyfe Unlimited, LLC
858 Portland Av	091.83-2-92	45 x 103	1 Fam	\$ 13,400	Muhammad Raza
38 Radio St	106.30-4-46	35 x 127	1 Fam	\$ 500	Anthony Diaz
276 Ravine Av	105.34-2-42	50 x 121	1 Fam	\$ 12,100	Andrew Cardot
17 Second St	106.59-1-23.1	40 x 120	3 Fam	\$ 4,100	Lawrence Campbell
202 Seward St	121.61-2-5.3	73 x 138	1 Fam	\$ 12,700	Alda Asef
71-73 Thurston Rd	120.64-1-5	40 x 145	2 Fam	\$ 36,000	Muhammad Raza
26 Weyl St	091.71-3-53	38 x 103	1 Fam	\$ 9,000	Miguel Remigio Vazquez

‡ Sold together with adjacent property listed above.

Section 2. The Council hereby approves the negotiated sale of the following parcel of improved property with proposal:

Address	SBL#	Lot Size	Use	Price	Purchaser
151-153 Wilkins St	106.23-3-26	43 x 102	Apartment	\$ 2,777	Emma Lovett

Section 3. The Council hereby approves the negotiated sale of the following parcel of vacant land:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
25 Pool St	105.79-1-61	40 x 120	4,805	\$1,000	Tien Tran and Huy Tran

December 17, 2019

Section 4. The Council hereby approves the sale of each of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
1227 N. Clinton Ave	091.78-2-17	38 x 130	4,975	Brian E. Abramson
424 Maple St	120.26-2-53	33 x 214	7,062	Paul Birch
4 Parker Pl	105.84-3-71	28 x 44	1,246	NSRE Holdings, LLC

Section 5. 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 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-361
Re: 2019 Lead Hazard Control Grant
Program

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

Transmitted herewith for your approval is legislation related to the City's 2019 Lead Hazard Control Grant Program. This legislation will:

- 1) Appropriate \$5,600,000 from the U.S. Department of Housing and Urban Development to fund the program;
- 2) Appropriate \$5,207,704 from the appropriation made in Section 1 for the City's use to operate the program. Of this amount, \$485,330 will be used for personnel, \$12,720 for travel and \$4,709,654 will be used for lead hazard control projects.
- 3) Authorize an agreement with Yehl Environmental Incorporated dba Cornerstone Training, LLC, Darren Yehl, President and Training Director, 460 State Street, Rochester, NY 14608 in the amount of \$63,000 to provide lead training to be funded from the appropriation made in Section 1. The term will be for one year with the option to extend for two additional one year terms if funds remain in the agreement;
- 4) Authorize an agreement with Environmental Testing & Consulting, Inc., Susan Majewski, President, PO Box 466, Batavia, NY 14020 and Environmental Education Associates, Inc dba UNYSE, Andrew McLellan, President, 346 Austin St, Buffalo, NY 14207 as a maximum aggregate compensation of \$235,000 to be funded from the appropriation made in Section 1. The term of the agreements will be for one year with the option to extend for two additional one year terms if funds remain in the agreement;

December 17, 2019

- 5) Authorize an agreement with Causewave Community Partners, Inc. Todd Butler, President and CEO, 274 N. Goodman St, Suite B269, Rochester, NY 14607 in the amount of \$94,296 to provide education and outreach to be funded from the appropriation made in Section 1. The term of the agreement will be for one year with the option to extend for two additional one year terms if funds remain in the agreement.

It should be noted, that Ordinance No. 2019-220 provided authorization for the Mayor to accept the grant award and enter into agreement with HUD.

The City applied to HUD's Office of Healthy Homes and Lead Hazard Control for funding in August 2019 and was awarded \$5.6 million on October 2. The award will allow the City to provide financial assistance to eligible property owners of 1-4 residential housing units to remediate lead-based paint hazards and other environmental health hazards. Typical work activities will include: window/door replacement; porch repair/replacement; siding; minor rehabilitation work; and bare soil treatment.

The program will concentrate on serving rental properties where lead-poisoned children are most prevalent. Owner-occupants must earn income at or below 80% of the area median income and must have a child occupant or visiting child occupant under age six. Owners will be required to sign a five-year program agreement and note and mortgage with the City to ensure residency. Rental property owners will be required to produce a 10% funding match. They will also be required to sign a five-year program agreement and note and mortgage with the City to ensure affordable rents (per HUD guideline) and that assisted units are offered to tenants with income at or below 80% of the area median income.

A series of request for proposals were posted to the City's website on September 13, 2019 to invite businesses and organizations to submit proposals for various services sought by the City to operate the program. These included outreach and education, lead hazard evaluations and property owner/contractor training. All proposals were reviewed and scored by a review team. The following vendors received the highest points and are being proposed for consideration:

Lead Hazard Evaluation Services - It is being proposed to enter into agreements with Environmental Testing and Consulting, Inc. and UNYSE Environmental Consultants. These consultants will be responsible for producing a combined lead based paint inspection/risk assessment for units enrolled in the program. Both consultants have worked for the City in the past and have performed to the City's satisfaction.

Training - It is being proposed to enter into an agreement with Yehl Environmental Incorporated dba Cornerstone Training, LLC to provide training services. Cornerstone will offer courses to include "Lead Abatement Supervisor" and "Lead Abatement Worker" to allow contractors to obtain EPA certification to carry out lead abatement activities for the program. Cornerstone will also offer the "Renovator, Remodeler and Painting" course to allow property owners and contractors certification to carry out lead interim control activities.

Outreach and Education Services - It is being proposed to enter into an agreement with Causewave Community Partners, Inc. to carry out a City-wide media and community education campaign to raise community awareness of child lead poisoning. The program will include the production of materials (brochures, posters, flyers, placards), print advertisements, website advertisements, media buys for TV and radio advertisements,

The City will provide matching funds for the program in the amount of \$754,183 over three years. The program will allow us to complete approximately 310 units of lead safe residential housing units by November 2022.

The HUD program budget is as follows:

December 17, 2019

Personnel	\$ 485,330
Travel	\$ 12,720
Training	\$ 63,000
Outreach & Education	\$ 94,296
Lead evaluations	\$ 235,000
Healthy Homes Supplement	\$ 600,000
Lead Hazard Control	<u>\$ 4,109,654</u>
Total	\$ 5,600,000

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-209

Ordinance No. 2019-361
(Int. No. 397, as amended)

Authorizing funding and agreements for the 2019 Lead Hazard Control Grant Program

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

Section 1. The Council hereby authorizes the receipt and use of \$5,600,000 from the U.S. Department of Housing and Urban Development (HUD) to fund the City's 2019 Lead Hazard Control Grant Program (Program) and authorizes the Mayor to enter into an agreement with HUD and to execute such other documents as may be necessary for the City to participate in and administer the use of HUD funding for the Program.

Section 2. The Council hereby appropriates \$5,207,704 from the funds authorized by Section 1 herein for the City's use to operate the Program. Of this amount, \$485,330 shall be used for personnel, \$12,720 for travel and \$4,709,654 for lead hazard control projects.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Yehl Environmental Incorporated to provide lead abatement and interim control worker training. The maximum compensation for the agreement shall be \$63,000, which shall be funded from the funds authorized by Section 1 herein. The term of the agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized maximum compensation remain.

