

ROCHESTER CITY COUNCIL

REGULAR MEETING

April 25, 2017

Present – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul –8

Absent –Councilmember Conklin- 1

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

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

Recognition Ceremony

Retirement:

ECD:

Tina Marie Carson
Vicki VanHalle

APPROVAL OF THE MINUTES

By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of March 28, 2017 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges April 2017 - 4256-17
Quarterly Report Delinquent Receivables - 4257-17

The Council submits Disclosure of Interest Forms from President Scott on Int. No. 99, Vice President Miller on Int. No. 97 and Int. No. 99 and Councilmember Haag on Int. No. 123 and Int. No. 124.

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

Comment cards in regards to the proposed demolition project of sixty lower income senior apartments being replaced with mixed market rate and affordable apartments. 4258-17

April 25, 2017

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2017-7
Re: Resolution – Authorizing an
Investigation of a Citizen Complaint

Council Priority: Public Safety

Transmitted herewith for Council approval is a resolution authorizing an investigation of a citizen complaint involving the Rochester Police Department.

The City Charter grants City Council the authority to investigate all City departments including the right to review records and papers and additionally authorizes the Council President to issue a subpoena for that purpose. After extensive community dialogue regarding the Civilian Review Process and the incident involving Rickey Bryant on August 8, 2016, the City Council is electing to engage in an independent investigation.

This investigation will be done in compliance with New York State laws requiring the confidentiality of personnel records for police officers. This means that the information and material collected will be reviewed only by Councilmembers as per the authority granted to them in the City Charter.

Respectfully submitted,

Loretta C. Scott
President
At-Large Member

Adam C. McFadden
Chair, Public Safety, Youth & Recreation Committee
South District Representative

Resolution No. 2017-7
(Int. No. 142)

Resolution authorizing an investigation of a citizen complaint involving the Rochester Police Department

WHEREAS, Rickey L. Bryant, Jr. has filed a complaint with the Rochester Police Department (RPD) and a lawsuit in Federal District Court alleging that RPD officers subjected him to an illegal

April 25, 2017

search and seizure and excessive force in violation of his constitutional rights during an incident that occurred at or near 100 Remington Street on August 8, 2016 (the Incident);

WHEREAS, after the RPD's Professional Standards Section completed an investigation of the Incident, and after review of Mr. Bryant's allegations by the Civilian Review Board and by the RPD, the Chief of Police has notified Mr. Bryant that the RPD has sustained some of the allegations as entailing police misconduct or misjudgment, has found others to have been proven not to occurred, and has found that others are unfounded or unprovable due to insufficient evidence;

WHEREAS, the investigations and reviews conducted to date raise issues regarding the Incident that bear on important issues of civil rights and public safety; and

WHEREAS, Section 5-21(G) of the City Charter grants this Council the power to investigate all City departments, bureaus and officers, including the right to review their records and papers and to compel the attendance of witnesses with their books, papers or other evidence at Council meetings, and authorizes the Council President to issue subpoenas for that purpose.

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

1. Pursuant to Section 5-21(G) of the City Charter, the City Council hereby authorizes an investigation and review of the August 8, 2016 Incident and the Rochester Police Department's process for investigation and review of the complaint filed on behalf of Rickey L. Bryant, Jr. The Council President may issue such subpoenas to the Rochester Police Department, its bureaus, sections and officers, for records, papers and other evidence and for the attendance of a witness or witnesses as are appropriate for investigating the Incident. The investigation and review of records shall be conducted in compliance with applicable law including New York State laws regarding confidentiality of personnel records of police officers.
2. The authorization for the investigation herein shall expire six months after the approval of this Resolution unless the authority is extended or modified by a subsequent resolution of Council.
3. This resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

April 25, 2017

By Councilmember McFadden
April 25, 2017

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

- Int. No. 84 Authorizing the bulk sale of delinquent tax liens
- Int. No. 85 Resolution approving reappointments to the Board of Trustees of the Rochester Public Library
- Int. No. 89 Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts
- Int. No. 90 Authorizing an agreement for the 2017 Rochester Twilight Criterium
- Int. No. 91 Authorizing an agreement for fireworks displays
- Int. No. 92 Authorizing an agreement with Children's Institute, Inc. for GROW Rochester
- Int. No. 140 Authorizing an amendatory professional services agreement with David Hochstein Memorial Music School, Inc.
- Int. No. 143 Authorizing an agreement with Blue Hill Data Services for support of the City's mainframe computer

The following entitled legislation is being held in committee:

- Int. No. 86 Authorizing an agreement for the 2017 Corn Hill Arts Festival
- Int. No. 87 Authorizing an agreement for the 2017 Park Ave Summer Art Fest
- Int. No. 88 Authorizing an agreement for the 2017 Puerto Rican Festival
- Int. No. 141 Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc

Respectfully submitted,

Molly Clifford
Dana K. Miller
Loretta C. Scott

FINANCE COMMITTEE

Received, Filed and Published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-77
Re: Agreement - American Tax
Funding, LLC, Bulk Sale of
Delinquent Tax Liens

Council Priority: Deficit Reduction and
Long Term Financial Stability; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the sale of 2015-16 and prior year delinquent tax liens, in bulk to American Tax Funding, LLC (ATF).

Local Law No. 8 of 2008 amended the City Charter to allow the City to conduct bulk sales of delinquent tax liens. Council Ordinance No. 2008-379 authorized three lien sales with the option for two subsequent sales. The table below summarizes the results of the sales relating to the original contract term:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
Feb 2009	5,675	3,327	\$13,976,777	\$6,036,829	43.19
Sept 2009	5,444	4,864	\$11,443,795	\$4,981,986	43.53
Dec 2010	5,249	4,780	\$10,999,275	\$5,342,778	48.57
Feb 2012	4,580	4,274	\$10,336,100	\$4,578,407	44.30
Feb 2013	4,616	4,405	\$9,966,089	\$4,524,150	45.40

Ordinance No. 2013-398 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2014	2,033	1,977	\$4,396,376	\$2,531,023	57.57

Ordinance No. 2015-3 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2015	2,041	1,837	\$3,659,724	\$2,172,334	59.36

Ordinance No. 2016-62 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	No. of liens	No. of parcels	Original value (principal + interest)	Sale price	% of original value
May 2016	1,372	1,272	\$2,682,810	\$1,863,732	69.47

The City classifies liens into one of three categories, as follows:

- New Liens - Liens on properties for which ATF has not previously purchased any liens.
- Unsettled Liens- Liens on properties for which ATF had previously purchased liens that are unpaid
- Settled Liens- New liens on properties for which any previous liens sold to ATF have been paid

Under the previous agreements, ATF was granted a right of first refusal through the 2017 delinquent tax year, on New and Unsettled Liens; ATF does not have a right of first refusal on Settled Liens.

In 2013, ATF began assigning some of its liens purchased from the City to Cheswold LLC. On January 26, 2016, Cheswold was purchased by Alterna Tax Asset Group. Cheswold is now a wholly owned subsidiary of Alterna. The liens owned by Cheswold will be serviced by MTAG Servicer, LLC, and those liens retained by ATF will be serviced by ATF. Further, ATF has recently finalized the assignment of additional liens to Ebury Street Capital LLC., located in Rye, New York.

In order to increase delinquent tax collection revenue; enhance re-development efforts; reduce the presence of blighted property; and, offer flexibility to homeowners, the City is proposing to remove certain properties from the lien sale based on community input and review by the Department of Neighborhood and Business Development. The City will sell high value liens and liens on owner-occupied property to ATF. Properties removed are subject to foreclosure and collection efforts, with potential future ownership by the Rochester Land Bank Corporation.

For this year, based on a bulk lien sale list having an aggregate lien amount of \$4,856,449, ATF has proposed to purchase a pool of high value Unsettled Liens having a value of \$2,109,893 at a price of \$1,326,734, representing 62.88% of the original lien amount. ATF has also proposed to purchase a pool of high value New Liens having a value of \$2,309,417, at a price of \$1,937,821 representing 83.91% of

April 25, 2017

the original lien amount. Lastly, ATF has proposed to purchase a pool of high value Settled Liens having a value of \$437,138 at a price of \$307,060, representing 70.24% of the original lien amount.

In the aggregate, ATF is offering \$3,571,615 or 73.54% of the original lien amount of \$4,856,449 for these three lien categories.

The City would retain approximately \$3.2 million of low valued liens that ATF doesn't want to purchase. The City would also retain liens on approximately 1,300 properties requested by the City's Department of Neighborhood and Business Development. Both categories of retained liens will be included in the City's 2017 foreclosure auction. The foreclosure action is scheduled to commence in spring 2017 and culminate with a fall 2017 foreclosure auction.

As required by Ordinance No. 2008-379, the Administration will file a list of the properties with liens to be sold to ATF, the properties with liens removed from the sale, and a map showing both categories.

This legislation approves the sale of this year's delinquent tax liens to ATF based upon this initial estimated dollar value and percentage amounts. The final sale dollar amount and percentage will reflect changes to the delinquent tax liens finally sold.

This agreement will have a term of one year. Subsequent tax lien sales are subject to City Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-45

Ordinance No. 2017-77
(Int. No. 84)

Authorizing the bulk sale of delinquent tax liens

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 American Tax Funding, LLC (ATF) for the bulk sale of delinquent tax liens. The Council hereby approves the bulk sale of 2015-2016 and prior years' tax liens.

Section 2. The agreement shall have a term of one year, and shall obligate ATF to pay to the City an amount based upon the ATF offer of \$1,326,734, for high value unsettled liens, \$1,937,821 for high value new liens, and \$307,060 for high value settled liens.

April 25, 2017

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 by the following vote:

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Spaul-7

Nays – Councilmember Patterson- 1

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-8
Re: Reappointments- Rochester Public
Library Board of Trustees

Transmitted herewith for your approval is legislation confirming the following reappointments to the Rochester Public Library (RPL) Board of Trustees:

Judith I. Hall
49 Menlo Place
Rochester, New York 14620

George T. Wolf
28 Potter Place
Fairport, New York 14450

The RPL Board voted unanimously to recommend that Ms. Hall and Mr. Wolf be reappointed. Ms. Hall has served two terms as the RPL Board's unanimously elected president and is the official voting representative on the Rochester Regional Library Council's Board. Mr. Wolf was unanimously nominated by the Monroe County Library System Board of Trustees to serve as its official voting representative to the RPL Board. He has also been elected by the RPL Board to serve as its representative on the Friends and Foundation of RPL's Board.

Both nominees have excellent attendance records and have taken on significant responsibilities in service to the RPL Board of Trustees. Their resumes are available for review in the City Clerk's Office and their attendance records are attached. Ms. Hall and Mr. Wolf will serve a five-year term which will expire on December 31, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor
Attachment No. AQ-46

Resolution No. 2017-8
(Int. No. 85)

April 25, 2017

Resolution approving reappointments to the Board of Trustees of the Rochester Public Library

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

Section 1. The Council hereby approves the reappointment of Judith I. Hall to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2021.

Section 2. The Council hereby approves the reappointment of George T. Wolf to the Board of Trustees of the Rochester Public Library for a term that shall expire December 31, 2021.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-78
Re: Agreement – Rochester Philharmonic
Orchestra, Music Performances

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an agreement with the Rochester Philharmonic Orchestra (RPO), Rochester, New York, for music performances. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

The RPO will provide seven free concerts. One full orchestra concert will take place on Main Street during the City's 2016 July 4 celebration. In addition, the RPO will present six concerts in the "Around the Town" concert series during the 2017 summer months. Two will take place in City R-Centers and four additional ensemble concerts will be scheduled outdoors; one in each quadrant of the city. All of these concerts will be free of charge.

A similar agreement for the same amount was authorized via Ordinance No. 2016-88 in April 2016. A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

April 25, 2017

Attachment No. AQ-47

Ordinance No. 2017-78
(Int. No. 89)

Authorizing an agreement with the Rochester Philharmonic Orchestra for public concerts

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 in the maximum amount of \$70,000 with the Rochester Philharmonic Orchestra to provide public concerts. Said amount shall be funded by the 2017-18 Budget of the Bureau of Communications, contingent upon the adoption thereof. The agreement shall have a term of one year.

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. 2017-79
Re: Agreement - Full Moon Vista
Productions, Rochester Twilight
Criterium

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Full Moon Vista Productions (Principal: Scott Page), Rochester, New York, to support the 2017 Rochester Twilight Criterium and related competitive bicycling activities. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

The 2017 Twilight Criterium will take place in downtown Rochester on Saturday, August 19. This event has been approved by USA Cycling and is part of the U.S. National Criterium Calendar for 2017. The Rochester Twilight Criterium is one of only 16 events in the U.S. with competition at this level. Hundreds of athletes from all over the world will be in Rochester the week of the event with most staying in downtown hotels.

April 25, 2017

In addition to the cycling, and new this year, is the “Rochester Mile”, a men’s and women’s amateur race and men’s and women’s elite race that will take place in between the pro bicycle races. All the athletes who register for the one-mile races are required to submit a qualifying time to be eligible to enter. Athletes will compete from all over the northeast and Canada.

Races are free and open to the public and will occur throughout the afternoon and night, with the men’s professional race taking place under the street lights of downtown. Last year, organizers projected that more than 20,000 spectators attended the event.

Professional athletes from around the globe attend the event, including Olympians, world and national champions from Argentina, Australia, Canada, Germany, Italy, Ireland, France, New Zealand, Russia, Uruguay, England and the United States.

The Twilight Criterium is a unique event that aligns well with the City’s dedication to become a world-class bicycling community.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-48

Ordinance No. 2017-79
(Int. No. 79)

Authorizing an agreement for the 2017 Rochester Twilight Criterium

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 in the maximum amount of \$30,000 with Full Moon Vista Productions, Inc. for the 2017 Rochester Twilight Criterium. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon the adoption thereof. The agreement shall have a term of one year.

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. 2017-80
Re: Agreement - Young Explosives Corp.,
Fireworks Displays

April 25, 2017

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$52,000 as maximum compensation for an agreement with Young Explosives Corp., Brighton, New York, to provide fireworks displays. The term of the agreement is one year, and the cost will be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon adoption of said budget.

The firm will provide large aerial fireworks displays for multiple City events, like the City's July 4th celebration, the City's New Year's Eve celebration, and smaller fireworks displays at the season opening of Martin Luther King, Jr. Park ice skating rink and the Lakeside Winter Celebration at Ontario Beach Park.

Young Explosives will be responsible for obtaining the necessary permits from the Fire Department and for acquiring the necessary liability insurance. To be licensed in the United States, all fireworks manufacturers and dealers must meet state and federal regulations stating that no persons under the age of 18 are employed; Young Explosives does not employ any persons below the age of 18. The company also has assured us that their domestic purchases come solely from licensed vendors.

The most recent agreement for similar services was authorized in March 2016 (Ord. No. 2016-61).

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-49

Ordinance No. 2017-80
(Int. No. 91)

Authorizing an agreement for fireworks displays

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 in the maximum amount of \$52,000 with Young Explosives Corp. for fireworks displays. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon adoption of said budget. The term of the agreement shall be one year.

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. 2017-81

Re: Agreement – Children’s Institute, Inc.,
GROW Rochester

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Children’s Institute, Inc., Rochester, New York, for the administration of the GROW Rochester program. The cost of the agreement will be funded from the 2016-17 Budget of Undistributed Expenses, and term will be for one year with the option to renew for an additional year. The optional renewal would be funded from the 2017-18 Budget of Undistributed Expenses for an amount not to exceed \$50,000, contingent upon approval of the future budget.

GROW Rochester is a collaborative of various early childhood agencies created to conduct comprehensive health and developmental screenings of three-year old children in Rochester. The screenings will cover the following areas: vision, hearing, language, speech, social, emotional, dental and general health. The aim of this project is to develop a system whereby child-serving professionals conduct such screenings, provide referrals to the appropriate health system, and monitor and measure associated outcomes.

