

ROCHESTER CITY COUNCIL

REGULAR MEETING

June 20, 2017

Present – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul –9

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:

RFD:

*Russell Merrick

**Did not attend*

APPROVAL OF THE MINUTES

By Councilmember Spaul

RESOLVED, that the minutes of the Regular Meeting of May 23, 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:

Quarterly Reports – Professional Service Agreements Less Than or Equal to \$10,000 - 4262-17

The Council submits Disclosure of Interest Forms from Councilmember Clifford on Int. No. 181, Councilmember Haag on Int. No. 208, and Int. No. 214, and Councilmember Spaul on Int. No. 180, Int. No. 183, Int. No. 204, and Int. No. 214.

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

Councilmember Spaul presented 100 Signatures opposing Rochester Management/Cobbs Hill – Pet. No. 1739

Councilmember Conklin presented 42 signatures from taxi drivers against Uber(ride sharing) – Pet. No. 1740

June 20, 2017

Councilmember Haag presented 1300 signatures supporting Rochester Management/Cobbs Hill – Pet. No. 1741

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Conklin
June 20, 2017

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

- Int. No. 180 Authorizing an agreement for the 2017 KeyBank Rochester Fringe Festival
- Int. No. 181 Authorizing an amendatory agreement with Personal Energy, Inc. related to the development and administration of a physical agility test
- Int. No. 220 Authorizing an agreement with Entre Computer Services, Inc. related to the upgrade of Microsoft Access Systems
- Int. No. 222 Resolution approving the 2017-18 debt limit for general municipal purposes
- Int. No. 224 Levying taxes for municipal purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018
- Int. No. 225 Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018
- Int. No. 226 Levying taxes for school purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018
- Int. No. 227 Local Improvement Ordinance- Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2017 and expiring June 30, 2018
- Int. No. 228 Amending the Municipal Code with respect to designated parking garages and parking rates
- Int. No. 229 Amending the Municipal Code with respect to water rates
- Int. No. 230 Amending the Municipal Code with respect to refuse fees
- Int. No. 231 Local Law amending the City Charter with regard to fees in actions for foreclosure of tax liens by the City

June 20, 2017

Int. No. 232 Amending the Municipal Code with respect to towing fees

The Finance Committee recommends for Consideration the following entitled legislation:

Int. No. 223 Adoption of the Budget estimates for municipal purposes for the 2017-18 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

Int. No. 233 Adoption of the Budget estimates for school purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018, and appropriation of sums set forth therein

Respectfully submitted,

Carolee A. Conklin (Voted against Int. Nos. 226 and 233)
Molly Clifford
Dana K. Miller
Loretta C. Scott

FINANCE COMMITTEE

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-151
Re: Agreement – Rochester Fringe
Festival, Inc., 2017 KeyBank
Rochester Fringe Festival

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with the Rochester Fringe Festival, Inc. to provide free, family-friendly programming throughout the event. 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 KeyBank Rochester Fringe Festival (Fringe) brings together venues, performers and artists to engage diverse audiences through an innovative, entertaining and thought-provoking annual multi-arts festival in Rochester. The festival includes theatre, comedy, family entertainment, music, dance, physical theatre, street theatre, musical theatre, opera, and the spoken word.

The 2017 Fringe will be held September 14 to 23 and includes shows in 25 downtown venues, as well as free, outdoor entertainment. The City funds appropriated herein will help to defray the costs of a variety of free, family-friendly performances and festival space as follows:

June 20, 2017

- “Friday and Saturday on the Fringe”- Two large-scale performances by a world-renowned spectacle theatre company, to be held at Parcel 5 (of the former Midtown site) on September 15 and 16.
- “Fringe Street Beat”- A popular urban dance / hip hop dance / breakdance event, drawing participants from within the City of Rochester and throughout the Northeastern US and Canada.
- Two days of free events on Gibbs Street, including music, dance, and participatory chalk art.
- Free, outdoor films in the Spiegelgarten, located on the corner of Main and Gibbs Streets.
- Approximately 125 other free shows in various venues.

Since its debut in 2012, the Fringe has become one of the most successful fringe festivals in the United States, attracting more than 68,000 attendees to more than 500 performances in 2016. The Fringe uniquely celebrates Rochester’s rich multi-arts culture. Its presence enhances the city’s reputation as a respected destination for the arts, joining the ranks of 300 other world-class cities with fringe festivals, such as New York City, Philadelphia, Toronto, Chicago, and Edinburgh, Scotland. The KeyBank Rochester Fringe Festival is now one of the top three most highly attended fringe festivals in the US.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-94

Ordinance No. 2017-151
(Int. No. 180)

Authorizing an agreement for the 2017 KeyBank Rochester Fringe 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 \$25,000 with Rochester Fringe Festival, Inc. for the 2017 KeyBank Rochester Fringe Festival. Said amount shall be funded from the 2017-18 Budget of the Bureau of Communications, contingent upon approval 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.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-152

June 20, 2017

Re: Amendatory Agreement – Personal
Energy, Inc., Physical Agility Test for
Firefighter Civil Service Examination

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$1,025 as maximum compensation for an amendatory agreement with Personal Energy, Inc. for additional compensation related to the development and administration of a physical agility test for the Firefighter Civil Service Examination. The original agreement authorized via Ordinance No. 2016-3 provided maximum compensation of \$7,500 for an initial two-year term. This amendment will increase maximum compensation by \$1,025 for a total of \$8,525. The additional cost will be funded from the 2016-17 Budget of the Department of Human Resource Management.