Section 4. The Mayor is hereby authorized to enter into professional services agreements with the following consultants for lead hazard evaluation services for the Program. The agreement shall have an aggregate maximum compensation of \$235,000, which shall be funded from the appropriation authorized by Section 1 herein:

- a. Environmental Testing & Consulting, Inc., Batavia, NY; and
- b. Environmental Education Associates, Inc., Buffalo, NY.

The term of each agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized aggregate maximum compensation remain.

December 17, 2019

Section 5. The Mayor is hereby authorized to enter into a professional services agreement with Causewave Community Partners, Inc. to provide community education and outreach to raise awareness of child lead poisoning. The maximum compensation for the agreement shall be ~~\$63,000~~ \$94,296, which shall be funded from the funds authorized by Section 1 herein. The term of the agreement shall be one year with the option to extend for up to 2 additional years if funds within the authorized maximum compensation remain.

Section 6. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for Program only with organizations that are in compliance with federal regulations.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-362
Re: Agreement – Nextcorps, Inc. -
Economic Development Services

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with Nextcorps, Inc. to provide services related to assisting businesses within the city of Rochester. The agreement will be financed from the City's 2019-20 budget of Neighborhood and Business Development and have a term of six months, beginning January 1, 2020, and ending June 30, 2020. The amount of \$10,000 was arrived at from the term of the agreement being six months as opposed to a full year which would be \$20,000.

Nextcorps is a non-profit organization whose mission is to be a catalyst for entrepreneurship and innovation-based economic development. This is accomplished by applying business expertise and network connections to assist in the formation and growth of business in the Greater Rochester and Finger Lakes Region. Nextcorp, Inc. provides assistance through technology commercialization for early stage organizations, business incubation for high growth potential startups, and access to venture capital for high technology. Also, they provide services to existing manufacturing companies.

Terms of the agreement will include the following expectations, among others:

- Work with Rochester businesses to retain 10 positions and create 8, and produce a minimum \$1 million investment.
- Host two collaborative business outreach event to entrepreneurs where City programs, services and opportunities to grow within the city of Rochester may be presented.
- Serve 10 manufacturing companies through the Manufacturing Extension Partnership program (MEP) within the city.

December 17, 2019

The most recent annual agreement was authorized by City Council on November 20, 2018 via Ordinance No. 2018-361.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-210

Ordinance No. 2019-362
(Int. No. 398)

Authorizing an agreement with Nextcorps, Inc. for economic development services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Nextcorps, Inc. to provide economic development services relating to assisting businesses within the City of Rochester. The maximum compensation for the agreement shall be \$10,000, which shall be funded from the 2019-20 Budget of the Department of Neighborhood and Business Development. The term of the agreement shall be six months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-363
Re: Agreement – Greater Rochester
Enterprise, Inc. Economic
Development Services

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with Greater Rochester Enterprise, Inc. (GRE) to provide services related to business attraction and retention in the City of Rochester. The agreement will be financed from the City's 2019-20 budget of Neighborhood and Business Development and have a term of six months, beginning January 1, 2020, and ending June 30, 2020. The amount of \$25,000 was arrived at from the term of the agreement being six months as opposed to a full year which would be \$50,000.

This past year, GRE has worked with 51 organizations who considered locating and/or expanding to the city of Rochester during a shorter agreement term of eight months. GRE assisted with several significant projects within the city of Rochester, including: Hickey Freeman, Zweigle's Inc.,

December 17, 2019

and Monroe, Inc. which combined projects to create up to 139 new jobs within our community.

Efforts continue to attract businesses to the Eastman Business Park as well as other sites found within our community. GRE collaborates with government leaders, businesses, universities, as well as not-for-profit organizations through a team approach to economic development in the city and the Greater Rochester/Finger Lakes region. GRE acts as an ambassador to promote the City, and to connect businesses to City resources.

Terms of the agreement include the following goals:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the city of Rochester.
- Deliver at least 8 out-of-region business attraction opportunities that include sites located within the city of Rochester, and City's Science and Industrials parks.
- Include and actively promote the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester Finger Lakes region, including but not limited to www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations delivered to out-of-region companies.
- GRE will assist the City of Rochester with activities designed to increase business retention, expansion and acceleration of startup businesses. This involves collaboration with colleges and universities, High Tech Rochester (HTR) and others to promote the City of Rochester as an outstanding entrepreneurial location. A closer collaboration for business retention will include meetings with existing employers as well as the provision of comprehensive data analysis to identify opportunities for loss and/or expansion of businesses currently located in the City of Rochester. The focus of this effort may begin with companies headquartered out of the region or other large employers as agreed to by the City of Rochester and GRE.

The most recent annual agreement was authorized by City Council on November 20, 2018 with ordinance 2018-360.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-211

Ordinance No. 2019-363
(Int. No. 399)

Authorizing an agreement for economic development services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Greater Rochester Enterprise, Inc. to provide economic development services for attracting and retaining

December 17, 2019

businesses in the City of Rochester. The maximum compensation for the agreement shall be \$25,000, which shall be funded from the 2019-20 Budget of the Department of Neighborhood and Business Development. The term of the agreement shall be six months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-364
Re: Amended Lease Agreement- Geddes
Rochester LLC - 200 East Main Street

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation further amending the lease agreement with Geddes Rochester LLC (Chris Hill and Lewis Nory) for 200 East Main Street where the City's Traffic Violations Agency, Parking and Municipal Code Violations Bureau and now the County Department of Motor Vehicles are located. The lease was initially authorized by ordinance 2017-263 and subsequently amended by ordinance 2018-259. This amendment will increase the maximum amount that the City will reimburse to Geddes Rochester LLC for Supplemental Space improvements from \$325,125 to \$341,598, an increase of \$16,473. The additional cost of the improvements will be funded by the Dormitory Authority of the State of New York (DASNY) grant also authorized by ordinance 2018-259.

Once the improvements were underway, it was determined that additional work was required to meet the requirements of Monroe County for the DMV office. This additional work was approved by the City and will be reimbursable under the terms of the DASNY grant. No other changes to the terms of the lease agreement are needed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-364
(Int. No. 400)

Authorizing an amendatory lease agreement for 200 East Main Street

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

Section 1. The Mayor is hereby authorized to enter into an amendatory lease agreement with Geddes Rochester LLC (Geddes) for the lease of space in the building located at 200 East Main Street

December 17, 2019

agreement. The maximum amount that the City shall reimburse to Geddes for Supplemental Space improvements under the lease agreement that was originally authorized in Ordinance No. 2017-263 and subsequently amended by Ordinance No. 2018-259 is hereby increased by \$16,473 to a total amount of \$341,598. The amendatory amount shall be funded by a Dormitory Authority of the State of New York grant that was appropriated for the purpose in Ordinance No. 2018-259.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
December 17, 2019

To the Council:

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

- Int. No. 401 Authorizing reimbursement agreement for abandonment of areaway at 23-27 East Main Street
- Int. No. 404 Accepting a donation for the Petten Street Boat Launch project
- Int. No. 405 Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the Pedestrian Safety Action Plan Phase III transportation federal-aid project, and appropriating funds therefore
- Int. No. 406 Approving funds for the Rundel Library Structural Terrace Improvements Phase IV Project
- Int. No. 407 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,070,000 Bonds of said City to finance the costs of the Rundel Library Structural Terrace Improvements Phase IV Project
- Int. No. 410 Authorizing agreements for motor vehicle collision repair services
- Int. No. 411 Authorizing agreements for an Environmental Workforce Development and Job Training Program
- Int. No. 418 Authorizing an application and agreement for the Resiliency and Economic Development Initiative, **as amended**