Participation in GROW Rochester is a key part of the Mayor’s Early Childhood Education Initiative to ensure that all children are ready to learn as they enter Pre-K. Through this agreement, the City will contribute \$50,000 of the \$301,763 approximate total of the second-year budget of the GROW Rochester program. The remaining funds will be provided by the Greater Rochester Health Foundation, the United Way of Greater Rochester, and the Rochester Area Community Foundation.

The Children’s Institute will have ultimate programmatic and fiscal responsibility for the day-to-day management of this project. They will provide training to the child-serving professionals (ABVI, Rochester Hearing and Speech, Head Start, Early Childhood Development Initiative, Child Care Council, Perinatal Network, Eastman Dental, and the Mt. Hope Family Center) on how to conduct standardized screenings and to appropriately communicate screening results with parents. The Children’s Institute will track referrals and record the various screening outcomes; provide reminders, communicate results to parents and professionals involved; conduct a program evaluation; and, provide various reports to funders and decision-makers.

April 25, 2017

The Children's Institute is a 501(c)(3) organization that has served communities for 55 years with the mission "to equip and support those who work with children to ensure the success of every child." They have successfully managed numerous community-wide initiatives. The organization's staff and faculty work with schools, early education and Head Start providers, other non-profit organizations, government agencies, policymakers, and providers across the country to improve the lives of children. Through sound research and evaluation, the organization develops and promotes effective prevention and early intervention programs, materials, and best practices for children, families, schools and communities.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-50

Ordinance No. 2017-81
(Int. No. 92)

Authorizing an agreement with Children's Institute, Inc. for GROW Rochester

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 not to exceed a maximum annual compensation of \$50,000 with Children's Institute, Inc. for the administration of the GROW Rochester program. The term of said agreement shall be one year, with the option to renew for one additional year. The agreement shall be funded from the 2016-17 Budget for Undistributed Expenses. The funding for the optional renewal shall be funded from the 2017-18 Budget for Undistributed Expenses, contingent upon the approval of said future budget.

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. 2017-82
Re: Agreement – Computer Technologies
U.S.A., LLC, d/b/a/ Blue Hill Data

Services, Mainframe Transition and Support

Transmitted herewith for your approval is legislation establishing \$1,869,600 as total maximum compensation for a five and a half year agreement with Computer Technologies U.S.A., LLC, d/b/a/ Blue Hill Data Services, Pearl River, New York, for systems administration, disaster recovery, and mainframe hardware support while the mainframe computer located at the Public Safety Building is decommissioned.

Blue Hill Data Services will provide systems administration and disaster recovery for the mainframe for approximately four to five months prior to the transition of housing the mainframe at their site. Following the transition, the consultant will provide hosting, systems administration support, disaster recovery and operations support. The cost of the agreement is detailed below:

Funding	2016 / 17	2017 / 18	2018 / 19	2019 / 20	2020 / 21	2021 / 22	2022 / 23
Cash Capital	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0
Information Technology Department (ITD)	\$0	\$280,800	\$356,950	\$356,950	\$356,950	\$356,950	\$146,000
Total of \$1,869,600 →	\$15,000	\$280,800	\$356,950	\$356,950	\$356,950	\$356,950	\$146,000

Blue Hill Data Services will provide the following:

- Support for the City’s Mainframe located at the City’s Data Center for an interim period until the mainframe hardware is transferred to the new location.
- Implementation services for moving the City’s mainframe operating environment and programs
- Monitor and implement periodic upgrades of the City’s mainframe operating system software as required by IBM and other third party vendors.
- Routine, daily administration of the City’s mainframe, including hardware and software troubleshooting and base operational tasks.
- Back-up support for computer operations.

ITD staff will act as a liaison to Blue Hill Data Services to coordinate and monitor all tasks subject to this agreement. All programming and maintenance of applications will remain with City employees.

The vendor was selected through a request for proposals process described in the attached summary.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-51

Ordinance No. 2017-82
(Int. No. 143)

Authorizing an agreement with Blue Hill Data Services for support of the City's mainframe computer

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 not to exceed a maximum compensation of \$1,869,600 with Computer Technologies U.S.A. LLC, d/b/a/ Blue Hill Data Services to provide services that include systems administration and disaster recovery for the City's mainframe computer. The agreement shall have a term of 5 years and six months. The agreement shall be funded from 2016-17 Cash Capital (\$15,000) and the fiscal year budgets of the Information Technology Department in the following amounts, contingent upon the approval of the budgets: 2017-18 (\$280,800), 2018-19 (\$356,950), 2019-20 (\$356,950), 2020-21 (\$356,950), 2021-22 (\$356,950), and 2022-23 (\$146,000).

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-83
Re: Amendatory Agreement - David
Hochstein Memorial Music School, Inc.,
ROCmusic

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

Transmitted herewith for your approval is legislation establishing \$11,700 as maximum compensation for an amendatory agreement with the David Hochstein Memorial Music School, Inc. to provide a full-time Program Director/Lead Teacher for the ROCmusic program. This amendatory agreement will increase total maximum compensation from \$25,000 to \$36,700 (Ord. No. 2016-319). The term of the amendatory agreement will remain the same (October 1, 2016 to June 30, 2017), and the cost will be funded from the STEAM Engine allocation of the General Community Needs Fund of the 2016-17

April 25, 2017

Community Development Block Grant (CDBG) which was appropriated in the original agreement for a different organization.

STEAM stands for science, technology, engineering, arts and math, and a portion of the CDBG STEAM Engine Project allocation is used to support the delivery of community-based music instruction through the ROCmusic program at the David F. Gantt R-Center and the Edgerton R-Center. ROCmusic is an after-school and summer music education program that offers tuition-free classical music instruction and instrument lessons to more than 100 Rochester youth in grades one through 12. The CDBG funding will partially fund the salary of the full-time Program Director/Lead Teacher.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-83
(Int. No. 140)

Authorizing an amendatory professional services agreement with David Hochstein Memorial Music School, 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 David Hochstein Memorial Music School, Inc. to provide a full-time Program Director/Lead Teacher for the ROCmusic program. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2016-319 by \$11,700 to a new total of \$36,700. Said amendatory amount shall be funded from the funds appropriated in Section 1 c. of Ordinance No. 2016-319. The term of the agreement shall be from October 1, 2016 to June 30, 2017.

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
Councilmember McFadden moved to discharge Int. No. 141 from committee.

The motion was seconded by Councilmember Haag.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul - 7

April 25, 2017

Nays – None -0

Vice President Miller abstained due to a professional relationship

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-9
Re: Reappointment – ABC Board

Transmitted herewith for your approval is legislation making the following appointment to the Action for a Better Community, Inc. Board of Directors:

Dana K. Miller
265 Melrose Street
Rochester, NY 14619

During his last term on the ABC Board of Directors, Vice President Miller had attended 18 out of 24 meetings (75%).

Vice President Miller's ABC Board term is through May 2020, and a copy of his resume` is on file in the office of the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2017-9
(Int. No. 141)

Resolution approving an appointment to the Board of Directors of Action for a Better Community, Inc.

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

April 25, 2017

Section 1. The Council hereby approves the appointment of City Councilmember Dana K. Miller to the Board of Directors of Action for a Better Community, Inc. for a term which shall expire on May 31, 2020.

Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul

Nays – 0

Vice President Miller abstained because he is affected by the legislation.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 86

Re: Agreement – Corn Hill Arts Festival

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with the Corn Hill Neighbors Association for the 2017 Corn Hill Arts Festival. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and will have a term of one year.

The Corn Hill Arts Festival began in 1969 by a small group of neighbors interested in creating a forum for the arts and hoping to raise funds for their rebuilding efforts in the old third ward. Their grass roots efforts evolved into the Corn Hill Neighbors Association, which supported the renaissance of this neighborhood. The Corn Hill Arts Festival has become one of Rochester's signature summer festivals.

Now in its 49th year, the annual festival continues to promote the creation of original art, encourages community cohesiveness and raises funds for the Corn Hill Neighbors Association which in turn funds a wide variety of community initiatives like beautification projects, block parties, and a neighborhood newspaper.

The free weekend-long event welcomes up to 150,000 visitors from across western New York. It allows for space for 350 arts and crafts vendors, 30 food vendors, and four music stages. More than 200 neighbor volunteers spend hundreds of hours preparing for this annual event.

This year's festival will take place July 8 and 9, 2017.

April 25, 2017

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

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 86

AUTHORIZING AN AGREEMENT FOR THE 2017 CORN HILL ARTS FESTIVAL

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$10,000 with the Corn Hill Neighbors Association, Inc. for the 2017 Corn Hill Arts Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon the approval thereof. The agreement shall have a term of one year.

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

Held in committee

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 87
Re: Agreement – The Springut Group,
Inc., Park Ave Summer Art Fest

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with The Springut Group, Inc., Rochester, New York, for the 2017 Park Ave Summer Art Fest. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

Started in 1977 as a neighborhood sidewalk arts and craft festival, the Park Ave Summer Art Fest has evolved into the neighborhood's signature summer event. The festival's purpose is two-fold: To host a quality juried arts and craft show, showcasing a variety of local and regional artists with products offered in a range of prices; and to introduce and reinforce the Park Avenue neighborhood as a great

April 25, 2017

place to live, shop and play. The festival is hosted by PARC, an organization that is comprised of the local merchants association and the eight neighborhood associations between Alexander Street and Culver Road. For almost two decades, PARC has contracted with The Springut Group to produce the festival.

The festival showcases 350 artists and exhibitors, 40 food vendors, and three stages of live music featuring 150 performers. Admission to the Park Ave Summer Arts Fest is free. In addition, there is no charge for families to attend the Kids Zone presented by the festival at the Rochester Museum and Science Center. In 2016, an estimated 225,000 people attended the festival.

This year's festival will take place August 5 and 6, 2017.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 87

AUTHORIZING AN AGREEMENT FOR THE 2017 PARK AVE SUMMER ART FEST

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 in the maximum amount of \$10,000 with The Springut Group, Inc. for the 2017 Park Ave Summer Art Fest. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon the approval thereof. The agreement shall have a term of one year.

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

Held in Committee

TO THE COUNCIL
Ladies and Gentlemen:

Re: Introductory No. 88
Agreement - The Puerto Rican
Festival, Inc., Puerto Rican Festival

April 25, 2017

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$35,000 as maximum compensation for an agreement with The Puerto Rican Festival, Inc., Rochester, New York, for the 2017 Puerto Rican Festival. The cost of the agreement will be funded from the 2017-18 Budget of the Bureau of Communications, contingent on its approval, and the term will be for one year.

This year's festival will be held July 28-30 at the Frontier Field VIP Parking Lot and usually draws more than 20,000 people of all cultures and ethnic backgrounds to the event. The City's sponsorship will support free admission for the first two hours on Friday and Saturday, as well as several free activities during the festival. It provides free children's activities, a boxing exhibition, free youth participation and performance showcase, and a free agency fair on Saturday.

The Puerto Rican Festival, Inc. sponsors a variety of events year-around, which serve to share and celebrate Puerto Rican culture. The largest event is the Puerto Rican Festival. Now in its 48th year, it is the longest running cultural festival in Monroe County.

The Puerto Rican Festival Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the State.

A similar agreement was authorized by Ordinance No. 2016-89 in April 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 88

AUTHORIZING AN AGREEMENT FOR THE 2017 PUERTO RICAN FESTIVAL

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$35,000 with Puerto Rican Festival, Inc. for the 2017 Puerto Rican Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent on adoption thereof. The term of the agreement shall be one year.

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

April 25, 2017

Held in Committee

By Vice President Miller
April 25, 2017

To the Council:

The Business & Economic Development Committee recommends for Adoption the following entitled legislation:

- | | |
|-------------|---|
| Int. No. 93 | Local Improvement Ordinance – establishing cost of upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District |
| Int. No. 94 | Local Improvement Ordinance – establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement |

The following entitled legislation is being held in committee:

- | | |
|-------------|--|
| Int. No. 95 | Authorizing the sale of the Midtown Parcel 2 and Pedestrian Corridor to further the Midtown Urban Renewal Plan |
|-------------|--|

Respectfully submitted,

Dana K. Miller
Michael A. Patterson
Elaine M. Spaul
Loretta C. Scott
BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Received Filed and Published

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1721
Re: East Avenue/Alexander Street
Entertainment District

Council Priority: Creating and Sustaining a

Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation reauthorizing the district and establishing the amount of \$20,800 for special assessments for the East Avenue/Alexander Street Entertainment District.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 to 5:00 am, from April through October, to address trash resulting from the increased activity in the District during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to the patrons of the establishments (e.g., bars, restaurants and parking lots who profit from the patrons).

In 2017-18 the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and property owners in the district. The total annual charge estimate determined by the Department of Environmental Services.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

<u>Code</u>	<u>Use</u>	<u>Annual Charge</u>
1	Parking lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 10000 Sq Ft or more	\$855
5	Small Sit down Restaurant	\$217
6	Take out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1721
(Int. No. 93)

Local Improvement Ordinance – establishing cost of upgrading of street cleaning for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2017-18 budget for the upgrading of street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$20,800 and the charge per the Code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments and shall be assessed and levied on the 2017-18 tax bill in accordance with Local Improvement Ordinance No. 1631 as amended by Local Improvement Ordinance No. 1709.

Code	Use	Annual Charge
1	Parking Lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 1000 Sq Ft or more	\$855
5	Small Sit Down Restaurant	\$217
6	Take Out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

Section 2. This ordinance shall take effect on July 1, 2017

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance. No. 1722
Re: High Falls Business
Improvement District

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the High Falls Business Improvement District (BID) established via Local Law No.1 in December 2003. This legislation will:

1. Approve the 2017-18 budget totaling \$25,000 submitted by the High Falls BID Board;
2. Establish \$25,000 as the 2017-18 assessment for the High Falls BID and authorize the apportionment of the cost among the subject properties; and
3. Authorize an agreement with the High Falls BID for implementation of the services outlined in the BID plan.

April 25, 2017

The amount of the annual levy is determined by the budget proposed by the High Falls BID. The amount assessed to an individual property is determined by its primary use, which is verified annually. Funds are used for additional clean-up, beautification, landscaping, marketing, advertising, and promotional materials. Funds have also been used for special purposes such as historic signage and a lunchtime summer concert series produced in conjunction with the Hochstein School of Music.

The High Falls BID Plan outlines a description of the BID boundaries, and the assessment formula used to determine each building owners' share. The plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-52

Local Improvement Ordinance. No. 1722
(Int. No. 94)

Local Improvement Ordinance - establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

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

Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2017-18 Budget for the High Falls Business Improvement District is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No.1 of 2004. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the District Plan for the 2017-18 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2017

Passed unanimously.

Vice President Miller moved to discharge Int. No. 95 from committee.

The motion was seconded by Councilmember Patterson.

Adopted unanimously

Vice President Miller moved to amend Int. No. 95.

The motion was seconded by Councilmember McFadden.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 7

Nays - Councilmember Clifford - 1

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-84
Re: Midtown - Parcel 2 and
Pedestrian Corridor

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

Transmitted herewith for your approval is legislation related to the sale of two City-owned properties at 260 East Broad Street ("Parcel 2") and 266 East Broad Street (the "Pedestrian Corridor") to an entity to be formed by a joint venture of Buckingham Properties and Morgan Communities (the "Developer") with principals Kenneth J. Glazer and Robert C. Morgan, respectively. This legislation will:

1. Authorize the sale of Parcel 2 to the Developer for the appraised value of \$650,000;
2. Authorize the sale of the Pedestrian Corridor to the Developer for the appraised value of \$110,000; and
3. Authorize the granting and acceptance of a pedestrian access easement and a no-build easement for the Pedestrian Corridor.

The sale prices of Parcel 2 and the Pedestrian Corridor were determined by independent appraisals completed by Jay J. Loson, MAI of Midland Appraisal Associates, Inc. in July 2014 and May 2017, respectively.