There have been two cycles of physical agility exams conducted with the candidates that passed the most recent written portion of the firefighter examination conducted in December 2015. Due to the unexpectedly large size of the score bands that resulted, more candidates were eligible to participate in the physical agility test than were anticipated. This resulted in an increase in the cost of the administration of the physical agility test. No additional funds are expected to be needed if and when the two-year renewal option is exercised.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2017-152
(Int. No. 181)

Authorizing an amendatory agreement with Personal Energy, Inc. related to the development and administration of a physical agility test

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 Personal Energy, Inc. for the development and administration of a physical agility test for the Firefighter Civil Service Examination. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2016-3 by \$1,025 to a new total of \$8,525. Said amendatory amount shall be funded from the 2016-17 Budget of the Department of Human Resource Management.

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.

June 20, 2017

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-153

Re: Agreement – Entre Computer Services,
Microsoft Access Upgrade

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Entre Computer Services to upgrade approximately 40 Microsoft Access systems to a currently supported version of the software. The cost of this agreement will be funded from the 2017-18 Budget of the Information Technology Department, contingent upon approval of said budget, and the term will be for one year with the option to renew for one additional year.

Microsoft Access is a database management system that is used in various areas of the City. The consultant will provide staff and services at specified unit prices to upgrade the system throughout the organization.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-95

Ordinance No. 2017-153
(Int. No. 220)

Authorizing an agreement with Entre Computer Services, Inc. related to the upgrade of Microsoft Access Systems

Section 1. The Mayor is hereby authorized to enter into an agreement with Entre Computer Services, Inc. to upgrade approximately 40 Microsoft Access Systems to a currently supported version. The maximum compensation for the agreement shall be \$50,000, which shall be funded from 2017-18 Budget of the Department of Information Technology. The term of the agreement shall be one year with one optional one-year renewal.

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.

June 20, 2017

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2017-14
Re: 2017-18 Debt Limit

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing the Debt Limit, Debt Rollover, and Debt Extension amounts for the 2017-18 Budget.

2017-18 Debt Limit

The Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2017-18 is \$18,108,500.

Attached is the 2017-18 Debt Authorization Plan, which calls for borrowing \$17,977,000 in tax supported funds. The Plan also includes an additional \$4,656,000 supported by the City's Water Fund.

Debt Rollover 2016-17 and 2015-16

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations which vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2016-17: The tax supported borrowing request for this year was \$18,005,000. Of that amount \$6,483,000 has been authorized, leaving a balance of \$11,522,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2016-17 itemizes projects remaining for that year.

2015-16: The tax supported borrowing request for this year was \$19,045,000. Of that amount \$13,750,000 has been authorized, leaving a balance of \$5,295,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2015-16 itemizes projects remaining for that year.

Time Limit Extensions for 2014-15, 2013-14, 2012-13, 2011-12, 2010-11 and 2009-10

Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the

June 20, 2017

importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

<u>2014-15 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-3 Goodman/Main Street	street rehabilitation	\$ 6,000
E-4 Demolition	demolition	723,000
M-6 RPD Special Operations	Maple section office	245,000
S-7 Elmwood Avenue	cycle track	250,000
T-1 Ridgeway Avenue	street rehabilitation	1,716,000
T-2 Milling & Resurfacing	street rehabilitation	259,000
T-2 Residential Street	street rehabilitation	<u>2,166,000</u>
	Total 2014-15 Extension	\$ 5,365,000
<u>2013-14 Project</u>	<u>Purpose</u>	<u>Amount</u>
T-4 Residential Street	street rehabilitation	\$2,032,000
T-3 Milling & Resurfacing	street rehabilitation	243,000
E-6 Investigation and Remediation	contaminated sites within city	505,000
T-6 Street Lighting	lighting	325,000
T-1 Lake Avenue	street rehabilitation	500,000
E-8 Focused Investment	development	500,000
E-1 Midtown Redevelopment III	street rehabilitation	<u>250,000</u>
	Total 2013-14 Extension	\$ 4,355,000
<u>2012-13 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Investigation and Remediation	contaminated sites within city	<u>\$150,000</u>
	Total 2012-13 Extension	\$ 150,000
<u>2010-11 Project</u>	<u>Purpose</u>	<u>Amount</u>
F-2 Investigation and Remediation	contaminated sites within city	<u>\$240,000</u>
	Total 2010-11 Extension	\$ 240,000
<u>2009-10 Project</u>	<u>Purpose</u>	<u>Amount</u>
F-2 Investigation and Remediation	contaminated sites within city	<u>\$550,000</u>
	Total 2009-10 Extension	\$ 550,000