December 17, 2019

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

- Int. No. 402 Authorizing pavement width changes and the acquisition of property takings for the Mt. Hope Avenue Phase 2 Improvements Project
- Int. No. 403 Amending the Official Map by abandoning an unnamed alley located off of Wiley Street between Canal Street and Litchfield Street
- Int. No. 408 Determinations and findings relating to the acquisition of a permanent easement in furtherance of the West River Wall Project
- Int. No. 409 Authorizing the acquisition by negotiation or condemnation of a permanent easement in furtherance of the West River Wall Project, **as amended**

Respectfully submitted,
Mitch Gruber
Malik Evans
Elaine M. Spaul (Absent)
Willie Lightfoot
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-365
Re: Reimbursement Agreement –
Rochesterville 2 LLC 23-27 East Main
Street Areaway Abandonment – Basin
Street

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for a reimbursement agreement with Rochesterville 2 LLC (Myles S. Webster – Member) Rochester NY 14620 for the City's portion of the cost for areaway abandonment on Basin Street. The cost of the agreement will be financed with 2014-15 Cash Capital and the term shall extend until three (3) months after completion and final acceptance of construction.

In accordance with Ordinance No. 81-104 that establishes a City policy whereas it is in the City's interest to promote public safety and eliminate public hazards by encouraging property owners to abandon their areaways/vaults.

The City of Rochester encourages the removal of underground areaways and vaults by sharing in a portion of the owner's costs. The project includes infill of the existing 74 foot long areaway, located behind 23-27 East Main Street on Basin Street, and replacement of the sidewalk above.

It is anticipated that construction will begin in winter 2019/20 with scheduled completion in spring 2020. The project will result in the creation and/or retention of the equivalent of 0.8 full-time jobs.

December 17, 2019

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-212

Ordinance No. 2019-365
(Int. No. 401)

Authorizing reimbursement agreement for abandonment of areaway at 23-27 East Main Street

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

Section 1. The Council hereby authorizes the Mayor to enter into an agreement with Rochesterville 2 LLC wherein the City shall reimburse up to \$60,000 as a portion of the costs that Rochesterville 2 LLC incurs to abandon and remove the areaway at 23-27 East Main Street, and the construction or reconstruction of the necessary incidentals thereto. The reimbursement shall be funded from 2014-15 Cash Capital and the term of the agreement shall extend until 3 months after completion and final acceptance of construction.

Section 2. The work described in Section 1 shall be performed and constructed in accordance with the provisions of Chapter 10 of the Municipal Code and City Standards and Specifications.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-366
Re: Mt. Hope Avenue Improvements –
Phase 2

Transmitted herewith for your approval is legislation related to the Mount Hope Avenue Phase 2 Improvements Project. This legislation will:

1. Authorize changes in pavement width required as listed below; and
2. Authorize acquisition and transfer of property takings from the State of New York to the City of Rochester.

This is a Federal Aid Project that is administered by the City under agreement with the NYSDOT. This project includes street reconstruction of Mt. Hope Avenue from Rossiter Road to Westfall

Road/Westmoreland Drive. Side streets will be slightly realigned at their intersections with Mt. Hope Avenue. Improvements will also include new sidewalk, curb ramps, driveway aprons, receiving basins, water main, water services, hydrants, lighting, signals, signing, pavement markings, parking bump outs,

tree plantings, and other various streetscape improvements. Utility poles will be relocated to accommodate the pavement widening. The project is being designed by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, P.E., President and CEO, Principal - Rochester, NY) (Ordinance No. 2015-243, Ordinance No. 2016-2043 and Ordinance No. 2016-268).

Changes in pavement width are summarized as follows:

- A. On Mt. Hope Avenue:
 - a) An increase in pavement width of 2 feet, from 40 feet to 42 feet, from Rossiter Road to Irvington Road; and
 - b) A tapered variable increase in pavement width of 2 to 12 feet, from 40 feet to 42 - 52 feet, beginning at Irvington Road and continuing 102 feet southward; and
 - c) An increase in pavement width of 12 feet, from 40 feet to 52 feet, beginning 102 feet south of Irvington Road to Brighton Park; and
 - d) A tapered variable increase in pavement width of 2 to 12 feet, from 40 feet to 42 - 52 feet, beginning at Brighton Park and continuing approximately 65 feet southward; and
 - e) An increase in pavement width of 2 feet, from 50 feet to 52 feet, beginning approximately 65 feet south of Brighton Park to Westfall Road/Westmoreland Drive.

- B. On Westfall Road:
 - a) An increase in pavement width of 7 feet, from 44 feet to 51 feet, beginning at Mt. Hope Avenue and continuing approximately 125 feet eastward; and
 - b) A tapered variable increase in pavement width of 7 to 4 feet, from 44 feet to 51 - 48 feet, beginning approximately 125 feet east of Mt. Hope Avenue and continuing approximately 61 feet eastward; and
 - c) An increase in pavement width of 4 feet, from 44 feet to 48 feet, beginning approximately 186 feet east of Mt. Hope Avenue and continuing approximately 139 feet eastward; and
 - d) A tapered variable increase in pavement width of 4 to 0 feet, from 44 feet to 48 - 44 feet, beginning approximately 325 feet east of Mt. Hope Avenue and continuing approximately 79 feet eastward.

- C. On Westmoreland Drive, a tapered variable increase in pavement width of 0 to 20 feet, from between 26 feet to 35 feet wide to between 26 feet to 45 feet wide, beginning at Mt. Hope Avenue and continuing approximately 120 feet westward.

- D. On Irvington Road, an increase in pavement width of 8 feet, from 26 feet to 34 feet, beginning at a point approximately 5 feet west of Mt. Hope Avenue and continuing approximately 65 feet westward.

The properties that the New York State Department of Transportation is acquiring and transferring to the City of Rochester is summarized as follows:

- A. New York State Department of Transportation is performing property takings through an agreement the City of Rochester has with the State (Ordinance No. 2017-185 and Ordinance No. 2019-133). The property takings for dedication are needed primarily for the pavement widening and replacing the 8 foot wide sidewalk with a 5 foot curb park and a 5 foot sidewalk. The takings are also needed on Westfall Road and Westmoreland Drive for the addition of turning lanes at the intersection approach with Mt. Hope Avenue. Property acquisition information for the permanent and temporary easements the State is obtaining for this project was not previously provided when the agreement with the State was authorized. The property acquisition information can be found in the attached table.

December 17, 2019

- B. New York State must hold onto the permanent easement for three (3) years, after which they can begin a process which involves the NYS Attorney General's Office drafting a deed to transfer the easements from the State of New York to the City of Rochester.

A public workshop was held on September 14, 2017 and a public meeting was held on March 18, 2019. Copies of the public meeting minutes are attached. The pavement width changes were presented for endorsement at the September 5, 2019 Traffic Control Board meeting. A public hearing on the pavement width changes is required.