As part of the City's continuing efforts to revitalize Center City, a request for proposals (RFP) for the purchase and redevelopment of Parcel 2 was issued on August 28, 2015. An informational meeting was held on September 11, 2015. The purpose of this meeting was to provide developers with the opportunity to discuss the status of the parcel, its redevelopment potential, and answer questions. The RFP was publicized in the Daily Record, posted on the City's website, and communicated via email to developers. As a result, the City received one proposal which was evaluated by staff from the Department of Neighborhood and Business Development, Department of Environmental Services,

Bureau of Assessment, and the Law Department. The Developer was recommended based on its proposed development program and the financial strength of its proposal for Parcel 2.

The selected proposal includes a six-story mixed-use building with 15,965 square feet of first-floor retail space, 19,375 total square feet of Class A office space on the second and third floors, and 35,867 total square feet of residential rental space on floors four through six. The proposed design also includes outdoor space along the Elm Street frontage. The Developer will commence construction upon successfully securing lease agreements and financing for the commercial space. The deed transferring title of Parcel 2 will include a condition that construction must commence within 18 months from the date of transfer. If the condition is not met, the City will re-acquire Parcel 2 and return the \$650,000 purchase price.

The estimated sources and uses of funds for Parcel 2 are as follows:

<u>Sources</u>		<u>Uses</u>	
Mortgage	\$10,913,748	Land	\$650,000
Pending CFA appl.	2,000,000	Pre-Development	275,000
Developer Equity	<u>7,042,932</u>	Construction	12,501,957
TOTAL	\$19,956,680	GC Fee	759,348
		Contingencies	1,850,000
		Tenant Improvements	2,188,600
		Closing/Soft Costs	618,375
		Financing	<u>1,113,400</u>
		TOTAL	\$19,956,680

The Developer will submit a funding application through the New York State (NYS) Consolidated Funding Application process this year if they execute leases in time for the commercial and retail space.

The City's assistance for Parcel 2 is limited to the sale of the land and the review of a request for a support letter for a payment-in-lieu-of taxes application with the County of Monroe Industrial Development Agency. The support letter will be based on the JobsPlus abatement schedule (a 10-year schedule). The Developer has agreed to make and demonstrate best efforts to achieve the City's Minority, Women, Small Disadvantaged Business Enterprise goal of 20%, workforce minority goal of 20%, workforce female goal of 6.9%, and workforce city resident goal of 25%.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, the Mayor, Lead Agency for the environmental review, has determined that the proposed action will not result in any significant environmental effects. A negative declaration is forthcoming, thereby fulfilling the City's State Environmental Quality Review obligations before City Council action will be taken.

Since the two parcels are located in the Midtown Urban Renewal District, a companion item is being submitted to the Rochester Urban Renewal Agency.

A public hearing is required.

April 25, 2017

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-53

Ordinance No. 2017-84
(Int. No. 95, as amended)

Authorizing the sale of the Midtown Parcel 2 and Pedestrian Corridor to further the Midtown Urban Renewal Plan

WHEREAS, the City of Rochester has received a proposal from a joint venture of Buckingham Properties LLC and Morgan Management, LLC (controlling members Kenneth J. Glazer and Robert C. Morgan, respectively) (collectively, the Developer) to purchase and redevelop a land parcel comprising approximately 0.79 acre located at 260 East Broad Street (Parcel 2) with a six-story building for mixed retail, office and residential uses and a land parcel comprising approximately 0.29 acre located at 266 East Broad Street (Pedestrian Corridor) for maintenance as a pedestrian corridor (collectively, the Project and the Project Properties);

WHEREAS, the Developer submitted the proposal in response to the City's request for proposals to purchase and utilize the Project Properties so as to continue the redevelopment of the Midtown Urban Renewal District (Midtown District) in accordance with the objectives of the Amended Urban Renewal Plan for the Midtown Urban Renewal Project adopted in Ordinance 2009-390 (Midtown Plan);

WHEREAS, the controlling members of the Developer, Buckingham Properties LLC and Morgan Management, LLC, have been the developers of the Tower 280 property and have recently purchased the Midtown underground parking, all of which are located in the Midtown District;

WHEREAS, the City desires to sell to the Developer Parcel 2 for its appraised fair market value of \$650,000 and the Pedestrian Corridor for its appraised fair market value of \$110,000, and the sales are to be conducted in accordance with Section 507(2) of the General Municipal Law of the State of New York in order to further the Midtown Plan;

WHEREAS, some additional terms of the proposal provide that the Developer shall:

- construct on Parcel 2 a six-story mixed use building, consisting of approximately 15,965 square feet of first-floor retail space, approximately 19,375 total square feet of Class A office space on the second and third floors, and approximately 35,867 total square feet of residential rental space on floors four through six, as well as establish outdoor space along the parcel's Elm Street frontage;

- be required by a condition in the deed transferring title to Parcel 2 and the Pedestrian Corridor to commence construction of the Project within 18 months from the date of transfer and that, if the condition is not met, to return Parcel 2 and the Pedestrian Corridor to the City in return for ~~its \$650,000~~ their \$760,000 purchase price;
- maintain the Pedestrian Corridor for pedestrian access and commit to the maintenance of same by recording easements that prohibit building on and reserve the right of pedestrian access to the Pedestrian Corridor; and
- make and demonstrate best efforts to achieve the City's Minority Women Small Disadvantaged Business Enterprise goal of 20%, workforce minority goal of 20%, workforce female goal of 6.9%, and workforce city resident goal of 25%.

WHEREAS, by providing for the development and maintenance of the Project Properties, the terms of the Developer's proposal will result in the development of a mixed use building and outdoor space and pedestrian access amenities that are consistent with the Midtown Plan and that will contribute to the redevelopment of the previously blighted Center City Midtown site, thereby generating additional tax revenue and employment; and

WHEREAS, the Developer has been found by the Rochester Urban Renewal Agency and this Council to be a qualified and eligible sponsor to carry on the redevelopment of the Midtown District.

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

Section 1. The Council hereby approves the sale of Parcel 2 and the Pedestrian Parcel to the Developer, or an entity to be formed by its principals, for the sum of \$760,000, subject to the terms set forth herein and to such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Council hereby further approves the granting and acceptance of no-build and pedestrian access easements for the Pedestrian Corridor as well as any other easements for utilities, ancillary development, and public access to and within the Project Properties, as necessary to effectuate the terms and purposes of the Developer's proposal.

Section 3. The Mayor is hereby authorized to enter the City into such agreements and to execute such other instruments as may be necessary to implement the actions authorized herein. The agreements and other instruments shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously

April 25, 2017

By Councilmember Ortiz
April 25, 2017

To the Council:

The Neighborhood & Community Development Committee recommends for adoption the following entitled legislation:

- Int. No. 96 Authorizing the sale of real estate
- Int. No. 97 Authorizing the acceptance of real estate by donation
- Int. No. 98 Authorizing a lease agreement with Buckingham Properties LLC for the Office of Public Integrity
- Int. No. 99 Authorizing appropriations and agreement for the Focused Investment Strategy Exterior Security and Rehabilitation Program
- Int. No. 101 Authorizing an agreement for elevator inspection services
- Int. No. 102 Appropriating grant funds and authorizing agreements for the Center City Commercial and Mixed Use Initiative
- Int. No. 103 Resolution approving appointments to the Zoning Board of Appeals and City Planning Commission, as amended
- Int. No. 67 Amending the Zoning Map for 618 Upper Falls Boulevard and 379 and 387 Hudson Avenue

The Neighborhood & Community Development Committee recommends for consideration the following entitled legislation:

- Int. No. 104 Amending the Zoning Map for 26 Concord Street

The following entitled legislation is being held in committee:

- Int. No. 100 Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

Respectfully submitted,

April 25, 2017

Jacklyn Ortiz
Molly Clifford
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

Introductory No. 67 was introduced on March 2, 2017 and appears in its original form with its transmittal letter on page ___ of the current Council Proceedings

Attachment No. AQ-54

Ordinance No. 2017-85
(Int. No. 67)

Amending the Zoning Map for 618 Upper Falls Boulevard and 379 and 387 Hudson Avenue

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-86
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first property is a vacant lot sold by negotiated sale to the adjacent owners. The purchaser will combine the lot with their existing properties and utilize it as green space.

The next property is a vacant lot sold by negotiated sale and will be combined with the adjoining property and used as a parking lot, green space and a patio area for the adjacent building which is being renovated as a restaurant.

The last two properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,335.

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. AQ-56

Ordinance No. 2017-86
(Int. No. 96)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves of the negotiated sale of the following parcels of vacant land with proposal:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
52 Hollister St	106.42-1-40	40 x 109	4423	\$425	Patricia & Amanda Stanton
34 N. Washington St	121.22-1-68	39 x 100	3900	\$27,000	Row House, LLC

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
62 Friederich Pk	106.24-2-45	46 x 65	2936	Nelson Allen
9 Hixson St	106.40-1-5	34 x 105	3485	Eduardo Rivera

April 25, 2017

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-87
Re: Real Estate Donation

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real property from the seller, the Rochester Land Bank Corporation (RLBC). Council authorization is necessary to accept the following parcel:

<u>Address</u>	<u>Purpose</u>
213-219 Conkey Avenue	Inclusion in Affordable Housing Project

The RLBC acquired this mixed-use building at the 2015 City Tax Foreclosure Auction with the intention to sell to a developer who would rehabilitate this blighted property located near the El Camino Trail. The developer expressed interest but has significantly expanded the scope of the project and will not be able to take title until much later in the process.

Properties in the RLBC inventory are subject to holding costs, most notably, insurance premiums. Donating the property to the City Rochester, which is self-insured, eliminates this expense.

The developer has created a partnership and approached the City with a proposal to develop City-owned vacant lots in the area designated as "La Marketa" for affordable housing, and wishes to include the mixed-use building at 213-219 Conkey Avenue in the project.

Accepting this donation will allow the City to continue to manage the disposition of salvageable properties in various neighborhoods. Upon acquisition by the City, any taxes or charges levied after the date of closing will be canceled. The property is to be conveyed with no other outstanding liens or encumbrances

Respectfully submitted,

April 25, 2017

Lovely A. Warren
Mayor

Attachment No. AQ-57

Ordinance No. 2017-87
(Int. No. 97)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of a real estate parcel from the Rochester Land Bank Corporation as follows:

Address	SBL No.	Purpose
213-219 Conkey Avenue	106.21-2-15	Affordable Housing

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul-7

Nays – None – 0

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-88
Re: Lease Agreement – Buckingham
Properties LLC, Buckingham Commons

Building/Office of Public Integrity

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$35,588.04 as maximum compensation for a lease agreement with Buckingham Properties a/k/a 85 Allen, LLC for 2,296 square feet of space in the Buckingham Commons building at 85 Allen Street to accommodate the functions of the Office of Public Integrity. The term of the agreement is for one year with two one-year renewal options. The annual cost will be \$15.50 per square foot or \$35,588.04 for the first year, with 3% annual rental increases. The annual cost of this agreement will be financed from the annual Budgets of the Mayor's Office, contingent upon approval of future years' budgets.

The location of the Office of Public Integrity is close to City Hall, while still providing anonymity to City employees and/or private citizens who wish to bring any concerns to the Office of Public Integrity. This last agreement for leasing this property was approved via Ordinance No. 2012-294.

The cost of electricity will be the responsibility of the City. All other utility costs are included in the rental amount.

Respectfully submitted,
Lovely A. Warren
Mayor.

Attachment No. AQ-58

Ordinance No. 2017-88
(Int. No. 98)

Authorizing a lease agreement with Buckingham Properties LLC for the Office of Public Integrity

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 Buckingham Properties LLC, a/k/a 85 Allen, LLC for the lease of space in the Buckingham Commons Building at 85 Allen Street to be used by the Office of Public Integrity. The agreement shall extend for a term of one year, with two one-year renewal options.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$35,588.04 in rent for the first year, with 3% annual increases for subsequent years. Said amounts shall be funded from the annual budgets of the Mayor's Office. The City shall be responsible for electric costs. Heating and cooling costs shall be included in the rent.

Section 3. The lease 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. 2017-89
Re: Focused Investment Strategy Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation re-appropriating funds and authorizing an agreement related to a proposed final phase of the Focused Investment Strategy, Exterior Security and Rehabilitation Program (FIS ESRP), totaling \$785,907.56, for both owner-occupant and landlord owned properties in the four Focused Investment Strategy areas. Specifically, this legislation will:

1. Re-appropriate a total of \$465,022.75 of Community Development Block Grant (CDBG) funds, as follows, to be used for the program:
 - a. \$64,000 from the FIS Program allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2008-09 CDBG for the City's use to operate the program;
 - b. \$23,396.33 from the FIS Program allocation of the Neighborhood and Asset-Based Planning Fund of the 2011-12 CDBG for the City's use to operate the program;
 - c. \$355,624.90 from the FIS Program allocation of the Neighborhood and Asset-Based Planning Fund of the 2012-13 CDBG for the City's use to operate the program; and
 - d. \$22,001.52 from the FIS Program allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2013-14 CDBG for the City's use to operate the program.

2. Establish \$20,000 for an agreement with Environmental Testing & Consulting, Inc. (ETC) for lead hazard evaluation services to be funded from the 2013-14 CDBG appropriation made above. The term of the agreement will be for one year with the option to extend the term for up to one additional year if funds remain from the amount allocated herein.

3. Appropriate \$320,884.81 from 2012-13 Cash Capital allocated to FIS to operate the program.

Through prior phases of the program, FIS ESRP has created substantial changes in the FIS areas. Since 2009, a total of \$10.1 million was invested in 387 units of owner-occupied and rental housing. Substantial work was completed in the identified boundaries of the FIS areas with an emphasis placed on the priority streets. As this work is not finished, a final phase of FIS is being proposed.

The program will provide assistance to approximately 23 owner-occupants and landlords. The goal of the program is to re-visit key properties in the FIS target areas that were not previously served. These property owners were contacted in prior phases of FIS, but for a variety of reasons (delinquent taxes, mortgage foreclosure, disinterest, etc.), assistance could not be provided.

Consistent with the prior phases, the assistance will provide for exterior repairs, security enhancements, and lead hazard control. Properties must conform to the established design standards and receive a lead-based paint clearance at the completion of the project. The program funding will be divided evenly across the four FIS areas. Each property is expected to receive approximately \$33,000. The proposed CDBG appropriation and cash capital funds are unspent FIS funding from prior years' allocations (i.e., unspent funds from Phase 4 of the ESRP). It should be noted that the re-appropriation of the 2008-09 CDBG funds are from a cancelled agreement with Schubert Theater. The agency had proposed to build a parking lot at 143-147 Webster Avenue with a cost estimate of \$70,000. After cost estimates were received, it was determined that there were insufficient funds to cover the project. Schubert Theater was unable to secure the additional funding that was needed so they withdrew from the project.

The City will utilize existing agreements with PathStone and Action for a Better Community to provide application intake services for the program. It is being proposed to enter into agreement with ETC for lead hazard evaluation services. A request for proposals was completed for these services in 2015, when ETC, Rochester NeighborWorks and UNYSE were selected as vendors for the Lead Hazard Control Program. To date, ETC has performed the best. ETC will provide lead hazard evaluation services for single-family (\$675) and two-family (\$875) properties.

Landlords will be required to contribute 10% matching funds and owner-occupants will be required to contribute a match amount between \$0- \$500 based on the income table below. Property owners will be required to sign a note and mortgage to secure the City's funds.

<u>% Area Median Income</u>	<u>Amount</u>
0-30	\$50

April 25, 2017

30-50	\$250
50-80	\$500

It is expected that enrollment will begin by April 1, 2017 with a projected program completion date of December 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-59

Ordinance No. 2017-89
(Int. No. 99)

Authorizing appropriations and agreement for the Focused Investment Strategy Exterior Security and Rehabilitation Program

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

Section 1. The Council hereby appropriates \$465,022.75 to the Exterior Security and Rehabilitation Program for residential properties located in the City's designated Focused Investment Strategy (FIS) areas (the Program) from the following allocations of the Community Development Block Grant (CDBG) funds:

- a. \$64,000 from the FIS allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2008-09 CDBG;
- b. \$23,396.33 from the FIS allocation of the Neighborhood and Asset-Based Planning Fund of the 2011-12 CDBG;
- c. \$355,624.90 from the FIS allocation of the Neighborhood and Asset-Based Planning Fund of the 2012-13 CDBG; and
- d. \$22,001.52 from the FIS allocation of the Improve the Housing Stock and General Property Conditions, Neighborhood and Asset-Based Planning Fund of the 2013-14 CDBG.