It is anticipated the design and property acquisitions will be completed in December 2019/January 2020 and construction will begin in spring 2020, with substantial completion by fall 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-213

Ordinance No. 2019-366
(Int. No. 402)

Authorizing pavement width changes and the acquisition of property takings for the Mt. Hope Avenue Phase 2 Improvements Project

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

Section 1. Council hereby approves the following pavement width changes for the Mt. Hope Avenue Phase 2 Improvements Project (the Project):

- A. On Mt. Hope Avenue:
 - 1. An increase in pavement width of 2 feet, from 40 feet to 42 feet, from Rossiter Road to Irvington Road;
 - 2. A tapered variable increase in pavement width of 2 to 12 feet, from 40 feet to 42 - 52 feet, beginning at Irvington Road and continuing 102 feet southward; and
 - 3. An increase in pavement width of 12 feet, from 40 feet to 52 feet, beginning 102 feet south of Irvington Road to Brighton Park; and
 - 4. A tapered variable increase in pavement width of 2 to 12 feet, from 40 feet to 42 - 52 feet, beginning at Brighton Park and continuing approximately 65 feet southward; and
 - 5. An increase in pavement width of 2 feet, from 50 feet to 52 feet, beginning approximately 65 feet south of Brighton Park to Westfall Road/Westmoreland Drive.
- B. On Westfall Road:
 - 1. An increase in pavement width of 7 feet, from 44 feet to 51 feet, beginning at Mt. Hope Avenue and continuing approximately 125 feet eastward; and
 - 2. A tapered variable increase in pavement width of 7 to 4 feet, from 44 feet to 51 - 48 feet, beginning approximately 125 feet east of Mt. Hope Avenue and continuing approximately 61 feet eastward; and
 - 3. An increase in pavement width of 4 feet, from 44 feet to 48 feet, beginning approximately 186 feet east of Mt. Hope Avenue and continuing approximately 139 feet eastward; and

December 17, 2019

4. A tapered variable increase in pavement width of 4 to 0 feet, from 44 feet to 48 - 44 feet, beginning approximately 325 feet east of Mt. Hope Avenue and continuing approximately 79 feet eastward.
- C. On Westmoreland Drive, a tapered variable increase in pavement width of 0 to 20 feet, from between 26 feet to 35 feet wide to between 26 feet to 45 feet wide, beginning at Mt. Hope Avenue and continuing approximately 120 feet westward.
- D. On Irvington Road, an increase in pavement width of 8 feet, from 26 feet to 34 feet, beginning at a point approximately 5 feet west of Mt. Hope Avenue and continuing approximately 65 feet westward.

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

Section 3. The Council hereby authorizes the City to accept and take title to all permanent property interests that the State of New York has acquired for the Project in accordance with Ordinance Nos. 2017-185 and 2019-133 and authorizes the Mayor to execute such deeds, agreements or other instruments as may be necessary to effectuate the acquisitions authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-367
Re: Unnamed Alley Official Map
Amendment

Transmitted herewith for your approval is legislation related to the abandonment of the unnamed alley located off of Wiley Street between Canal Street and Litchfield Street. This legislation will allow the applicant to utilize the parcel as part of their project to provide pedestrian and vehicular access for the proposed Canal Street Apartments located at 67 and 89 Canal Street. Since the City has no record of the fee title to this alley, upon abandonment the parcel would revert to the adjoining property owners.

The City Planning Commission, at its October 7, 2019 meeting recommended approval of this abandonment by a vote of 7-0-0. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-214

Ordinance No. 2019-367
(Int. No. 403)

December 17, 2019

Amending the Official Map by abandoning an unnamed alley located off of Wiley Street between Canal Street and Litchfield Street

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to provide pedestrian and vehicular access for the proposed Canal Street Apartments.

**Legal Description of the Unnamed Alley
to be Abandoned**

All that tract or parcel of land containing 660 square feet, more or less, situate in Town Lot 50 in the City of Rochester, County of Monroe, State of New York and being more particularly bounded and described as follows:

Commencing at the point of intersection of the easterly right-of-way line of Litchfield Street (33' wide R.O.W.) and the southerly right-of-way line of Wiley Street (36' wide); thence

A. Easterly, along the said southerly right-of-way line of Wiley Street, a distance of 120 feet to a point at its intersection with the west line of an unnamed alley (10' wide R.O.W.), said point being the Point of Beginning; thence

1. Southerly, along the west line of said unnamed alley, a distance of 66 feet to the southerly end of said unnamed alley; thence
2. Easterly along the southerly end of said unnamed alley, a distance of 10 feet to the east line of said un-named alley; thence
3. Northerly, along the east line of said un-named alley, a distance of 66 feet to its intersection with the aforementioned southerly right-of-way line of Wiley Street; thence
4. Westerly, along the north end of said unnamed alley and the aforementioned southerly right-of-way line of Wiley Street extended, a distance of 10 feet to the Point of Beginning.

Hereby intending to describe a parcel of land to be abandoned in the City of Rochester, New York.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-368
Re: Agreement – Genesee RiverWatch for
the Petten Street Boat Launch

Transmitted herewith for your approval is legislation related to the Petten Street Boat Launch project. This legislation will:

December 17, 2019

1. Authorize the receipt and use of a one-time donation of \$17,700 from Genesee RiverWatch to aid the City in financing the project; and,
2. Authorize a budget amendment to amend the 2019-20 Budget of the Department of Environmental Services to reflect the \$17,700 authorized herein.

The Petten Street Boat Launch project involves the creation of a hand-carried boat launch at 110 Petten Street adjacent to the Genesee Riverway Trail and the River Street Marina. It is anticipated that the Genesee RiverWatch donation will aid in financing construction costs for the boat launch.

Genesee RiverWatch (700 West Metro Park, Rochester, NY 14623) was launched in 2014 as a project of the Center for Environmental Initiatives (CEI). Genesee RiverWatch works to champion solutions that improve the water quality of the Genesee and collaborate on initiatives that connect people to the river. The organization accomplishes its work through a Board of Directors, a small part-time staff, and dedicated volunteers. George Thomas is the Executive Director and C. Michael Haugh is the President of the Board of Directors.

City staff worked in partnership with representatives from Genesee RiverWatch to select an appropriate waterfront site. LaBella Associates, D.P.C. has developed a preliminary design for an ADA-accessible launch for hand-carried boats such as canoes and kayaks. The launch will make use of the existing parking lot and sidewalks and will be adjacent to existing boat docks at the River Street Marina.

The development of the Petten Street Boat Launch complements the City's current ROC the Riverway efforts that are focused on areas closer to downtown.

Construction is anticipated to be completed in spring 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-215

Ordinance No. 2019-368
(Int. No. 404)

Accepting a donation for the Petten Street Boat Launch project

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

Section 1. The Council hereby authorizes the receipt and use of a donation in the amount of \$17,700 from the Center for Environmental Initiatives, Inc. to help fund the Petten Street Boat Launch project.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Environmental Services by the sum of \$17,700 to reflect the receipt of the funds authorized in Section 1 herein.

Section 3. This ordinance shall take effect immediately.

December 17, 2019

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-369
Re: Pedestrian Safety Action Plan – Phase
III Project

Transmitted herewith for your approval is legislation related to the Pedestrian Safety Action Plan – Phase III project. This legislation will:

1. Authorize an agreement with the New York State Department of Transportation (NYSDOT) to participate in and administer the project; and,
2. Appropriate \$486,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance the engineering and design of the project.

This project entails installation of pedestrian safety treatments at hundreds of signalized intersections and midblock crosswalks throughout the city. Treatments include, but are not limited to, upgraded pavement markings, improved signage, traffic signal modifications, curb extensions, raised crosswalks, and pedestrian-activated rectangular rapid flashing beacons.

The design consultant selection process is currently underway. Design services will begin in late winter 2020. Construction is anticipated to begin in 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-369
(Int. No. 405)

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the Pedestrian Safety Action Plan Phase III transportation federal-aid project, and appropriating funds therefor

WHEREAS, a Project for the Pedestrian Safety Action Plan Phase III (City of Rochester), P.I.N. 40PS.04 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the Project costs to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the preliminary engineering and detailed design phases.

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

1. The Council hereby approves the above described Project.

December 17, 2019

2. The Council hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the costs of the preliminary engineering and detailed design work for the Project or portions thereof.

3. The sum of \$486,000 in anticipated reimbursements from the Federal Highway Administration is hereby appropriated and made available to cover the cost of participation in the above described Project.

4. In the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, this Council shall convene as soon as possible to vote on an appropriation of said excess amount immediately upon notification by the City Engineer.

5. The Mayor is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the City's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible.

6. A certified copy of this ordinance shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-370

Ordinance No. 2019-371

Re: Rundel Library Structural Terrace
Improvements Phase IV Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Rundel Library Structural Terrace Improvements Phase IV project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,070,000 and the appropriation of the proceeds thereof to partially finance the costs of the Rundel Library Structural Terrace Improvements Phase IV project.
2. Authorize the receipt and use of of \$1,500,000 from anticipated reimbursements from ROC the Riverway (RTR) / Upstate Revitalization Initiative (URI) funding administered by the New York State Urban Development Corporation, doing business as Empire State Development (ESD).

The estimated total cost of the project including construction, engineering and design services, resident project representation services, and a public art installation as part of the project is \$8,277,000 and will be funded as follows:

Funding Source:	Design and RPR	Construction & Site Preparation	Total:
Bonds - Ordinance No. 2016-344	1,300,000	2,157,000	\$ 3,457,000
DASNY grants - Ordinance No. 2018-53		2,000,000	\$ 2,000,000
Bonds - Ordinance No. 2018-313		250,000	\$ 250,000
RTR / URI /ESD funding - authorized herein		1,500,000	\$ 1,500,000
Bonds - authorized herein		1,070,000	\$ 1,070,000
Total:	1,300,000	6,977,000	\$ 8,277,000

The project will reconstruct the closed Rundel north terrace and provide needed structural repairs to the substructure supporting the terrace over the former subway tunnel. The project will create a more vibrant north terrace that celebrates the library and the history of the Erie Canal and aqueduct. The renovated terrace will improve visibility and public access to the riverfront and provide enhanced outdoor public space for gathering and library programming. Amenities will include an ADA accessible river theater and tiered seating overlooking the Genesee River, new guardrails, pavements bands (interpretive of the canal and subway rails below) landscaping features, street and terrace lighting, and a public art installation at the intersection of Broad St. and South Ave.

Ordinances No. 2016-343 and 2018-300 authorized and agreement with LaBella Associates, D.P.C. for engineering, planning and landscape architectural services in a maximum amount of \$1,300,000. Ordinance No. 2019-9 authorized an agreement with Rochester District Hearing Cooperative, Inc. for the relocation of existing steam pipe in preparation for the project in a maximum amount of \$35,000.

\$1,500,000 of the funding appropriated herein was awarded by the Honorable Governor Andrew Cuomo through the ROC the Riverway initiative.

Bids for construction were received in fall 2019. It is anticipated that construction will begin in spring 2020 with scheduled completion in fall 2021. The project will result in the creation and/or retention of the equivalent of 90.0 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2019-370
 (Int. No. 406)

Appropriating funds for the Rundel Library Structural Terrace Improvements Phase IV Project

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

Section 1. The sum of \$1,500,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative administered by the New York State Urban Development Corporation, doing business as Empire State Development, is hereby appropriated to fund a portion of the Rundel Library Structural Terrace Improvements Phase IV Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2019-371
(Int. No. 407)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,070,000 Bonds of said City to finance the costs of the Rundel Library Structural Terrace Improvements Phase IV Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the Rundel Library Terrace Improvements Phase IV project that will perform priority repairs and improvements to extend the structures' serviceable life (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,277,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,070,000 in bonds of the City to finance a portion of said appropriation, the issuance of \$3,457,000 in bonds authorized in Ordinance No. 2016-344, \$2,000,000 in anticipated reimbursements from the Dormitory Authority of the State of New York authorized in Ordinance No. 2018-53, the issuance of \$250,000 in bonds authorized in Ordinance No. 2018-313, \$1,500,000 in ROC the Riverway/Upstate Revitalization Initiative grant funds appropriated by Ordinance No. 2019-370 and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,070,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,070,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, pay-able as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining

debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-372
Ordinance No. 2019-373
Re: West River Wall Project – 300
Exchange Boulevard

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the acquisition by donation, negotiation or condemnation of a portion of 300 Exchange Boulevard to provide for construction activities for the West River Wall Project - Segment 1 (Corn Hill).

The property is currently owned by Corn Hill Landing, LLC, (Anthony DiMarzo – 301 Exchange Boulevard Suite 201 Rochester, NY 14608). The City has requested a permanent easement to allow for modification of this portion of the property and to allow for improvements to occur at the wall segment located immediately adjacent on the New York State Canal Corporation's (NYSCC) property.

A temporary easement on this property is valued at \$26,000 as established by an independent appraisal performed by Midland Appraisal Associates, Inc. The permanent easement has been negotiated for an additional \$40,000, for a total acquisition cost of \$66,000. The acquisition costs will be funded with \$26,000 of bonds authorized in Ordinance No. 2017-333 and \$40,000 of 2014-15 Cash Capital.

The project site is located along the west bank of the Genesee River occupying a 4+/- acre site that extends approximately 2,200 LF in the north-south direction from Ford Street to the Corn Hill Landing Development and approximately 80 LF in the east-west direction from the Genesee River to Exchange St. The existing river wall, constructed in 1918 as part of the Barge Canal System, has functioned to protect

December 17, 2019

the surrounding area from flooding. The current wall is in poor condition and displays significant deterioration.

The overall project budget for design and construction is \$6,450,000. The project is partially funded by two separate grants with the New York State Conservation Council, Inc. (NYSCC) and New York State Department of State (NYSDOS).

Project objectives include improving flood protection, enhancement of the public recreational area and trail, and improving connections to the riverfront area and to the Genesee Riverway Trail from the adjacent Corn Hill neighborhood.

Details of the project were presented to Council in transmittal letters accompanying Ordinance No. 2015-179 and Ordinance No. 2017-332.

The project is currently in design with construction anticipated to begin spring 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-216

Ordinance No. 2019-372
(Int. No. 408)

Determinations and findings relating to the acquisition of a permanent easement in furtherance of the West River Wall Project

WHEREAS, the west wall of the Genesee River between Corn Hill Landing and the Ford Street Bridge (“West River Wall Segment 1” or “Wall”) is a flood control wall constructed in or about 1918 that is crumbling, obscures the river view, and is overgrown with vegetation;

WHEREAS, the City has authorized and appropriated funds in the amount of \$6,450,000, including very substantial grants provided by the State of New York, for the design and construction of a new wall that will improve flood protection, enhance the riverside public recreational area and trail, and improve connections between the Corn Hill neighborhood to the riverfront area and Genesee Riverway Trail (the “Project”);

WHEREAS, an approximately 295-foot long segment of the Wall is set on State-owned riverside land that adjoins the Corn Hill Landing property at 300 Exchange Boulevard (the “Landing”);

WHEREAS, in order to implement the Project plan, the City needs to obtain a permanent easement over the southern portion of Landing, which comprises an approximately 0.436 acre portion (the “Easement Parcel”) of the approximately 6.18-acre Landing, in order to make modifications to the said parcel and to construct a new Wall and associated improvements on the adjoining State-owned;