Section 2. The Council hereby appropriates \$320,884.81 in 2012-13 Cash Capital to the Program.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Environmental Testing & Consulting, Inc., to provide lead hazard evaluation services for said

Program. The maximum compensation for the agreement shall be \$20,000, which shall be funded from the appropriation authorized in Subsection 1.d of this Ordinance. The term of the agreement shall be for one year with the option, upon mutual consent of the parties, to extend the term for up to one additional year if funds remain from the amount allocated herein. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. The Mayor is hereby authorized to enter into such other agreements as may be necessary for the implementation of the Program activities funded by the appropriations made herein. The City shall enter into such agreements only with organizations that are in compliance with federal regulations. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this Ordinance.

Section 6. This Ordinance shall take effect immediately
Passed by the following vote.

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Ortiz, Patterson, Spaul-7

Nays – None -0

Vice President Miller abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-90

Re: Agreement- National Elevator
Inspection Services, Inc., Inspection of
City-owned Elevators

Transmitted herewith for your approval is legislation establishing \$18,000 as maximum compensation for an agreement with National Elevator Inspection Services, Inc. (NEIS) for safety inspections of City-owned conveyances. The term of the agreement will be for one year, from May 1, 2017 to April 30, 2018, with an option for three additional one-year extensions; the cost will be funded from the 2016-17 and subsequent budgets of the departments that oversee the conveyances (Environmental Services, Finance, and Neighborhood and Business Development), contingent upon approval of subsequent budgets.

NEIS will provide all necessary labor, tools and equipment required to provide inspections of all City-owned conveyances. They will provide Quality Elevator Inspector certified staff. The inspections will be conducted in compliance with all standards, codes, statutes and ordinances. NEIS also will

April 25, 2017

investigate complaints of improper maintenance and decommission conveyances upon an order to do so.

The consultant was selected through a request for proposals process, the summary of which is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-60

Ordinance No. 2017-90
(Int. No. 101)

Authorizing an agreement for elevator inspection 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 National Elevator Inspection Services, Inc. for the provision of elevator inspection services for City-owned conveyances. The agreement shall be for a term of one year from May 1, 2017 to April 30, 2018, with the option upon mutual consent to extend the term up to three additional periods of 1 year each.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$18,000 annually for such services, and said amount, or so much thereof as may be necessary, shall be funded from the 2016-17 and subsequent budgets of the Departments overseeing conveyances, contingent upon approval of subsequent 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. 2017-91
Re: Restore New York Communities

Initiative Round 4

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related Restore New York Communities Initiative Round 4 (Restore NY Round 4). This legislation will:

1. Appropriate \$2 million in grant funds from the Empire State Development Corporation's Restore NY Round 4 for three projects included in the City of Rochester's Center City Commercial and Mixed Use Initiative; and
2. Establish maximum compensation for agreements with developers and principals (or entities to be formed by the principals) for the three projects as follows:

<u>Developer</u>	<u>Project/Address</u>	<u>Amount</u>
Center City Place LLC (Anthony Cilino/Philip Georges) and REO Holding LLC (Antonio Cilino)	<i>Center City Place,</i> 131-135 and 143-163 State St.	\$950,000
Sobrino Property Group, LLC (Douglas Salgado)	<i>Mi Casa Is Su Casa</i> 113 State St.	575,000
Hive Andrews 2 LLC (Dan Morgenstern, Robert Morgan, Buckingham Properties)	<i>Hive@155 Phase II</i> 142-153 St Paul St.	475,000
	TOTAL	\$2,000,000

The Center City Commercial and Mixed Use Initiative provides gap funding to three projects to support the adaptive reuse of seven historic buildings on two key blocks that are the northern gateways for downtown Rochester. These blocks have been significantly vacant and blighted for decades; their rehabilitation is strategically important to downtown's continued revitalization. Total square feet in the seven buildings is 93,057; their rehabilitation will result in the creation of approximately 78 residential rental units and nine new commercial/retail spaces.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-91
(Int. No. 102)

Appropriating grant funds and authorizing agreements for the Center City Commercial and Mixed Use Initiative

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

Section 1. Grant funds from the Empire State Development Corporation (ESDC) awarded through Round 4 of its Restore NY Communities Initiative in the amount of \$2,000,000 are hereby appropriated for three projects to be included in the City of Rochester's Center City Commercial and Mixed Use Initiative.

Section 2. The Mayor is hereby authorized to enter into agreements with the following developers, or an entity to be formed by the developer, for projects to be included in the Center City Commercial and Mixed Use Initiatives. The agreements shall obligate the City to pay an aggregate amount not to exceed \$2,000,000 with the maximum amount for each agreement as set forth below to be funded from the appropriation in Section 1 herein. Each agreement shall be for a term of five years.

Developer	Project/Address	Amount
Center City Place LLC and REO Holding LLC	Center City Place 131-135 and 143-163 State Street	\$950,000
Sobrino Property Group, LLC	Mi Casa is Su Casa 113 State Street	575,000
Hive Andrews 2 LLC	Hive @155 Phase II 142-153 St Paul St.	475,000
	Total	\$2,000,000

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:

Resolution No. 2017-10
Re: Board Appointments –
City Planning Commission and
Zoning Board of Appeals

April 25, 2017

Transmitted herewith for your approval is legislation confirming the appointment of one full-time and one alternate member to the Zoning Board of Appeals (ZBA), and two alternate members to the City Planning Commission (CPC).

Mr. John DeMott, of 1294 Genesee Park Boulevard, Rochester, 14619, will join the ZBA as a full-time member. He is currently an alternate. He will replace Mr. Eric Van Dusen, who recently stepped down from the Board. Mr. DeMott will serve out the remainder of Mr. Van Dusen's term which expires on May 31, 2018.

Mr. Kenneth Joyner, of 779 Genesee Park Boulevard, Rochester, 14619, will join the ZBA as an alternate member. He will replace Mr. DeMott and serve out the remainder of his term. Mr. Joyner is currently an Assistant Resident Manager at CDS, Monarch. His term as an alternate will also expire on May 31, 2018.

Mr. Richard Mauser, of 91 Pinnacle Road, Rochester, 14620, and Ms. Kaeri Carroll, of 71 Greenleaf Street, Rochester, 14609, will both join the CPC as alternate members. Mr. Mauser is an architect who owns his own firm, and Ms. Carroll is the Director of Information Technology and Marketing for American Portfolios. Both of their terms expire on May 31, 2018.

Resumes for all individuals have been submitted to the City Clerk for your review.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2017-10
(Int. No. 103, as amended)

Resolution approving appointments to the Zoning Board of Appeals and City Planning Commission

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

Section 1. The Council hereby approves the appointment to the Zoning Board of Appeals of the following person for a term that expires on May 31, 2018:

Name	Address
<u>John DeMott</u>	<u>1294 Genesee Park Boulevard</u>
<u>Kenneth Joyner</u>	<u>779 Genesee Park Boulevard</u>

April 25, 2017

Section 2. ~~The Council hereby approves the appointment to the Zoning Board of Appeals of the following person as an alternate for a term that expires on May 31, 2018:~~

Name	Address
Kenneth Joyner	779 Genesee Park Boulevard

~~Section 3.~~ The Council hereby approves the appointment to the City Planning Commission of the following persons as alternates for a term that expires on May 31, 2018:

Name	Address
Richard Mauser	91 Pinnacle Road
Kaeri Carroll	71 Greenleaf Street

~~Section 4~~ 3. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined
Adopted unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-92
Re: Zoning Map Amendment –
26 Concord Street

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the vacant parcel at 26 Concord Street from R-1 Low Density Residential District to R-3 High Density Residential District. The parcel is currently owned by the City, but a contract to purchase the property is in place between the applicant (Renewal of Life C.O.G.I.C.) and the City of Rochester and is contingent on the combination of 26 Concord Street with the three other properties that the applicant owns (6 Wesley Street, and 93 and 99 Portland Avenue). In order for this combination to occur, the Zoning Districts must be the same for all properties. The applicant is exploring the possibility of expanding the church in the future, but for now, this parcel will remain green space.

The City Planning Commission held an informational meeting on the proposed map amendment on Monday, February 6, 2017. Three people, including the applicant, spoke in favor of the rezoning. No one spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-61

Ordinance No. 2017-92
(Int. No. 104)

Amending the Zoning Map for 26 Concord Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing from R-1 Low Density Residential to R-3 High Density Residential the Zoning Map's classification of the following property:

Address	SBL #
26 Concord Street	106.49-2-29.1

and the area extending from that parcel to the center line of any adjoining public street, alley, or right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 100
Re: South Avenue/Alexander Street
Open Space District

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety
Transmitted herewith for your approval is legislation establishing \$4,920 for maintenance of the South Avenue/Alexander Street Open Space District to be funded from the balance of prior years' assessments and authorizing a one-year agreement with the South Wedge Area Neighborhood Council, Inc. (SWANC) for the same amount.

Local Improvement Ordinance No. 1537 established the District in 2004 for a term of ten years. This expired on June 30, 2015, and unused funding from prior years' assessments have been used to continue maintenance and spend down the District's balance. In 2018, the City will need to petition the property owners of the local improvement area to re-establish the District.

This agreement provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and

April 25, 2017

fall leaf clean-up. The cost of these services is based on estimates provided by the Business Association of the South Wedge Area (BASWA). The work will be done through an agreement with the SWANC, a not-for-profit associated with the BASWA.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 100

LOCAL IMPROVEMENT ORDINANCE - AUTHORIZING SPECIAL WORK AND SERVICES RELATED TO THE SOUTH AVENUE/ALEXANDER STREET OPEN SPACE DISTRICT

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

Section 1. The cost of the special work and services for the 2017-18 fiscal year for the South Avenue/Alexander Street Open Space District established by Local Improvement Ordinance No. 1537 is hereby set at \$4,920 and said amount, or so much thereof as may be necessary, is hereby appropriated from unused District assessments from prior years.

Section 2. The Mayor is authorized to enter into an agreement with South Wedge Area Neighborhood Council, Inc. to perform the District's special work and services for the 2017-18 fiscal year.

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.
Held in committee

By Councilmember Haag
April 25, 2017

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 106 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$211,000 Bonds of said City to finance costs of HVAC additions

to the North Clinton Firehouse and the Emerson Street Firehouse HVAC Systems Replacement Project

- Int. No. 107 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$65,000 Bonds of said City to finance acquisition and installation of the Central Vehicle Maintenance Facility Building 200 heat recovery unit
- Int. No. 108 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance certain costs of Center City Hazardous Sidewalk Repairs
- Int. No. 109 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance costs of the 2017 Holly Pump Station Diesel Engine Replacement Project
- Int. No. 110 Authorizing an agreement with North East Area Development, Inc.
- Int. No. 111 Authorizing an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. related to the Westside Garage Comprehensive Facility Assessment
- Int. No. 112 Authorizing an agreement with North East Area Development, Inc. for a job training program
- Int. No. 113 Authorizing a grant agreement and appropriation for a Climate Smart Communities Climate Vulnerability Assessment
- Int. No. 114 Authorizing grant agreements with the New York State Department of Environmental Conservation
- Int. No. 115 Authorizing an amendatory professional services agreement for legal services in connection with the Vacuum Oil site remediation
- Int. No. 116 Authorizing agreement for the New York State Environmental Facilities Corporation funded Green Infrastructure Gateway Project at the Rochester Museum & Science Center
- Int. No. 127 Authorizing an agreement with the Rochester-Genesee Regional Transportation Authority for the fueling of City vehicles

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

- Int. No. 105 Amending the Official Map by abandonment of Haidt Place

- Int. No. 117 Local Improvement Ordinance – establishing the operating, installation and maintenance costs of street lighting special assessment districts
- Int. No. 118 Continuation of Local Improvement Ordinance No. 1374 relating to the street lighting enhancements on Wilson Boulevard
- Int. No. 119 Continuation of Local Improvement Ordinance No. 1340 relating to the street lighting enhancements for the Lyell Avenue I District
- Int. No. 120 Continuation of Local Improvement Ordinance No. 1377 relating to the street lighting enhancements for the Lyell Avenue II District
- Int. No. 121 Continuation of Local Improvement Ordinance No. 1429 relating to the street lighting enhancements for the Cascade Historic District
- Int. No. 123 Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements
- Int. No. 124 Continuation of Local Improvement Ordinance No. 1430 relating to the Cascade Historic Streetscape District
- Int. No. 125 Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District
- Int. No. 126 Local Improvement Ordinance – care and embellishment of street malls for 2017-2018
- Int. No. 128 Amending the Official Map by dedicating Church Street Extension

The following entitled legislation is being held in committee:

- Int. No. 122 Resolution approving reappointments and appointments to the Downtown Enhancement District Advisory Committee

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

April 25, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2017-93
Official Map Amendment –
Abandonment of Haidt Place

Transmitted herewith for your approval is legislation amending the Official Map by authorizing the abandonment of Haidt Place. The abandonment has been referred to the necessary agencies for review.

The right-of-way abandonment will provide ownership rights to Volunteers of America (VOA), the owner of the abutting properties, so that VOA may convey an environmental easement to the New York State Department of Environmental Conservation as required under VOA's agreement to complete and maintain its environmental remediation of Brownfield Cleanup Program Site No. C828126. The abandonment will be contingent upon VOA signing an agreement that releases and indemnifies the City against all claims or costs related to any contamination that may be located on or under Haidt Place.

On February 6, 2017, the City Planning Commission recommended approval of the abandonment by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is an Unlisted Action and has been issued a Negative Declaration of environmental significance.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-62

Ordinance No. 2017-93
(Int. No. 105)

Amending the Official Map by abandonment of Haidt Place

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting Haidt Place, provided that the adjoining owner enters into a binding agreement to release and indemnify the City against all claims or costs related to any contamination that may be located on or under Haidt Place and satisfies such additional conditions as the City Engineer deems to be appropriate:

**LEGAL DESCRIPTION OF
PROPOSED LANDS TO BE
ABANDONED – HAIDT PLACE**

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe, and State of New York, Section A of the Jones Tract in Lot 46, 20,000 acre tract, Township 1, Short Range, Mill Seat Tract, Phelps & Gorham Purchase, bounded and described as follows:

Beginning at the point of intersection of the westerly right of way line of Haidt Place (45' wide) with the northerly right of way line of Ambrose Street (60' wide), said point being the southeast corner of Parcel "A" as shown on a map entitled "Volunteers of America Subdivision Map", filed at the Monroe County Clerk's Office on August 28, 1998, in Liber 297 of Maps, Page 53; thence,

North 29°-19'-43" West, on said westerly right of way line, a distance of 115.00 feet to a point on the northerly right of way line of Haidt Place; thence,

North 59°-46'-17" East, on said northerly right of way line, a distance of 45.00 feet to the easterly right of way line of Haidt Place; thence,

South 29°-19'-43" East, on said easterly right of way line, a distance of 115.00 feet to a point on said northerly right of way line of said Ambrose Street; thence,

South 59°-46'-17" West, on said northerly right of way line, a distance of 45.00 feet to the Point of Beginning

INTENDING TO DESCRIBE a parcel of land which contains 5,175 square feet, as shown on a map entitled "Volunteers of America Resubdivision Map of Lot 'A'", prepared by Bergmann Associates, dated November 23, 1998.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

April 25, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-94
Re: Bond Authorization – North Clinton
and Emerson Street Firehouses,
HVAC System Replacements Project

Transmitted herewith for your approval is legislation authorizing the issuance of \$211,000 in bonds, and the appropriation of the proceeds thereof, to finance the expanded scope of the HVAC System Replacements Project at the North Clinton (Engine 2) and Emerson Street (Engine 3) Firehouses.

The project originally included the design, bid, and construction for the replacement of the basic HVAC systems at both firehouses. Ordinance No. 2016-239 authorized \$680,000 in bonds and an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for engineering design and resident project representation services. It was subsequently decided to include code compliant type 1 kitchen exhaust hoods and fire suppression systems to the project.

Construction will begin in fall 2017 with scheduled completion in fall 2018. The additional project funding will result in the creation and/or retention of the equivalent of two full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-94
(Int. No. 106)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$211,000 Bonds of said City to finance costs of HVAC additions to the North Clinton Firehouse and the Emerson Street Firehouse HVAC Systems Replacement 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 HVAC additions, including kitchen exhaust hoods and fire suppression systems, to the North Clinton Firehouse (Engine 2), 1207 N. Clinton Avenue, and the Emerson Street Firehouse (Engine 3), 1051 Emerson Street, HVAC Systems Replacement Project (the "Project"). \$680,000 principal amount of Bonds of the City were authorized under Ordinance No. 2016-239 for the initial Project. The aggregate estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$891,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$211,000

bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$211,000 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 \$211,000. 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. 13. of the Law, is ten (10) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

April 25, 2017

- (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.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-95
Re: Bond Authorization - Central
Vehicle Maintenance Facility
Building 200, Heat Recovery
Unit Restoration Project

Transmitted herewith for your approval is legislation authorizing the issuance of \$65,000 in bonds and the appropriation of the proceeds thereof, to partially finance the Central Vehicle Maintenance Facility (CVMF) Building 200 Heat Recovery Unit Restoration project. The total project cost is estimated at \$253,000.

The project includes construction for the restoration of the heat recovery system and ventilation upgrades to the vehicle storage area for code compliance. Modernization will begin in fall 2017 with scheduled completion in fall 2018. The additional project funding will result in the creation and/or retention of the equivalent of 0.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-95
(Int. No. 107)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$65,000 Bonds of said City to finance acquisition and installation of the Central Vehicle Maintenance Facility Building 200 heat recovery unit

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of acquisition and installation of the Central Vehicle Maintenance Facility Building 200 heat recovery unit, including Code compliant heat recovery and ventilation upgrades to the vehicle storage area (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 \$253,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$65,000 bonds of the City and application of \$188,000 of 2015-2016 Cash Capital to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$65,000 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 \$65,000. 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. 13. of the Law, is ten (10) years.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-96
Re: Bond Authorization –
Hazardous Sidewalks
Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the issuance of \$250,000 in bonds and the appropriation of the proceeds thereof, to finance the replacement of various hazardous and failing sidewalks located predominantly in Center City.

The project consists of improving existing sidewalk conditions by removing and replacing, or, where possible, repairing sidewalk flags. Bids for construction were received on March 21, 2017. Construction is anticipated to begin in spring 2017, with substantial completion in the summer 2017. The construction phase of this project will result in the creation and/or retention of the equivalent of 2.7 full-time jobs.

April 25, 2017

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-63

Ordinance No. 2017-96
(Int. No. 108)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance certain costs of Center City Hazardous Sidewalk Repairs

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of Center City, as described in the City's Zoning Ordinance, Hazardous Sidewalk Repairs, including costs of design, repair and replacement of hazardous and failing sidewalks within the Center City limits (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 \$250,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$250,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$250,000 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 \$250,000. 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. 24. of the Law, is ten (10) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit

of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-97
Re: Bond Authorization – 2017 Holly Pump
Station Diesel Engine Replacement

Transmitted herewith for your approval is legislation authorizing the issuance of \$250,000 in bonds and appropriating the proceeds thereof to fund a portion of the 2017 Holly Pump Station Diesel Engine

Replacement Project. The total cost of the project is estimated to be \$300,000, the balance of which (\$50,000) will be financed from 2013-14 Cash Capital.

The current Holly Pump Station, located at 232 Mill Street, was constructed in 1979 and is used to supply water to the Holly fire protection system. The Holly system includes 21 miles of water mains, 350 fire hydrants, and over 200 building fire services located primarily within the Center City but also in adjacent commercial and industrial areas. Three diesel engines, used to power three high volume pumps, have exceeded their useful life. Maintenance costs for these engines have increased significantly over the past ten years. The replacement of these diesel engines will improve the reliability of the station, reduce maintenance costs and provide modern variable speed engine technology that will reduce operating costs.

The project is anticipated to begin this summer and be completed by fall 2017. In order to keep the station in service during construction, only one engine will be taken out of service at any one time. This project is being designed, inspected and managed by Water Bureau Personnel.

The project results in the creation and/or retention of the equivalent of 3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-97
(Int. No. 109)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$250,000 Bonds of said City to finance costs of the 2017 Holly Pump Station Diesel Engine Replacement 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 2017 Holly Pump Station Diesel Engine Replacement Project, including infrastructure improvements and replacement of the diesel engine at the Holly Pump Station, 232 Mill Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$250,000 bonds of the City to finance said appropriation, application of \$50,000 of 2013-2014 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$250,000 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 \$250,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

April 25, 2017

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.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-98
Re: Agreement – North East Area
Development, Inc., Pilot Community
Lot Mowing Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$27,000 as maximum compensation for an agreement with North East Area Development, Inc. (NEAD) to partner with the City in the implementation of a pilot community lot mowing program. The term of the agreement will be for one year, from May 1, 2017 through April 30, 2018, with two, one-year optional renewals. The cost of the agreement will be funded from the 2016-17 (\$9,500) and 2017-18 (\$17,500) Budgets of the Department of Environmental Services, contingent upon adoption of future budgets.

NEAD will provide a work force to implement the "Keep it Green and Clean" program to provide debris cleaning, mowing, trimming of shrubs, pulling of weeds, raking, mulching, pruning and the application of fertilizer to the ground to enhance the growth of grass on City-owned properties. The pilot area is located in the Northeast quadrant, bounded by Goodman Street on the western side, Atlantic Avenue on the south, Culver Road on the east, and Clifford Avenue on the north. The maintenance season will commence at approximately the midpoint of May and conclude by the end of October.

The City will provide performance expectations and reviews of the work performed using the same process used to review its contracted mowing program, which includes visible inspections of each property by a City lot inspector.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-64

Ordinance No. 2017-98
(Int. No. 110)

Authorizing an agreement with North East Area Development, 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 agreement with North East Area Development, Inc. to implement a pilot community landscaping and beautification program on City-owned properties located within the Northeast Quadrant. The term of the agreement shall be one year, extending from May 1, 2017 to April 30, 2018, with the option to extend for up to two additional periods of 1 year each.

Section 2. The maximum annual compensation for the agreement shall be \$27,000. Said amount shall be funded by \$9,500 from the 2016-17 Budget of the Department of Environmental Services (DES) and by \$17,500 from the 2017-18 Budget of DES contingent upon adoption of the latter budget. The funding for the two optional extended terms shall be funded from the 2017-18 and later budgets of DES in the same proportions, contingent upon the approval of said 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. 2017-99
Re: Agreement – Bergmann Associates,
Architects, Engineers, Landscape
Architects & Surveyors, D.P.C.,
West Side Garage Comprehensive
Facility Assessment

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann), Rochester, New York, for architectural and engineering design services related to the Westside Garage Comprehensive Facility Assessment. The cost of the agreement will be funded by 2016-17 Cash Capital and the term is through the completion of the assessment.

April 25, 2017

The consultant team will perform architectural programming and development of a schematic report and cost estimates for options for replacement and/or renovation of the office and garage spaces for the West Side Garage at Colfax Street. This comprehensive, all-encompassing assessment will include review and analysis of all building systems, including, but not limited to, architecture, site/civil, geotechnical, structural, mechanical, electrical, plumbing, and environmental. The purpose of this analysis is to determine the most efficient, cost effective solution for housing and maintaining operations at this critical City facility for decades to come.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C was selected through a request for proposal process which is described in the attached summary. The assessment is anticipated to begin in spring 2017 with scheduled completion in fall 2017.

The project is estimated to result in the creation and/or retention of the equivalent of 0.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-65

Ordinance No. 2017-99
(Int. No. 111)

Authorizing an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. related to the Westside Garage Comprehensive Facility Assessment

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 not to exceed a maximum compensation of \$60,000 with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for architectural and engineering design services related to the Westside Garage Comprehensive Facility Assessment. The agreement shall be funded from the 2016-17 Cash Capital. The term of the agreement shall extend through the completion and the Department of Environmental Service's acceptance of the assessment.

Section 2. This 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. 2017-100
Re: Agreement – North East Area
Development, Inc., Job
Training Program

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation establishing \$211,200 as maximum compensation for an agreement with North East Area Development, Inc. (NEAD) to partner with the City in a transitional job training and placement program. The agreement will initially have a term of fourteen months with the option of three one-year renewals, and will be funded from the 2016-17 (\$31,400) and 2017-18 (\$179,800) Budgets of the Department of Environment Services (DES) for the first year (contingent upon approval of the future budget), and from subsequent budgets of DES in an annual amount not to exceed \$190,000, contingent upon approval of subsequent budgets.

NEAD first provided a transitional job training and placement program for the City in May 2015. At that time, NEAD expanded its educational services to include the Test Assessing Secondary Completion (TASC) program, formerly known as GED. The TASC program focuses on city residents (youths and adults) who have challenges finding employment due to the lack of educational attainment. As a result, participants (all of whom are required to live in the City of Rochester) are increasing their math, writing, science, social studies and reading skills; and in a broader sense, they are achieving important educational goals and becoming responsible and dependable assets to the community. Last year, NEAD had seven participants, all of whom successfully completed the program. Two participants acquired a New York State Equivalency Diploma and three participants gained employment after completing the program. NEAD will provide ongoing reports about program results.

In order to help participants develop work skills, NEAD will provide three work crews, each comprised of three people (for a total of nine workers), and supervision for an initial period of 61 weeks, commencing on May 1, 2017 and ending on June 30, 2018. The renewal periods will begin on July 1 of the respective year and end on June 30 the following year. The work crews will perform agreed upon services and assignments as determined by City staff and consisting of litter collection and hand-sweeping, and snow and ice control as needed during the winter. NEAD will provide supervision of the crews. The City will provide performance expectations and reviews of the work performed. Work quality will be assessed by City staff via ongoing visual inspection of the work sites.

Each of the three people comprising the three work crews will work five hours a day for five days a week. Litter collection and hand-sweeping will occur on city sidewalks, street corners and curb lanes. The following work areas will be assigned solely to NEAD:

April 25, 2017

North Goodman Street from Garson Avenue to Clifford Avenue; Webster Avenue from North Goodman Street to Bay Street; Bay Street from Webster Avenue to Culver Road; Parsells Avenue from Webster Avenue to Culver Road; and 100 feet along all adjacent cross streets at their intersection in both directions

Lake Avenue from Driving Park Avenue to Brown Street; Lyell Avenue from Hague Street to Lake Avenue; Smith Street from Lake Avenue to St. Paul Street; St. Paul Street from Norton Street to St. Bridget's Street; St. Bridget's Street; North Clinton Avenue from Norton Street to Central Park; and 100 feet along all adjacent cross streets at their intersection in both directions

Chili Avenue from Thurston Road to Jefferson Avenue; Genesee Street from Chili Avenue to Congress Avenue; Congress Avenue from Genesee Street to Custer Street; Jefferson Avenue from Cottage Street to Brown Street; and 100 feet along all adjacent cross streets at their intersection in both directions

Work results from last year's program with NEAD were favorable, with neighborhood businesses, merchants and private citizens giving the program positive reviews. Additionally, the City was pleased with the quality of the work provided by the NEAD work force.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-66

Ordinance No. 2017-100
(Int. No. 112)

Authorizing an agreement with North East Area Development, Inc. for a job training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with North East Area Development, Inc. to partner with the City in a transitional job training and placement program. The term of the agreement shall be fourteen months with three-one-year renewal options. The initial term of the agreement shall have a maximum compensation of \$211,200 and be funded with \$31,400 from 2016-17 Budget of the Department of Environmental Services (DES) and with \$179,800 from the 2017-18 Budget of DES, contingent upon approval of the latter budget. The maximum annual compensation for the optional renewals shall be \$190,000 and be funded from subsequent annual budgets of DES, contingent upon adoption thereof.

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. 2017-101
Re: Grant Acceptance – New York State
Department of Environmental Conservation,
Climate Smart Communities Program
Climate Vulnerability Assessment

Transmitted herewith for your approval is legislation related to conducting a Climate Vulnerability Assessment for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Department of Environmental Conservation (NYSDEC); and
2. Authorize the receipt of \$40,000 in anticipated grant funds from the NYSDEC to finance the project.

The required 50% match will be funded from 2016-17 Cash Capital (\$35,000) and in-kind technical staff support (\$5,000).

In December 2016, the City was selected to receive \$40,000 through the Climate Smart Communities (CSC) Program administered by the NYSDEC. This grant program is designed to provide communities with the opportunity to conduct a vulnerability assessment to help prepare for the potential impacts of climate change by evaluating the degree to which they are susceptible to its adverse effects, such as warmer summers, increasing storms, warmer waters, colder winters and increasing drought. The deliverable will be a City of Rochester Climate Vulnerability Assessment that will serve as an important resource in the development of climate adaptation actions and projects by the City.

Conducting a Climate Vulnerability Assessment will assist the City in preparing for climate change impacts, help to create a sustainable community, ready for continued growth and vibrancy. Implementing changes in advance of changing climate conditions positions Rochester to reduce the negative impacts of such changes. Proactive planning for climate change impacts is a more cost effective method than reactively responding to extreme climate events. Increased economic investment is anticipated to occur in communities that are adequately prepared for climate change impacts. This will allow Rochester to differentiate itself from peer communities and to provide a competitive advantage to attract and retain human capital, businesses, and investment. Because the effects of climate change often disproportionately impact the most vulnerable people, including the elderly,

April 25, 2017

children, and those living in poverty, preparation for climate change becomes even more important as the City works to assist those in need.

Once the grant contract with the NYSDEC is in place, a request for proposals will be developed for consulting services to assist in the development of the Climate Vulnerability Assessment. The assessment is expected to be completed by December 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-101
(Int. No. 113)

**Authorizing a grant agreement and appropriation for a Climate Smart Communities
Climate Vulnerability Assessment**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Environmental Conservation (NYSDEC) for the receipt and use of Climate Smart Communities Program funds in the amount of \$40,000 for the development of a Climate Vulnerability Assessment. The term of the agreement shall extend to the City's and NYSDEC's acceptance of said Assessment after it is completed.

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:

Re: Ordinance No. 2017-102
Grant Acceptance – New York State
Department of Environmental
Conservation, 2016 Zero-Emission
Vehicle Clean Vehicle Infrastructure
Municipal Rebate Program Applications

Transmitted herewith for your approval is legislation related to the installation of clean vehicle infrastructure throughout the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into grant agreements with the New York State Department of Environmental Conservation (NYSDEC); and
2. Authorize the receipt of \$96,000 in anticipated reimbursements from NYSDEC to finance the projects.

The City has been awarded funding through the 2016 Zero-Emission Vehicle (ZEV) Clean Vehicle Infrastructure Municipal Rebate Program administered by NYSDEC. The grant program is designed to provide communities with incentives to expand public access to clean vehicle infrastructure and increase ZEVs in municipal fleets.

Under the awarded grants, NYSDEC will provide \$96,000 in funding to the City for the proposed installation of six electric vehicle (EV) charging stations throughout the City, with two charging ports per station for a total of 12 ports. The proposed site locations for installation were determined with input from the City of Rochester’s Architectural Services and Engineering Bureau, Parking Bureau, Department of Recreation and Youth Services, and Rochester Public Library. The proposed locations and project cost information is listed below:

Location Name	Number of EV Charging Station Ports	NYSDEC Rebate Amount	City Cost	Total Cost
Genesee Valley Park Sports Complex	2	\$16,000	\$13,510	\$29,510
Rochester Public Market	2	16,000	12,985	28,985
Charlotte Branch Library	2	16,000	13,516	29,516
Cobbs Hill Park Lake Riley Lodge	2	16,000	14,046	30,046
High Falls Garage	4	32,000	14,242	46,242
Total	12	\$96,000	\$68,299	\$164,299

The City’s cost share for these projects will be funded from the Department of Environmental Services’ energy program income fund. The installation of these stations will be completed by the New York Power Authority under the current Energy Efficiency Services Program Agreement authorized by City Council via Ordinance No. 2015-398. Note that a separate grant agreement is required by NYSDEC for each location. The expansion of clean vehicle infrastructure via EV charging stations fulfills goals of both the City’s Community Climate Action Plan and the Rochester Energy Plan by encouraging more fuel-efficient transportation options that will reduce greenhouse gas emissions.