WHEREAS, the City of Rochester proposes to acquire a permanent easement over the Easement Area in order to complete a Project that will provide flood protection and recreational and aesthetic improvements that will benefit the Landing and the Corn Hill neighborhood most directly, and also provide recreational and scenic benefits for the rest of the Rochester community and for those who visit from elsewhere; and

December 17, 2019

WHEREAS, the Council of the City of Rochester held a public hearing on December 12, 2019 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the Project and _0_ speakers testified at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the Project:

- A. Project description – acquire a permanent easement over approximately 0.436 acre of the Corn Hill Landing property, 300 Exchange Boulevard, described as follows in order to construct improvements and obtain the access necessary to reconstruct the West River Wall Segment 1:

All that tract or parcel of land, situate in City of Rochester, County of Monroe and State of New York, all as shown on maps entitled “Corn Hill Landing – Resubdivision of Lot 2” prepared by Sear-Brown having drawing numbers 1571801 SU13 and SU14, being filed in the Monroe County Clerk’s Office in Liber 316 of Maps, Page 48 & 49, and being more particularly bounded and described as follows:

Beginning at the southwest corner of Lot R-2A, said point being marked by an iron pin on the easterly right-of-way line of Exchange Boulevard (width varies); thence

1. N 21°29’20” E, along the easterly right-of-way line of Exchange Boulevard, a distance of 316.52 feet to a point; thence
2. S 68°30’40” E, thru Lot R-2A, a distance of 72.03 feet to a point on the westerly boundary line of the Land Now and Formerly of the State of New York; thence
3. Southerly, along a non-tangent curve to the left, having a radius of 5741.65 feet, through a central angle of 02°56’29”, a distance of 294.75 feet to a point, said non-tangent curve having a chord length of 294.72 feet along a bearing of S 24°42’31” W, said point also being on the southerly right-of-way line of former Edinburgh Street (49.5’ Wide); thence
4. S 89°37’25” W, along said southerly right-of-way line, a distance of 59.78 feet to the point of beginning.

Hereby intending to describe a parcel of land to be conveyed containing 19,007 sq.ft. (0.436 Acre) of land, more or less.

- B. Project purpose – To replace a riverside flood control wall that is structurally deficient, obscures the river view, and is overgrown with vegetation with a new wall that provides reliable flood protection and recreational and aesthetic improvements that will benefit the Landing, the Corn Hill neighborhood and the rest of the Rochester community
- C. Relocation benefits and compensation – No need is anticipated because the Easement Parcel is comprised of a public recreational area traversed by the Genesee Riverway Trail and accessed by a driveway and small parking area for recreational patrons. The Easement Parcel will be restored to and improve upon its present recreational uses once the Project construction is completed.
- D. Project effect – The use of the easement and the overall Project will have no significant adverse environmental effects on the environment. The Project has been reviewed under the

December 17, 2019

State Environmental Quality Review Act (“SEQR”) and Chapter 48 of the Municipal Code, a SEQR Environmental Assessment Form has been completed, and the Project has been determined to have no potential significant adverse environmental impacts, pursuant to a Negative Declaration issued by the City of Rochester on December 2, 2019.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2019-373
(Int. No. 409, as amended)

Authorizing the acquisition by negotiation or ~~condemnation~~ donation of a permanent easement in furtherance of the West River Wall Project

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

Section 1. The Council hereby approves the acquisition of a permanent easement over a parcel (the “Easement Parcel”) comprised of the following described portion of 300 Exchange Boulevard (S.B.L # 121.39-1-8.004) by donation or for the maximum acquisition amount \$66,000:

All that tract or parcel of land, situate in City of Rochester, County of Monroe and State of New York, all as shown on maps entitled “Corn Hill Landing – Resubdivision of Lot 2” prepared by Sear-Brown having drawing numbers 1571801 SU13 and SU14, being filed in the Monroe County Clerk’s Office in Liber 316 of Maps, Page 48 & 49, and being more particularly bounded and described as follows:

Beginning at the southwest corner of Lot R-2A, said point being marked by an iron pin on the easterly right-of-way line of Exchange Boulevard (width varies); thence

1. N 21°29’20” E, along the easterly right-of-way line of Exchange Boulevard, a distance of 316.52 feet to a point; thence
2. S 68°30’40” E, thru Lot R-2A, a distance of 72.03 feet to a point on the westerly boundary line of the Land Now and Formerly of the State of New York; thence
3. Southerly, along a non-tangent curve to the left, having a radius of 5741.65 feet, through a central angle of 02°56’29”, a distance of 294.75 feet to a point, said non-tangent curve having a chord length of 294.72 feet along a bearing of S 24°42’31” W, said point also being on the southerly right-of-way line of former Edinburgh Street (49.5’ Wide); thence
4. S 89°37’25” W, along said southerly right-of-way line, a distance of 59.78 feet to the point of beginning.

Hereby intending to describe a parcel of land to be conveyed containing 19,007 sq.ft. (0.436 Acre) of land, more or less.

The acquisition amount set forth herein shall be funded in the amount of \$26,000 from the proceeds of bonds authorized in Ordinance No. 2017-333 and \$40,000 from 2014-15 Cash Capital.

~~Section 2. In the event that said permanent easement cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire the~~

December 17, 2019

~~Easement Parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of the Easement Parcel pursuant to the Eminent Domain Procedure Law.~~

Section ~~3~~2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No.2019-374
Re: Agreement – Collision Repair Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with (2) vendors (listed below) for the provision of collision repair services on City vehicles.

In the past, the City of Rochester has sublet collision repair services in addition to completing repair work on-site by City employees. Currently, 81% of collision repairs are completed at the Central Vehicle Maintenance Facility and the remainder of the repair are sent to licensed repair shops.

The most recent agreement was approved by City Council on October 14, 2014 (Ordinance No. 2014-321). The term of this agreement will be for one (1) year, with the option of up to four (4) additional one-year renewals.

The agreements will provide for collision repair services in accordance with estimates of repair as prepared by Environmental Services personnel according to a fee schedule established by the 2018 Motor Collision Estimating Guide. The maximum compensation for these agreements will not exceed the funds available for this purpose in the 2019-20 Department of Environmental Services operating budget. Subsequent year costs will be funded from the annual operating budget of DES contingent upon Council approval.

The below vendors were selected through a Request for Proposal process described in the attached summary.

<u>Vendor</u>	<u>Address</u>
Alliance Collision, Inc. (Daniel Tantalo)	532 North St. Rochester, NY 14605
Sofia Automotive Center, Inc. (Christopher Hefke)	20 Palmer St. Rochester, NY 14609

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-217

Ordinance No. 2019-374
(Int. No. 410)

Authorizing agreements for motor vehicle collision repair services

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

Section 1. The Mayor is hereby authorized to enter into professional service agreements with the following companies to provide collision repair services for City vehicles for a term of one year, with options for up to four one-year renewals:

Alliance Collision, Inc., 532 North Street, Rochester, NY 14605
Sofia Automotive Center, Inc., 20 Palmer Street, Rochester, NY 14609

Section 2. The fee charged for each repair shall be in accordance with a cost estimate prepared by Environmental Services personnel according to a fee schedule established by the 2018 Motor Collision Estimating Guide. The maximum compensation for these agreements for the first year shall be funded by, and shall not exceed the funds available for this purpose in, the 2019-20 Budget of Department of Environmental Services. The fees for each optional subsequent year, if any, shall be funded by future Budgets of DES, contingent upon their approval of sufficient funds.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-375
Re: Grant Acceptance and Professional
Services Agreement - USEPA
Environmental Workforce Development
& Job Training Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to an Environmental Workforce Development and Job Training Program (EWDJT) 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 \$200,000 in anticipated USEPA grant funds for the purpose of financing an Environmental Workforce Development & Job Training program; and
3. Establish \$85,400 as maximum compensation for an agreement with Yehl Environmental Incorporated dba Cornerstone Training Institute (Darren Yehl, President – 460 State Street (Rear), Rochester, NY 14608) to provide occupational health and safety training services as part of the City's Rochester Environmental (REJob 2.0) training program.

December 17, 2019

The EWDJT grant funding will allow the City to continue its successful Rochester Environmental Job (REJob) Training Program with “REJob 2.0” which will include key employment-oriented enhancements over the initial program. Many of Rochester’s disadvantaged residents live in our proposed target area which has a legacy of environmental impairments, including more than 408 confirmed brownfields that inhibit investment and economic opportunities. We will focus on those areas of the City by helping the residents gain employment associated with brownfield cleanup and redevelopment. In REJob 2.0 we will once again target dislocated workers, underemployed and unemployed individuals including low income and minority residents, veterans, and those with little or no advanced education.

The objectives of the REJob Program are to recruit and train a minimum of 60 unemployed or underemployed City residents in core occupational and environmental areas that provide certifications toward work in the asbestos abatement, hazardous waste remediation, and environmental cleanup fields. Cornerstone Training, LLC will provide core training to all students as well as additional training for certifications for high achieving students after the core training is completed.

The cost of the training agreement will be financed from \$85,400 in USEPA Environmental Workforce Development & Job Training grant funds appropriated above. The training has been designed based on substantial input of environmental employers and the Workforce Advisory Council.

The City issued a request for proposal (RFP) for training services on November 5, 2019 and received three (3) proposals. Cornerstone Training, LLC was selected based on the experience and expertise of the proposed project team, its ability to meet the City’s schedule, and the quality and cost of its proposal.

The balance of the grant will be used for city staff time, travel, and other supply costs required to manage the program.

The proposed agreement will have an initial term of three years with a provision for a one-year extension based on mutual written agreement. It is anticipated that the project will begin in the winter of 2020 and will train 60 participants in the first two years of the program. The third year of the grant will be dedicated to participant tracking and follow-up employment placement services as needed.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-218

Ordinance No. 2019-375
(Int. No. 411)

Authorizing agreements and funding for an Environmental Workforce Development and 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 an agreement with the United States Environmental Protection Agency (USEPA) for the receipt and use of \$200,000 in grant funds for the purpose of financing an Environmental Workforce Development and Job Training Program.

December 17, 2019

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Yehl Environmental Incorporated to provide occupational health and safety training services as part of the Rochester Environmental Job (REJob 2.0) Training Program. The maximum compensation for the agreement shall be \$85,400 which shall be funded from USEPA funds authorized in Section 1 herein. The term of the agreement shall be three years with the option to extend for one additional year upon mutual agreement.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-376

Re: Agreements – Resiliency and Economic
Development Initiative (REDI)

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

Transmitted herewith for your approval is legislation related to the New York State Resiliency and Economic Development Initiative (REDI). This legislation will:

1. Authorize the City's application for funding through the REDI process: and,
2. Authorize any necessary agreements with the State as necessary, to participate in and administer the projects.

Governor Andrew M. Cuomo launched the Resiliency and Economic Development Initiative (REDI) this past May in order to meet the needs of New Yorkers living in the eight counties impacted by Lake Ontario and St. Lawrence River flooding. In June, Governor Cuomo committed up to \$300 million to improve coastal communities. With deliberate urgency, five Regional Planning Committees were tasked with identifying projects to secure critical assets and to sustain economic vitality along the shoreline.

The City of Rochester is requesting a total of \$5,385,000 in REDI grant funding for Genesee River shoreline stabilization, river wall extension and marina and infrastructure upgrades. These grant funds will require a City funded 5% match. If all funding requests are awarded the City 5% match would total \$269,250.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-376
(Int. No. 418, as amended)

December 17, 2019

Authorizing an application and agreement for the Resiliency and Economic Development Initiative

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

Section 1. The Mayor is hereby authorized to submit an application to, and enter into an agreement with, New York State for the receipt and use of ~~-\$3,289,000~~ \$5,385,000 through the Resiliency and Economic Development Initiative (REDI) for projects that will secure critical assets and sustain economic vitality along the shorelines impacted by Lake Ontario flooding.

Section 2. City match funding shall be provided through Budget funds allocated for REDI project purposes.

Section 3. The application and agreement shall contain such 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.

By Vice-President Lightfoot
December 17, 2019

To the Council:

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

- | | |
|--------------|---|
| Int. No. 412 | Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program |
| Int. No. 413 | Authorizing an agreement for a Recreation Programs and Facility Access software solution |
| Int. No. 414 | Appropriating Complex Coordinated Terrorist Attack Grant funds |
| Int. No. 415 | Authorizing an Intermunicipal agreement with the County of Monroe for funding of firearms instruction |
| Int. No. 416 | Appropriating federal forfeiture funds to purchase a Canine Unit dog |
| Int. No. 417 | Authorizing an agreement for expert services in support of the Community Policing Development Micro-grant program |

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
LaShay D. Harris
Jacklyn Ortiz
Loretta C. Scott
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

December 17, 2019

Received filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-377
Re: Agreements – New York State
Department of Health, Comprehensive
Adolescent Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant program to address teen pregnancy. This legislation will:

1. Authorize an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$598,407 for the January 1 through December 31, 2020 program period.
2. Establish \$243,168 as total maximum compensation for the following agreements, funded from the grant authorized herein, for a term of one year:

Baden Street Settlement, Inc.	\$83,242
Highland Hospital of Rochester / Family Planning	\$49,523
Rochester Society for the Prevention of Cruelty to Children, Inc.	\$60,044
YWCA of Rochester and Monroe County, N.Y.	\$50,359
TOTAL	\$243,168

The \$139,020 of grant funds apportioned to personnel costs and benefits for four full-time employees for January 1, 2020 through June 30, 2020, was anticipated and included in the 2019-20 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses. The remaining \$144,070 apportioned to personnel costs and benefits for those grant-funded employees for July 1, 2020 through December 31, 2020, will be anticipated and included in the 2020-2021 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses, contingent upon approval. The remaining \$72,149 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, and office supplies, as well as indirect expenses.

The NYSDOH CAPP Grant program is for a five-year term, from January 1, 2017 through December 31, 2021. This will be year four of the five year grant. The grant was last authorized by City Council Ordinance No. 2018-412. The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to:

- Provide evidence-based curricula in the Rochester City School District
- Reduce adolescent pregnancy rates in the city of Rochester
- Improve high school graduation rates in the city of Rochester

The program will be locally promoted as RISE and will serve a total of 810 unduplicated youth and 200 parents each year. Rochester teen birth rates have steadily declined since 2008 (from 80 births per 1000 to 29 births per 1000 girls ages 14-19). Please see the attachment for additional information on Rochester youth health trends over time.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-219

Ordinance No. 2019-377
(Int. No. 412)

Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$598,407 in funding for the Comprehensive Adolescent Pregnancy Prevention Program (Program) for the January 1, 2020 to December 31, 2020 program period.