It is anticipated that the installation of the charging stations will be completed by December 2018.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-67

Ordinance No. 2017-102
(Int. No. 114)

Authorizing grant agreements with the New York State Department of Environmental Conservation

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

Section 1. The Mayor is hereby authorized to enter into grant agreements with the New York State Department of Environmental Conservation (NYSDEC) for the receipt of \$96,000 in anticipated reimbursements from the NYSDEC's 2016 Zero-Emission Vehicle Clean Vehicle Infrastructure Municipal Rebate Program to partially fund six electric vehicle charging stations throughout the City.

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

Section 3. This ordinance shall take effect immediately

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-103
Re: Agreement – Harter Secrest &
Emery LLP, Legal Services for
Vacuum Oil Site Remediation

Council Priority: Deficit Reduction and
Long-Term Financial Stability; Rebuilding and
Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an amendatory agreement with Harter Secrest & Emery LLP (HSE), Rochester, New York, for the continuation of legal services related to the investigation, remediation, and redevelopment of brownfield properties, including those located on and near the former Vacuum Oil Site in the City of Rochester. The proposed agreement will be funded from 2012-13 (\$18,000) and 2016-17 (\$52,000) Cash Capital, and the term will be for two years with the option for two one-year renewals.

HSE has been providing legal services to the City in this matter since 2008 under an original agreement in the amount of \$65,000 (Ord. No. 2008-270) and an amendatory agreement for \$49,000 (Ord. No. 2014-252). The amount of the proposed amendatory agreement brings the total cost to \$184,000.

The City has entered the State's Brownfield Cleanup Program (BCP) to conduct a Remedial Investigation on approximately 15.5 acres of City-owned properties located on the footprint of the former Vacuum Oil site located south of Flint Street. Under the proposed amendatory agreement, HSE will continue to assist the City with the environmental investigation and remediation of brownfield sites, including those located on or near the former Vacuum Oil Site. The City's long-term goal is the remediation of contamination at the Vacuum Oil Site to levels that will allow for safe redevelopment of the area consistent with the Vacuum Oil – South Genesee River Corridor Brownfield Opportunity Area (BOA) master plan. HSE's main responsibility under this agreement is to assist the City to meet that goal cost-effectively and in compliance with law, with a primary focus on the recovery of environmental investigation and cleanup costs from Exxon Mobil Corp. ("ExxonMobil"), the corporate successor to the Standard Oil Company of New York (SOCONY) which owned and operated the Vacuum Oil facility until the mid-1930s.

The former Vacuum Oil Site is approximately 40 acres in size and located in the PLEX neighborhood adjacent to the western bank of the Genesee River near Exchange Street and Flint Street.

Since being retained by the City, HSE has been negotiating with ExxonMobil for a commitment to reimburse the City for environmental investigation costs. To preserve the City's rights in court in the event that ExxonMobil does not consent to reimburse the City adequately, HSE has also negotiated and the City has entered into an agreement with ExxonMobil to toll the running of relevant statutes of limitations for commencing a lawsuit for environmental cost recovery. HSE also has:

- Negotiated an Access Agreement to allow ExxonMobil access to City-owned parcels to perform specified investigations under ExxonMobil's Stipulation with NYSDEC;
- Negotiated access and cooperation agreements with ExxonMobil and with the owners of 5 and 15 Flint Street to allow the City to perform remedial investigations at those properties after the owners refused ExxonMobil direct access;
- Reviewed and commented on various investigation work plans implemented by ExxonMobil and the City;
- Reviewed documents related to the establishment of the BOA;
- Reviewed, analyzed and commented on various court filings and rulings and environmental reports on the Site;
- Assisted the City with preparation of a draft application to enter the Site into the NYS Brownfield Cleanup Program (BCP);

- Reviewed and commented on a scope of work for additional investigation at the Site by the City intended to be performed under the state's BCP with potential partial reimbursement of costs;
- Conducted negotiations seeking ExxonMobil agreement to pay for a portion of the remedial investigation costs to be performed under the State BCP as a partial settlement; and
- Successfully negotiated on behalf of the City an Investigation Phase Contribution Agreement and a Property Access and Sampling Agreement with ExxonMobil whereby ExxonMobil is contributing \$330,000 towards the City's remedial investigation under the BCP. The Property Access and Sampling Agreement established rights and responsibilities between the City and ExxonMobil that allow ExxonMobil to observe the BCP remedial investigation, collect certain samples, and share the data with the City. The proceeds from the Investigation Phase Contribution Agreement were used to retire debt service for costs associated with the Vacuum Oil remedial investigation.

Authorization to continue HSE's legal services is necessary at this time so that they can continue to assist the City in moving the BCP project forward toward remedy selection and remediation without delay, and to continue the negotiations with ExxonMobil toward an agreement for financial contribution to the City for future Vacuum Oil BCP environmental cleanup costs incurred by the City.

Outside counsel is requested because of HSE's in-depth familiarity with this matter and expertise in environmental contamination cost recovery that extends beyond that of members of the Law Department. HSE was selected because of its specialized legal expertise in brownfield investigations, cleanups, and cost recovery.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-103
(Int. No. 115)

Authorizing an amendatory professional services agreement for legal services in connection with the Vacuum Oil site remediation

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Harter Secrest & Emery LLP for legal representation with respect to the investigation, remediation and redevelopment of the Vacuum Oil site and the surrounding area. The amendatory agreement shall increase the maximum compensation of the agreement originally

authorized in Ordinance No. 2008-270 and amended in Ordinance No. 2014-252 by \$70,000 to a new total of \$184,000. Said amendatory amount shall be funded from 2012-13 Cash Capital in the amount of \$18,000 and from 2016-17 Cash Capital in the amount of \$52,000.

Section 2. The term of the amendatory agreement shall be two years with the options upon mutual consent to extend the term by up to two additional periods of 1 year each.

Section 3. The amendatory 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. 2017-104
Re: Grant Agreement- Rochester Museum
& Science Center, New York State
Environmental Facilities Corporation
Green Innovation Grant Project

Transmitted herewith for your approval is legislation related to the completion of a Green Infrastructure Gateway Project (Gateway Project) at the Rochester Museum & Science Center (RMSC). This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Environmental Facilities Corporation (NYSEFC); and
2. Authorize the receipt and use of \$1,300,000 in anticipated grant reimbursements from the NYSEFC to finance the project.

In July 2016, in collaboration with and at the request of RMSC, the City applied for and was subsequently awarded grant funding through the Green Innovation Grant Program (GIGP) from the NYSEFC. The grant program is designed to provide communities with funding for projects that will support green infrastructure in New York State. As the City is the property owner of the RMSC site at 657 East Avenue, and an eligible applicant for GIGP funding under the program requirements, the application was submitted by the City in anticipation of use of the funds by RMSC to implement the project.

Under the awarded grant, the NYSEFC will provide \$1,300,000 in funding to the City for the construction of the Gateway Project at the RMSC campus. The proposed site improvements incorporate green infrastructure practices new to the RMSC Campus including: a series of infiltration planters to harvest runoff from the roofs of the existing Strassenburgh Planetarium and the new

April 25, 2017

Gateway Addition building; a new pervious asphalt parking area; pervious flex-pave accents that simulate the Genesee River; a series of rain garden areas populated with native vegetation; native stormwater infiltration trees; and, redirection of roof runoff into the green practices. The Gateway Project will build and expand upon the recently completed Regional Green Infrastructure Showcase at RMSC.

The City of Rochester has a lease agreement with the RMSC that states that the RMSC is solely responsible for the long-term maintenance and operation of the property. The City, as the applicant and awardee of the GIGP funds, will administer the grant. It is anticipated that the City will enter into an agreement with the RMSC to design and manage the project.

While no City funds will be utilized for this project, City staff time will be required to oversee the project and administer the grant. The source of the required 10% local match of \$144,444 will be from in-kind staff time contribution from both the City, in the amount of \$27,500, and the RMSC team, in the amount of \$116,944.

The development of the Gateway Project complements the City's Community Climate Action Plan by providing new green infrastructure in the City of Rochester, which serves to reduce stormwater pollution and educate the public on the benefits of green infrastructure practices. The Gateway Project will also contribute to the climate adaptation goals that are included in the Climate Action Plan.

It is anticipated that the project will begin in October 2017 and be completed by October 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-104
(Int. No. 116)

Authorizing agreement for the New York State Environmental Facilities Corporation funded Green Infrastructure Gateway Project at the Rochester Museum & Science Center

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 Environmental Facilities Corporation (NYSEFC) for the receipt and use of Green Innovation Grant Program funds in the amount of \$1,300,000 for the development of a Green Infrastructure Gateway Project (Project) at the Rochester Museum & Science Center (RMSC) campus.

Section 2. The agreement shall require the City and RMSC to satisfy the grant program's 10% local match requirement of the total project cost by committing the City and RMSC to contribute in-

kind staff time to administer the grant and to oversee the Project equivalent in value to \$27,500 from the City and \$116,944 from RMSC. The Mayor is hereby authorized to devote the City’s staff to providing the in-kind services that are required by the agreement.

Section 3. The term of the agreement shall extend to the City’s and NYSEFC’s acceptance of said Project after it is completed.

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

Section 5. This ordinance shall take effect immediately

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1723
Local Improvement Ordinance No. 1724
Local Improvement Ordinance No. 1725
Local Improvement Ordinance No. 1726
Local Improvement Ordinance No. 1727
Re: Local Improvement Ordinance –
Street Lighting Enhancement
Special Assessment Districts

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

Transmitted herewith for your approval is legislation establishing the 2017-18 budgets for street lighting enhancement special assessment districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2017-18	2016-17	Variance	Capital/ Operating	Type
1547	Wilson Boulevard	\$539.03	\$536.80	\$2.23	Operating	Street lighting
1502	Lyell Avenue I	\$2,119.90	\$2,109.87	\$10.03	Operating	Street lighting

1503	Lyell Avenue II	\$2,243.45	\$2,232.85	\$10.60	Operating	Street lighting
1413	Monroe I	\$1,301.46	\$1,381.16	-\$79.70	Operating	Street lighting
1412	Monroe II	\$604.20	\$602.03	\$2.17	Operating	Street lighting
1429	Cascade Historic	\$1,546.33	\$1,544.84	\$1.49	Operating	Street lighting
1601	Norton Street URD	\$1,335.72	\$1331.94	\$3.78	Operating	Street lighting
1472	Lake Avenue	\$3,925.04	\$3,911.88	\$13.16	Operating	Street lighting
1552	St. Paul Street	\$507.60	\$505.64	\$1.95	Operating	Street lighting
1627	East Main Street	\$351.37	\$350.08	\$1.29	Operating	Street lighting
1658	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$0	Capital	Street lighting

The history and purpose of each district is described in the attached summary.

A public hearing on renewing the Wilson Boulevard district, renewing the Lyell Avenue districts, and renewing the Cascade Historic district, and the assessments for all the districts is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-68

Local Improvement Ordinance No. 1723
 (Int. No. 117)

Local Improvement Ordinance – establishing the operating, installation and maintenance costs of street lighting special assessment districts

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LIO) for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2017-18 fiscal year:

Street Lighting District	Amount	LIO
Wilson Boulevard	\$539.03	1547*
Lyell Avenue I	2,119.90	1502*
Lyell Avenue II	2,243.45	1503*
Monroe Avenue I	1,301.46	1672
Monroe Avenue II	604.20	1671
Cascade Historic	1,546.33	1429*
Norton Street Urban Renewal	1,335.72	1601
Lake Avenue	3,925.04	1697
St. Paul Street	507.60	1696
East Main Street	351.37	1627
Browncroft Neighborhood	9,508.99	1658

*To be extended in accompanying local improvement ordinances.

Section 2. This ordinance shall take effect on July 1, 2017

Passed unanimously

Local Improvement Ordinance No. 1724
(Int. No. 118)

Continuation of Local Improvement Ordinance No. 1374 relating to the street lighting enhancements on Wilson Boulevard

WHEREAS, by Local Improvement Ordinance No. 1374, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements on Wilson Boulevard; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 10 years and renewed by Local Improvement Ordinance No. 1547 for an additional ten years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 10 years.

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

Section 1. Local Improvement Ordinance No. 1374 relating to street lighting enhancements on Wilson Boulevard is hereby re-enacted for an additional period of 10 years, commencing on July 1, 2015 and ending on June 30, 2025.

Section 2. This ordinance shall take effect immediately

Passed unanimously

Local Improvement Ordinance No. 1725
(Int. No. 119)

Continuation of Local Improvement Ordinance No. 1340 relating to the street lighting enhancements for the Lyell Avenue I District

WHEREAS, by Local Improvement Ordinance No. 1340, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements for the Lyell Avenue I District; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years and renewed by Local Improvement Ordinance No. 1502 for an additional 15 years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 3 years.

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

Section 1. Local Improvement Ordinance No. 1340 relating to street lighting enhancements for the Lyell Avenue I District is hereby re-enacted for an additional period of 3 years, commencing on July 1, 2017 and ending on June 30, 2020.

Section 2. This ordinance shall take effect immediately

Passed unanimously

Local Improvement Ordinance No. 1726
(Int. No. 120)

Continuation of Local Improvement Ordinance No. 1377 relating to the street lighting enhancements for the Lyell Avenue II District

WHEREAS, by Local Improvement Ordinance No. 1377, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements for the Lyell Avenue II District; and

April 25, 2017

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years and renewed by Local Improvement Ordinance No. 1503 for an additional 15 years, and the Council desires to continue said Local Improvement Ordinance for an additional period of 3 years.

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

Section 1. Local Improvement Ordinance No. 1377 relating to street lighting enhancements for the Lyell Avenue II District is hereby re-enacted for an additional period of 3 years, commencing on July 1, 2017 and ending on June 30, 2020.

Section 2. This ordinance shall take effect immediately

Passed unanimously

Local Improvement Ordinance No. 1727
(Int. No. 121)

Continuation of Local Improvement Ordinance No. 1429 relating to the street lighting enhancements for the Cascade Historic District

WHEREAS, by Local Improvement Ordinance No. 1429, the City provided for the levying of local improvement assessments to fund the cost of street lighting enhancements for the Cascade Historic District; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years effective July 1, 1999.

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

Section 1. Local Improvement Ordinance No. 1429 relating to street lighting enhancements for the Cascade Historic District is hereby re-enacted for an additional period of 15 years, commencing on July 1, 2014 and ending on June 30, 2029.

Section 2. This ordinance shall take effect immediately

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No 1728
Local Improvement Ordinance No 1729
Re: Local Improvement Ordinance-
Streetscapes

Transmitted herewith for your approval is legislation authorizing streetscape enhancements during 2017-18 and the assessment of the associated costs of \$40,815 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2017-18	2016-17	Variance	Type
1430	Cascade Historic	\$8,000	\$8,000	0	Capital and Operating
1619	Norton Street Urban Renewal District	\$2,815	\$2,815	0	Capital and Operating
1652	Mt. Hope	\$30,000	\$30,000	0	Capital and Operating

A public hearing on the assessments for the districts and renewing the Cascade Historic District is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AQ-69

Local Improvement Ordinance No. 1728
 (Int. No. 123)

Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefitted properties in accordance with the applicable local improvement ordinances (LIO) for the operation and maintenance of special assessment districts for streetscape enhancements during 2017-2018:

Streetscape District	New Amount	LIO
Cascade Historic	\$8,000	1430*
Norton Street Urban Renewal	2,815	1619
Mt. Hope	30,000	1652

*To be extended in accompanying local improvement ordinance.

Section 2. This ordinance shall take effect on July 1, 2017

April 25, 2017

Passed unanimously

Local Improvement Ordinance No. 1729
(Int. No. 124)

Continuation of Local Improvement Ordinance No. 1430 relating to the Cascade Historic Streetscape District

WHEREAS, by Local Improvement Ordinance No. 1430, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Cascade Historic Streetscape District; and

WHEREAS, said Local Improvement Ordinance was authorized for a term of 15 years effective July 1, 1999.

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

Section 1. Local Improvement Ordinance No. 1430 relating to the levying of local improvement assessments to fund the cost of special work and services related to the Cascade Historic Streetscape District, is hereby re-enacted for an additional period of 15 years, commencing July 1, 2014 and ending on June 30, 2029.

Section 2. This ordinance shall take effect immediately

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1730
Re: Local Improvement Ordinance –
Downtown Enhancement District,
2017-18 Budget

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2017-18 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, and reauthorized regularly since then, provides an enhanced level of care and maintenance in the downtown area. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. The Downtown Enhancement District Advisory Board, consisting of 11 representatives of property owners or tenants, oversees the administration of the program by City staff.

Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2017-18 based upon the 28 year cumulative increase in the CPI (100.5%) is \$802,381. The recommended assessment is \$604,100, which is the same as last year. The Advisory Board agreed to use the fund balance of \$58,200 to partially offset employee benefits.

<u>Category of Expense</u>	<u>2016-17</u>	<u>2017-18</u>	<u>Variance</u>
Personnel Total	\$636,400	\$632,500	\$-3,900
<i>Salary and wages</i>	<i>435,100</i>	<i>435,800</i>	<i>700</i>
<i>Employee Benefits</i>	<i>201,300</i>	<i>196,700</i>	<i>-4,600</i>
Operational Expenses	82,400	84,800	2,400
<i>Materials and supplies</i>	<i>61,500</i>	<i>62,300</i>	<i>800</i>
<i>Contractual Services</i>	<i>20,900</i>	<i>22,500</i>	<i>1,600</i>
Contingency (wage increase)	0	0	0
Less: Operating Revenues	<u>-55,000</u>	<u>-55,000</u>	<u>0</u>
Net Expense	663,800	662,300	-1,500
Less: Use of Fund Balance	<u>-59,700</u>	<u>-58,200</u>	<u>-1,500</u>
Required Assessment	\$604,100	\$604,100	\$0

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 17, 2017 by a unanimous vote of 11 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

April 25, 2017

Local Improvement Ordinance No. 1730
(Int. No. 125)

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

Section 1. The cost of the special work and services for the 2017-18 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, and 1715 is established at \$604,100, except that Zone 2 shall continue to include those properties which have been within the District as a result of their previously having enclosed walkway access to Main Street. Said amount, plus the sum of \$58,200 from the District's fund balance, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2017-18 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2017

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1731
Re: Care and Embellishment of Street Malls

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

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2017-18 and the assessment of the associated costs of \$34,241 among the benefitted properties.

Each street mall budget is prepared by a street mall association and is based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, repair or replacement of decorative signage, and spring and fall cleanup. Budgets are reviewed at the appropriate neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The malls and associated budgets are summarized below:

Street Mall	Budget 2017-18	LIO 1713 2016-17	Variance	Reason for Variance
Arnold Park	\$2,500.00	\$1,964.00	\$536.00	Increased budgeted amounts for lawn care, fall and spring cleanups and plants
Hazelwood Terrace	400.00	800.00	-400.00	Budgeted amounts are the same; using surplus from prior year
Hillside Avenue	5,000.00	1,500.00	3,500.00	Increased budgeted amounts for lawn care, fall and spring cleanups and replanting
Huntington Park	3,600.00	3,600.00	0	N/A <i>Note: performs own mowing, trimming</i>
Lafayette Park	3,109.00	2,509.00	600.00	Increased budgeted amounts for restoration of raised plant beds
Nunda Boulevard	9,647.00	8,072.00	1,575.00	Increased budgeted amounts for tree pruning and grass seed <i>Note: performs own mowing, trimming, tree care</i>
Oxford Street	5,420.00	10,469.81	-5,049.81	Budgeted amounts are the same; using surplus from prior year <i>Note: performs own mowing, trimming, tree care, leaf pickup</i>
Rundel Park	3,500.00	200.00	3,300.00	Used mostly surplus in 2016-17. Restoration of brick wall and fence gardens in 2017-18
Sibley Place	1,065.00	1,191.00	-126.00	Budgeted amounts are the same; using surplus from prior year
Total:	\$34,241.00	\$30,305.81	\$3,935.00	

The Department of Environmental Services' Bureau of Operations provides mowing and trimming, tree pruning, and leaf pickup unless otherwise noted (see Huntington, Nunda, and Oxford). The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care and Embellishment Fund.

April 25, 2017

A public hearing on these assessments is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1731
(Int. No. 126)

Local Improvement Ordinance – care and embellishment of street malls for 2017-2018

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

Section 1. It is hereby determined that for 2017-18 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Arnold Park	\$2,500.00
Hazelwood Terrace	400.00
Hillside Avenue	5,000.00
Huntington Park	3,600.00
Lafayette Park	3,109.00
Nunda Boulevard	9,647.00
Oxford Street	5,420.00
Rundel Park	3,500.00
Sibley Place	1,065.00
Total	\$34,241.00

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2017.

Section 4. The total cost of such improvements and work, estimated at \$34,241.00, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to

such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect immediately

Passed unanimously

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-105
Re: Agreement – Rochester-Genesee
Regional Transportation Authority,
Vehicle Fueling

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) for the continued refueling of City vehicles at the RGRTA facility at 1372 East Main Street. The City will reimburse RGRTA for the actual cost of the fuel and pay an administrative and service charge of 19.5 cents per gallon. The term of the agreement will be one year with four additional one-year renewals.

The City is involved in several cooperative refueling programs, providing services to Monroe County, the Rochester Housing Authority, U.S. Marshal and, in the past, the Federal Bureau of Investigation.

Under this agreement, RGRTA provides unleaded fuel to City vehicles (primarily police vehicles) operating on the east side of the City to permit the vehicles to avoid the need to travel to the Central Vehicle Maintenance Facility on Colfax Street.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-70

Ordinance No. 2017-105
(Int. No. 127)

Authorizing an agreement with the Rochester-Genesee Regional Transportation Authority for the fueling of City vehicles

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) for the fueling of City vehicles at the RGRTA

April 25, 2017

facility at 1372 East Main Street. The agreement shall be for a term of one year, with the option upon mutual consent to extend the term by up to four additional periods of 1 year each. The agreement shall obligate the City to reimburse RGRTA for the actual cost of the fuel and to pay an administrative and service charge of \$.195 per gallon. Funding shall be provided from the present and future annual budgets of the various City departments that utilize the service, contingent upon the approval of the budgets for future fiscal 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 by the following vote.

Ayes – President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Spaul-7
Nays – Councilmember Patterson- 1

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-106
Re: Official Map Amendment –
Church Street Extension,
81 North Plymouth Avenue

Transmitted herewith for your approval is legislation amending the Official Map by dedicating 81 North Plymouth Avenue as public right-of-way for street purposes.

In January 2011, City Council authorized the sale of a City-owned parcel located at 116 West Main Street for the development of 24 new market-rate townhomes and a new mixed-use commercial building at the corner of West Main Street and North Plymouth Avenue (Ordinance No. 2011-7). As part of this development, the City retained 81 North Plymouth Avenue for dedication as additional right-of-way, which will connect North Plymouth Avenue to Scott Alley, and is in approximate alignment with Church Street to the east.

The City Planning Commission, at its April 3, 2017 meeting, recommended approval of the Official Map Amendment by a vote of 6-0-0. The meeting minutes are attached. A negative declaration was previously issued on January 4, 2011.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-71

Ordinance No. 2017-106
(Int. No. 128)

Amending the Official Map by dedicating Church Street Extension

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating to street purposes the following described property presently constituting 81 North Plymouth Avenue, SBL # 121.22-1-55.27:

**LEGAL DESCRIPTION OF LANDS TO BE
DEDICATED AS CHURCH STREET EXTENSION
#81 NORTH PLYMOUTH AVENUE
T.A. #121.220-01-055.027**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Lots 159 & 160 of the One Hundred Acre Tract, and being more particularly bounded and described as follows: Beginning at a point on the westerly ROW line of North Plymouth Avenue (122.07' ROW) at the southeast corner of Lot 14 of the North Plymouth Terrace Subdivision, as filed in the Monroe County Clerk's Office in Liber 340 of Maps, Page 71, said point being the Point or Place of Beginning; thence

- 1) S 33° 09' 38 " E, along said ROW line of North Plymouth Avenue, a distance of 36.00 feet to the northeast corner of Lot 15 of said subdivision; thence
- 2) S 56° 50' 22 " W, along the north line of said Lot 15, a distance of 95.85 feet to an angle point; thence
- 3) S 01° 09' 19 " E, continuing along said north line of Lot 15, a distance of 9.43 feet to the northwest corner thereof and the easterly ROW line of Scott Alley (14.48' ROW); thence
- 4) N 33° 09' 38 " W, along said ROW line of Scott Alley, a distance of 44.00 feet to the southwest corner of said Lot 14; thence
- 5) N 56° 50' 22 " E, along the south line of said Lot 14, a distance of 100.85 feet to the said southeast corner thereof and the said westerly ROW line of North Plymouth Avenue, being the Point or Place of Beginning.

April 25, 2017

Hereby intending to describe a parcel of land containing 3650 Square Feet and being part of a parcel of land conveyed to the City of Rochester in a deed dated March 4, 1955 and filed in Liber 2950 of Deeds, Page 396.

Section 2. This ordinance shall take effect immediately

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 122
Re: Appointments and Re-appointments –
Downtown Enhancement District
Advisory Committee

Transmitted herewith for your approval is legislation confirming the re-appointment of four members and the appointment of three new members to the Downtown Enhancement District Advisory Committee. The members will be appointed or re-appointed to two-year terms expiring on December 31, 2018.

Re-appointments

Richard Calabrese	Time Square Building 45 Exchange Boulevard, 14614
Sue Eliazewskyj	Excellus Blue Cross Blue Shield 165 Court Street, 14604
Chris Hill	I. Gordon Corporation 28 East Main Street, 14614
Wes Plant	Thompson Legal Regulatory 50 Broad Street East, 14614

Appointments

Rich Finley	Buckingham Properties 280 East Broad Street, 14604
Nicole Hunt	CGI Communications 130 East Main Street, 14604
Cady Guyton	Tower 280 Resident Employee at Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

April 25, 2017

These appointments will restore the Downtown Enhancement District Advisory Committee to thirteen members, as originally established in 1989, and will add a second Downtown resident to the Committee.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 122

**RESOLUTION APPROVING REAPPOINTMENTS AND APPOINTMENTS TO THE
DOWNTOWN ENHANCEMENT DISTRICT ADVISORY COMMITTEE**

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

Section 1. The Council hereby approves the reappointments of

Richard Calabrese
Times Square Building
45 Exchange Blvd., 14614
And

Sue Eliazewskyj
Excellus Blue Cross Blue Shield
165 Court Street, 14604
And

Chris Hill
I. Gordon Corporation
28 East Main Street, 14614
And

Wes Plant
Thompson Legal Regulatory
50 Broad Street East, 14614

to the Downtown Enhancement District Advisory Committee for a term that will expire on December 31, 2018.

Section 2. The Council hereby approves the appointments of

April 25, 2017

Rich Finley
Buckingham Properties
280 East Broad Street, 14604
And

Nicole Hunt
CGI Communications
130 East Main Street, 14604

And

Cady Guyton
Tower 280 Resident
Employee at Bergmann Associates

to the Downtown Enhancement District Advisory Committee for a term that will expire on December 31, 2018.

Section 3. This resolution shall take effect immediately

Held in committee

By Councilmember McFadden
April 25, 2017

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

- | | |
|--------------|--|
| Int. No. 131 | Authorizing agreements for the 2017 Summer of Opportunity Program |
| Int. No. 132 | Authorizing an amendatory agreement with Eskay Concerts, Inc. for event management and beverage concession services, <u>as amended</u> |
| Int. No. 133 | Amending the 2016-17 Budget and appropriating federal forfeiture funds |
| Int. No. 134 | Authorizing acceptance of grant for Animal Services |

April 25, 2017

- Int. No. 135 Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services
- Int. No. 136 Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services
- Int. No. 137 Authorizing an agreement with Monroe County for the Tobacco Compliance Grant Program
- Int. No. 138 Authorizing an agreement for workplace culture improvement services for the Emergency Communications Department
- Int. No. 139 Authorizing an agreement for the 2017 Gus Macker 3 on 3 basketball tournament

The Public Safety, Youth & Recreation Committee recommends for Consideration the following entitled legislation:

- Int. No. 129 Local Improvement Ordinance – snow removal at the Public Market for 2017-18
- Int. No. 130 Local Improvement Ordinance – security services at the Public Market for 2017-18

Respectfully submitted,

Molly Clifford
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1732
Local Improvement Ordinance No. 1733
Re: Public Market Snow
Removal and Security Services

Council Priority: Creating and Sustaining a

Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the assessments and appropriations for snow removal and security services at the Public Market for fiscal year 2017-18. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 pm to 5:00 am, Monday through Saturday, and all day on Sunday. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee and a fee per frontage foot.

Snow Removal: For 2017-18 snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.01 per foot. The total amount of the assessment will be \$5,888.07, which is the same as the prior year.

Security Services: For 2017-18 security services, the fixed fee will be \$1,190 per property, while the front footage fee will be \$15.99 per foot. The total amount of the assessment will be \$41,160.70, which is an increase of \$1,210 from the prior year.

	Fixed Fee	No. Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
<i>Snow</i>							
2016-17	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
2017-18	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
						Change	0
<i>Security</i>							
2016-17	\$1,190	15	\$17,850.00	\$15.16	1,457.83	\$22,100.70	\$39,950.70
2017-18	\$1,190	15	\$17,850.00	\$15.99	1,457.83	\$23,310.70	\$41,160.70
						Change	+ \$1,210

Public hearings are required for these assessments.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1732
 (Int. No. 129)

Local Improvement Ordinance – snow removal at the Public Market for 2017-18

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

Section 1. The Council authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2017 to June 30, 2018.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2017-18 year shall be \$5,888.07. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.01 per foot of frontage that receives plowing and/or salting services. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

Property Address	SBL No.	Front Footage
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Ave	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40
11 Pennsylvania Avenue	106.580-0003-029	19.57

9 Pennsylvania Avenue

106.580-0003-030

128.24

Section 3. The snow plowing and salting services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2017 and shall be due in one installment.

Section 5. This ordinance shall take effect immediately.

Passed unanimously

Local Improvement Ordinance No. 1733
(Int. No. 130)

Local Improvement Ordinance- security services at the Public Market for 2017-18

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2017 to June 30, 2018.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2017-18 year shall be \$41,160.70. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$15.99 per foot of frontage. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

Property Address	SBL No.	Front Footage
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40

April 25, 2017

55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Ave	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40
11 Pennsylvania Avenue	106.580-0003-029	19.57
9 Pennsylvania Avenue	106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2017 and shall be due in one installment.

Section 5. This ordinance shall take effect immediately.

Passed unanimously

Councilmember McFadden moved to amend Int. No. 131.

The motion was seconded by Councilmember Clifford.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-107

Re: Summer of Opportunity Program

Council Priority: Jobs and Economic
Development; Public Safety

Transmitted herewith for your approval is legislation related to the implementation of the 2017 Summer of Opportunity Program (SOOP). This legislation will:

1. Establish \$263,073 as maximum compensation for agreements with the following agencies to provide summer employment services to 152 youth, to be funded from the 2016-17 (\$25,307) and 2017-18 (\$237,766) Budgets of the Department of Recreation and Youth Services (DRYS), contingent upon approval of the latter budget. The term of the agreements is one year.