Section 2. The Mayor is hereby authorized to enter into professional service agreements to provide Program services with the following organizations up to the maximum amount specified therein for a term of one year:

Baden Street Settlement of Rochester, Inc.	\$83,242
Highland Hospital of Rochester	49,523
Rochester Society for the Prevention of Cruelty to Children, Inc.	60,044
YWCA of Rochester and Monroe County, N.Y.	50,359
TOTAL	\$243,168

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into amendatory agreements with one or more of the other above providers to use the unexpended funds to provide additional Program services.

Section 3. The provider agreements shall obligate the City to pay an aggregate amount not to exceed \$243,168, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from NYSDOH under the grant agreement authorized in Section 1 herein.

Section 4. Funds from that grant agreement in the amount of \$72,149 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 5. The grant agreement and provider agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

December 17, 2019

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-378
Re: Agreement – PerfectMind Inc.,
Recreation Programs and Facility
Access Software Solution

Transmitted herewith for your approval is legislation authorizing maximum annual compensation of \$150,000 for an agreement with PerfectMind Inc. (Farid Dordar, Principal; Burnaby, British Columbia, Canada) for a new Recreation Programs and Facility Access software solution. PerfectMind Inc. will provide hosting for the application and services to include project management, data migration, system integration and implementation services. The term of this agreement will be for one year with the option to renew for one additional one-year renewal period. The cost of this agreement will be funded from the 2019-20 Cash Capital allocation of the Department of Information Technology (\$100,000) and the 2019-20 Budget of the Department of Recreation and Youth Services (\$50,000).

Currently, the Department of Recreation and Youth Services (DRYS) has an internally developed R-Center registration and attendance tracking system that doesn't offer a public interface or functionality. This new software solution will provide DRYS a public interface and customer service experience similar to other modern Recreation and youth-serving agencies. Through the agreement, PerfectMind Inc. will implement a new easily accessible, integrated comprehensive software solution that will allow the public to:

- Create individual and family accounts and register as a R-Center member online
- Search a comprehensive catalog of DRYS programs, camps, and activities, and register online
- View athletic league standings, schedules, and other team information (if registered participant)
- Search and view select Recreation facilities available for permit
- Make online payments for programs and facility permits

The software solution will also enhance DRYS ability to promote programs and activities to the public, manage programmatic offerings, communicate to users via email, text, or account notifications, track facility attendance, and collect and analyze other data which will be utilized for continuous quality improvements.

PerfectMind Inc. was selected through a request for proposal process, described in the attached summary. DRYS will conduct a promotional campaign informing the public about this new capability in preparation for a summer roll-out.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-220

Ordinance No. 2019-378
(Int. No. 413)

December 17, 2019

Authorizing an agreement for a Recreation Programs and Facility Access software solution

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 PerfectMind Inc. to provide hosting and implementation services for a new Recreation Programs and Facility Access software solution for the Department of Recreation and Youth Services (DRYS). The term of the agreement shall be one year with the option to renew for one additional year. The maximum compensation for the agreement shall be \$150,000, which shall be funded in the amount of \$100,000 from 2019-20 Cash Capital and \$50,000 from the 2019-20 Budget of DRYS.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-379
Re: Budget Amendment – 2019-20 Budget
of the Police Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2019-20 Budget of the Police Department by \$3,800 and Undistributed by \$1,200 to reflect the balance of carryover funds from the FY2016 Complex Coordinated Terrorist Attack (CCTA) grant provided by Monroe County. These funds were not fully expended in FY2018-19 and will be used for their original intended purpose.

Approved by Ordinance No. 2019-102, Monroe County will reimburse costs of up to \$20,000 in overtime, fringe benefits, and travel expenses for Police Officers for the purpose of planning and applicable training that is focused on building or enhancing capabilities to improve the ability to prepare for, prevent, and respond to complex coordinated terrorist attacks.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-379
(Int. No. 414)

Appropriating Complex Coordinated Terrorist Attack Grant funds

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$3,800, and by increasing the revenue estimates and appropriations of

December 17, 2019

the Budget of Undistributed Expenses by the sum of \$1,200. Said amounts are hereby appropriated from unspent grant funds appropriated by the fiscal year 2016 Complex Coordinated Terrorist Attack Grant authorized in Ordinance No. 2019-102. Said funds shall be used for their original purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-380
Re: Inter-Municipal Agreement - Monroe
County, Firearms Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675. The term of the agreement is January 1, 2020 through December 31, 2020.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2019-20 Budget of the Police Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-380
(Int. No. 415)

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

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe in the amount of \$55,675 to reimburse the City for providing firearms instruction to Monroe County police agencies for the 2020 Firearms Instruction Program. The term of the agreement shall be January 1, 2020 through December 31, 2020.

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.

December 17, 2019

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-381
Re: Federal Forfeiture Funds – Purchase of
K-9 Dog

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$8,500 from federal forfeiture funds generated by the Police Department and amending the 2019-20 Budget of the Police Department by this amount.

The Police Department needs to purchase a dog for its Canine Unit to replace one that has retired. These requested federal forfeiture funds will be used to purchase this replacement dog.

The appropriations requested this month will result in a balance of approximately \$838,100 in the federal forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-381
(Int. No. 416)

Appropriating federal forfeiture funds to purchase a Canine Unit dog

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

Section 1. Ordinance No. 2019-161, the 2019-20 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 \$8,500 from funds to be received from the Federal Government from seized and forfeited assets. Said funds are hereby appropriated to purchase a dog for the Police Department's Canine Unit.

Section 2. This resolution shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-382
Re: Agreement – Dr. Ernest Fokoué

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$27,000 as maximum compensation for an agreement with Dr. Ernest Fokoué relating to a U.S. Department of Justice, Office of Community

December 17, 2019

Oriented Policing Services (COPS) Community Policing Development Micro-grant. The term of this agreement is December 1, 2019 through August 31, 2020.

Dr. Ernest Fokoué is an Associate Professor of Mathematical Sciences with an extensive background in Statistical Machine Learning, Computational Statistics, and Statistical Data Mining. Dr. Fokoué is widely considered an authority in the field of statistical machine learning and data science. He will be responsible for the data conversion of the unstructured narrative text to a machine-readable format, primarily utilizing optical character recognition procedures. The data conversion is essential to the project to prepare the data for the application of the natural language processing techniques in the analysis phase.

The COPS Grant was authorized in Ordinance No. 2017-400 and extended for one-year each in Ordinance No. 2018-277 and 2019-235. This grant was awarded to the Rochester Police Department to:

- Improve the understanding of the scope and nature of text mining through natural language processing techniques, especially as it relates to criminal justice data.
- Design text mining algorithms that create new datasets from previously unstructured narratives.
- Create a product suite that operationalizes the data collected from algorithms to drive decision making.
- Create, test, evaluate, and document a process for utilizing natural language processing techniques in a law enforcement agency which can be extensible to other departments.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-221

Ordinance No. 2019-382
(Int. No. 417)

Authorizing an agreement for expert services in support of the Community Policing Development Micro-grant program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Dr. Ernest Fokoué to establish a system to convert the Police Department's unstructured narrative text into a machine-readable format in support of the Community Policing Development Micro-grant program (the Program). The term of the agreement shall be December 1, 2019 through August 31, 2020.

Section 2. The maximum compensation for the agreement shall be \$27,000, which shall be funded by the Program grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), which was appropriated in Ordinance No. 2017-400 and extended by Ordinance No. 2018-277 and Ordinance No. 2019-235.

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

December 17, 2019

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:12 p.m.

HAZEL L. WASHINGTON
City Clerk