<u>Agency/Program</u>	<u>No. of Youth</u>	<u>Amount</u>
Baden Street Settlement of Rochester, Inc./ Media Team	10	\$17,660
Baden Street Settlement of Rochester, Inc./ Drama Team	15	26,128
Baden Street Settlement of Rochester, Inc./ Video Production Team	15	26,128
Eugenio M de Hostos Charter School/ Teachers of Tomorrow	15	27,600
Genesee Land Trust, Inc./ Landscaper Apprentice	10	18,398
Ibero-American Action League, Inc./ Early Childhood Apprentice	10	17,510
Ibero-American Action League, Inc./ Media Broadcasting	10	17,517
Marketview Heights Collective Action Project/ Field to Table	12	22,080
North East Area Development/ GET IT	40	64,750
Urban League of Rochester, NY, Inc./ ROC City Future Reporters	<u>15</u>	<u>25,307</u>
Total	152	\$263,073

2. Authorize \$15,500 as maximum compensation for additional agreements with the Friends of GardenAerial, Inc. (GreenTopia) to sponsor two youth positions with the Green Visions program and three youth internships with the Veggie Valet program at the Public Market. The cost of these agreements will be funded from the 2016-17 (\$8,000) and 2017-18 (\$7,500) Budgets of DRYS, contingent upon approval of the latter budget. The term of the agreements is for one year.

Program Overview

The City’s SOOP collaborates with RochesterWorks’ Summer Youth Employment Program (SYEP) to conduct joint recruitment and application intake for all applicants ages 14 to 20 years old seeking summer employment. Funding for the activities of SOOP and SYEP is separate. The City funds summer jobs within City departments and summer work experience programs provided by external partner agencies, as described below. The City also provides job readiness training and parent orientations. RochesterWorks’ SYEP funds summer work experience programs provided by external partner agencies.

Externally Administered Work Experience (Tier 1)

A request for proposals (RFP) was issued jointly by SOOP and SYEP, the details for which are attached. A total of 33 proposals were received from 28 agencies. Twenty-six proposals were approved for funding. The approved proposals were then divided between the City and RochesterWorks, based on applicant preference of wages or stipends, history working with the agencies, and ages of the youth

to be served. Agencies proposed working with either 14-15 year olds or 16-20 year olds; SOOP's priority is 14-15 year olds.

Participants in programs funded by the City of Rochester will receive a stipend of \$600.

Funder	<u>City SOOP</u>	<u>RochesterWorks SYEP</u>	<u>TOTAL SOOP + SYEP</u>
Number of programs	10 programs	16 programs	26 programs
Total funding	\$263,073	\$548,668	\$811,741
Age 14-15	132	125	257
Age 16-20	<u>20</u>	<u>183</u>	<u>203</u>
Total Youth	152	308	460

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-71

Ordinance No. 2017-107
(Int. No. 131 as amended)

Authorizing agreements for the 2017 Summer of Opportunity Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Labor for the receipt and use of a \$300,000 grant to fund youth employment programs.

Section 2. The Mayor is hereby authorized to enter into agreements with the following agencies to provide summer employment program opportunities for youths. The agreements shall obligate the City to pay an aggregate amount not to exceed ~~\$263,073~~ \$280,218 with the maximum amount for each agreement as set forth below. The sum of ~~\$263,073~~ \$280,218, or so much as may be necessary, is hereby appropriated for this purpose, \$25,307 from the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS) and ~~\$237,766~~ \$254,911 from the 2017-18 Budget of DRYS, contingent upon approval of the latter Budget. Each agreements shall be for a term of no more than one year.

Agency/Program	Amount
Baden Street Settlement of Rochester, Inc./Media Team	\$17,660
Baden Street Settlement of Rochester, Inc./Drama Design Team	26,123
Baden Street Settlement of Rochester, Inc./Video Production Team	<u>34,837</u>
	<u>26,128</u>

Eugenio M de Hostos Charter School/Teachers of Tomorrow	27,600
Genesee Land Trust, Inc./Landscape Apprentice	18,398
Ibero-American Action League, Inc./Early Childhood Apprentice	17,510
Ibero-American Action League, Inc./Media Broadcasting	17,517
Marketview Heights Collective Action Project/Field to Table	22,080
North East Area Development/GET IT	64,750
Urban League of Rochester, NY, Inc./ROC City Future Reporters	<u>33,743</u>
	25,307
Total	<u>\$280,218</u>
	\$263,073

Section-~~2~~ 3. The Mayor is hereby authorized to enter into an agreement with Friends of the GardenAerial, Inc. in an amount not to exceed \$15,500 to sponsor two youth positions with the Green Visions program and three youth internships with the Veggie Valet program at the Public Market. The cost of the agreement shall be funded with \$8,000 from the 2016-17 Budget of DRYS and \$7,500 from the 2017-18 Budget of DRYS, contingent upon approval of the latter Budget. The term of the agreement shall be one year.

Section-~~3~~ 4. The agreements herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section-~~4~~ 5. This ordinance shall take effect immediately.
 Strikeout indicates deleted text, new text is underlined

Passed unanimously

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2017-108
 Re: Amendatory Agreement - Eskay
 Concerts, Inc. d/b/a Up All Night,
 Public Market Bands on the
 Bricks Concert Series

Council Priority: Creating and Sustaining a
 Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$7,000 as maximum compensation for an amendatory agreement with Eskay Concerts, Inc. d/b/a Up All Night for event management and beverage concession services for the annual Bands on the Bricks Concert series at the Public Market. This amendatory agreement will increase total maximum compensation from \$22,000 (Ord. No. 2015-27) to \$29,000. The term of this agreement will be for one year and will be funded from 2016-17

April 25, 2017

(\$26,000) and 2017-18 (\$3,000) Budgets of the Department of Recreation and Youth Services, contingent upon approval of the future year's budget.

Eskay Concerts, Inc. will provide talent, production, sound, and beverage services for the Bands on the Bricks Concert series to be held at the Rochester Public Market on Friday evenings during July and August. The additional funds will be used to attract a higher profile entertainer for the Public Market ribbon cutting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-108
(Int. No. 132, as amended)

Authorizing an ~~amendatory~~ agreement with Eskay Concerts, Inc. for event management and beverage concession services

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

Section 1. The Mayor is hereby authorized to enter into ~~an amendatory~~ professional services agreement with Eskay Concerts, Inc. (d/b/a Up All Night) for event management and beverage concession services for the annual Bands on the Bricks Concert series. The ~~amendatory~~ agreement shall ~~increase the~~ have a maximum ~~annual~~ compensation of ~~the agreement authorized in Ordinance No. 2015-27 by \$7,000 to a new total of \$29,000.~~ The compensation shall be funded with \$26,000 from the 2016-17 Budget of the Department of Recreation and Youth Services (DRYS) and \$3,000 from the 2017-18 Budget of DRYS, contingent upon approval of the latter budget. The term of the agreement shall be for one 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.

Strikeout indicates deleted text, new text is underlined

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

April 25, 2017

Ordinance No. 2017-109
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to \$35,000 from federal forfeiture funds generated by the Rochester Police Department (RPD) and amending the 2016-17 Budget of the Police Department by this amount.

RPD's Major Crimes Unit encompasses many areas of investigation which require an indefinite storage time of original reports, including open and cold case homicide investigations. All reports are currently housed in filing systems that are hard to manage, do not fit the area well, and are running out of storage space. RPD would like to invest in a Datum storage solution which is a 91 inch tall moving rail system. This will maximize the use of the space available, allow for all files to be located in one place, provide storage space for many years to come, and allow the files to be readily organized, filed and retrieved. Adjustments will need to be made to the sprinkler heads in the storage area to accommodate for the higher shelving unit and to reduce the risk of accidental water damage to the critical paperwork stored.

This appropriation will result in a balance of approximately \$920,900 in the federal forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-72

Ordinance No. 2017-109
(Int. No. 133)

Amending the 2016-17 Budget and appropriating federal forfeiture funds

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

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$35,000 from funds received from the Federal Government from seized and forfeited assets. Said funds are hereby appropriated to purchase a new storage moving rail system for the Police Department's Major Crimes Unit.

Section 2. This ordinance shall take effect immediately

Passed unanimously

April 25, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-110
Re: Agreement – Petco Foundation,
Animal Services Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Petco Foundation for the receipt and use of a grant in the amount of \$10,000. This amount will be included in the 2017-18 Budget of the Police Department, contingent upon approval of said budget. The term of this agreement is July 1, 2017 through June 30, 2018.

The funding from this grant will be used for fee-waived adoption events, which will prepare animals for adoption and promote adoption of shelter pets.

The previous grant received from the Petco Foundation was for \$45,000 (Ord. No. 2016-169), and resulted in the adoption of 255 cats and dogs during fee-waived events in 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-110
(Int. No. 134)

Authorizing acceptance of grant for Animal Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Petco Foundation for the receipt and use of a grant in the amount of \$10,000 to promote pet adoptions. This amount shall be included in the 2017-18 Budget of the Police Department, contingent upon approval of said budget. The agreement shall be for a term of one year from July 1, 2017 through June 30, 2018.

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

April 25, 2017

Ladies and Gentlemen:

Ordinance No. 2017-111
Ordinance No. 2017-112
Re: Grant Agreements – New York State
Division of Homeland Security and
Emergency Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Homeland Security and Emergency Services for the receipt and use of two grants described below.

2016 Targeted Tactical Team Program Grant, April 1, 2017 – August 31, 2019

This \$98,281 grant will be used to enhance and maintain the capabilities of the Police Department's SWAT team. The grant budget includes funds for armor, android phones and training. Body armor for the team will be purchased, as well as armor, helmets and communications sets for tactical EMS teams to use when working with SWAT. To enhance information sharing, android phones are funded to allow for real-time distribution of data to the SWAT team. In furtherance of our efforts to maintain required SWAT team standards, funding is designated for costs associated with command/leadership and breaching capabilities training.

2016 Explosive Detection Canine Team Enhancement Grant, April 1, 2017 – August 31, 2019

This award, not to exceed \$15,000, will be used for the purchase of equipment and training to enhance the interoperability of the Police Department's Canine Team with the SWAT and Bomb Teams for tactical events. The grant budget includes laser pointer equipment, cooling vests for K-9 dogs, and training in systematic search and mass transit detection and deterrence.

No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-111
(Int. No. 135)

Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services

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

April 25, 2017

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of funding for the Rochester Police Department for the 2016 Targeted Tactical Team Program Grant in the amount of \$98,281, which funds are hereby appropriated for said purpose. The term of this agreement shall be April 1, 2017 through August 31, 2019.

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

Section 3. This ordinance shall take effect immediately

Passed unanimously

Ordinances No. 2017-112
(Int. No. 136)

Authorizing a grant agreement with the New York State Division of Homeland Security and Emergency Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of funding for the Rochester Police Department for the 2016 Explosive Detection Canine Team Enhancement Grant Program in the amount of \$15,000, which funds are hereby appropriated for said purpose. The term of this agreement shall be April 1, 2017 through August 31, 2019.

Section 2. The agreements 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. 2017-113
Re: Agreement – Monroe County,
Tobacco Compliance Grant

Council Priority: Public Safety

April 25, 2017

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of up to \$40,000 for a Tobacco Compliance grant. No matching funds are required.

Monroe County will reimburse costs of up to \$40,000 in overtime and fringe benefits in the amount of \$30,148 and \$9,852, respectively, for compliance checks conducted April 1, 2017 through March 31, 2018. This agreement continues the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the City. These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products. Police Officers accompanying the purchasers will record and report any illegal underage sales, and will inspect sellers' premises for compliance with restrictions on product placement, and the possession of proper documents and certificates.

The \$30,148 for overtime will be included in the 2017-18 Budget of the Police Department and \$9,852 for fringe will be included in the 2017-18 Budget of Undistributed Expenses, contingent upon approval of the budget. This enforcement program was most recently approved in May 2016 (Ord. No. 2016-168). During 2016-17, 433 tobacco compliance checks were completed and three violations identified.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-113
(Int. No. 137)

Authorizing an agreement with Monroe County for the Tobacco Compliance 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 an agreement with Monroe County for receipt and use of \$40,000 of funding from the Tobacco Compliance Grant Program for the Rochester Police Department to conduct tobacco compliance inspections from April 1, 2017 through March 31, 2018.

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:

April 25, 2017

Ordinance No.2017-114
Re: Agreement – Workplace
Communication, Inc., Workplace
Culture Improvements

Transmitted herewith for your approval is legislation establishing \$62,400 as total maximum compensation for an agreement with Workplace Communication, Inc. for workplace culture improvements services. The cost of this agreement will be funded from the 2016-17 (\$19,650) and 2017-18 (\$42,750) Budgets of the Emergency Communications Department (ECD), and the term is for two years. The cost will be reimbursed by Monroe County under the City/County operating agreement.

The purpose of this agreement is to develop the following workplace culture improvements in the ECD through improved leadership communication skills:

- Successfully create a positive work culture with increased performance
- Dramatically raise the bar on leadership's ability to change the current culture
- A substantial improvement in team's ability to have more clarity of purpose and improved commitment to one another through improved communication
- Align organization with the leadership's vision by developing timely, transparent, and motivational communication processes
- Increase awareness regarding internal and external customer needs
- Improved capability to hold people accountable at all levels of the organization

Workplace Communication, Inc. was selected for these services based on their successful record of leadership and communications counseling. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-73

Ordinance No. 2017-114
Int. No. 138)

Authorizing an agreement for workplace culture improvement services for the Emergency Communications Department

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Workplace Communication, Inc. to provide workplace culture improvement services for the Emergency

Communications Department (ECD). The maximum compensation for the agreement shall be \$62,400, which shall be funded from the 2016-17 Budget of ECD (\$19,650) and the 2017-18 Budget of ECD (\$42,750), contingent upon the approval of the latter budget. The term of the agreement shall be two 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. 2017-115
Re: Agreement – Rochester Youth Sports
Foundation, Gus Macker 3 on 3
Basketball Tournament

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Youth Sports Foundation (president: Anthony Jordan) to produce the Gus Macker 3 on 3 Basketball Tournament in downtown Rochester. The cost of this agreement will be financed by appropriating \$50,000 from the Rochester Events Network Trust Fund and amending the 2016-17 Budget of the Bureau of Communications by said amount. The term of the agreement will be one year.

The Gus Macker 3 on 3 Basketball Tournament is a national tournament that began in 1987. The Macker Tournament is designed so anyone can play: men, women, adults, and youth; experienced or inexperienced. Since 1987, 972 tournaments, with more than 2.2 million players and over 23 million spectators have enjoyed watching this driveway-style basketball tournament. This year, in addition to Rochester, tournaments are being held in New Mexico, Michigan, North Carolina, Illinois and downstate New York.

All proceeds from the event will be utilized to support youth sports programs in the city. Each year, more than 4,000 city kids participate in activities ranging from Little League to soccer, wrestling, lacrosse, football, hockey and others. Many of these programs, especially in the city, have needs for equipment, facilities and training that are beyond their capabilities to fund. The Rochester Youth Sports Foundation provides supplemental funding to make sure all kids have access to sports.

The Gus Macker 3 on 3 Basketball Tournament will take place on the Riverside Festival Site and on Court Street on June 24 and 25, 2017. More than 400 teams and 1,600 players are expected to attend,

April 25, 2017

and 4,000 spectators are anticipated downtown for the two days. 15 teams of city youth will be able to participate for free in the tournament.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-74

Ordinance No. 2017-115
(Int. No. 139)

Authorizing an agreement for the 2017 Gus Macker 3 on 3 basketball tournament

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 in the maximum amount of \$50,000 with the Rochester Youth Sports Foundation for the 2017 Gus Macker 3 on 3 basketball tournament (Tournament) in downtown Rochester. Said amount shall be funded from the 2016-17 Budget of the Bureau of Communications. The term of the agreement shall be one year.

Section 2. The Council hereby appropriates \$50,000 from the Rochester Events Network Trust Fund to fund the Tournament. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the 2016-17 Budget of the Bureau of Communications by said amount.

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

The meeting was adjourned at 8:30p.m.

HAZEL L. WASHINGTON
City Clerk