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time, the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-96

Resolution No. 2017-14
(Int. No. 222)

June 20, 2017

Resolution approving the 2017-18 debt limit for general municipal purposes

WHEREAS, an important component of the City's expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2017-18 to \$18,108,500 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2015-16 and 2016-17 shall continue to be available, but no authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried-over and included in the limit for this fiscal year. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for fiscal year 2014-15 relating to street rehabilitation and milling and resurfacing including but not limited to Goodman Street, Main Street and Ridgeway Avenue, renovations to RPD Special Operations office, demolition, cycle track on Elmwood Avenue; 2013-14 relating to street rehabilitation and milling and resurfacing including but not limited to Lake Avenue and Midtown Redevelopment III, hazardous waste investigation and remediation at contaminated City sites, street lighting, and focused investment; fiscal year 2012-13 relating to hazardous waste investigation and remediation at contaminated City sites; for fiscal year 2010-11 relating to hazardous waste investigation and remediation at contaminated City sites; and for fiscal year 2009-10 relating to hazardous waste investigation and remediation at contaminated City sites.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

- Ordinance No. 2017-154
- Ordinance No. 2017-155
- Ordinance No. 2017-156
- Ordinance No. 2017-157
- Local Improvement Ordinance No. 1736
- Ordinance No. 2017-158
- Ordinance No. 2017-159
- Ordinance No. 2017-160
- Local Law No. 1
- Ordinance No. 2017-161
- Ordinance No. 2017-162

Re: 2017-18 Budget

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2017-18 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
 - a. Street mall maintenance
 - b. Neighborhood parking lot operation
 - c. Public Market snow removal and security services
 - d. Street lighting and streetscape districts
 - e. Downtown Enhancement District
 - f. High Falls Improvement District
 - g. St. Paul Street Streetscape
 - h. Mt. Hope Streetscape
 - i. Upper East Alexander Entertainment-Refuse
5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2017-18 proposed budget of the City submitted to City Council on May 19, 2017 are summarized below:

1. Total appropriations of \$1,408,960,477 allocated for the City and the School District

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 525,604,100	\$ 518,842,400	\$ 6,761,700	+1.3

June 20, 2017

School	<u>883,356,377</u>	<u>876,026,485</u>	<u>7,329,892</u>	+0.8
Total	\$1,408,960,477	\$1,394,868,885	\$14,091,592	+1.0

Total non-tax revenue distributed between the City and the District:

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 472,745,423	\$ 466,260,470	\$ 6,484,953	+1.4
School	<u>769,615,877</u>	<u>762,881,485</u>	<u>6,734,392</u>	+0.9
Total	\$1,242,361,300	\$1,229,141,955	\$13,219,345	+1.1

2. Total tax levies of \$174,449,400 for the City and City School District

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$166,599,177	\$165,726,930	\$872,247	+ 0.53
Tax Reserve	<u>7,850,223</u>	<u>8,722,470</u>	<u>-872,247</u>	-10.00
Tax Levy	\$174,449,400	\$174,449,400	\$ 0	0.00

3. Total appropriations for the Local Works fund of \$21,750,700 and total assessments of \$20,164,300

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
<u>Difference</u>				
Street Maintenance	\$ 5,398,897	\$ 5,631,153	\$ -232,256	-4.1
Sidewalk Repair	3,467,951	601,185	2,866,766	476.9
Roadway Plowing	8,580,745	10,561,845	-1,981,100	-18.8
Sidewalk Plowing	<u>2,716,707</u>	<u>2,917,317</u>	<u>-200,610</u>	-6.9
Total	\$20,164,300	\$19,711,500	\$ 452,800	2.3

4. Program Assessments

On April 25, 2017, the following budgets were approved: street lighting and streetscapes; street malls; Downtown Enhancement District; security and snow removal at the Public Market; High Falls Business Improvement District; and the East Avenue and Alexander Street Entertainment District. The budget for the South Avenue/Alexander Street Open Space District was also approved on April 25, 2017 but will be financed solely by the use of prior year assessments. The budget for the parking lots was approved on May 23, 2017. The assessments required are as follows:

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$34,241	\$30,306	3,935	13.0
Parking Lots	61,261	56,585	4,676	8.3
Public Market	47,049	45,839	1,210	2.6
Lighting and Streetscapes	37,967	38,000	-33	-0.1
Downtown Enhancement	604,100	604,100	0	0.0
High Falls	25,000	25,000	0	0.0
St. Paul Street Streetscape	20,649	20,649	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	20,800	20,800	0	0.0

5. Proposed additions to the tax roll consist of the following charges:

June 20, 2017

	<u>Proposed 2017-18</u>	<u>Amended 2016-17</u>	<u>\$Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$525,481	\$584,238	\$58,757	-10.1
Delinquent Water	5,987,482	6,125,164	-137,682	-2.2
Code Enforcement	144,338	139,532	4,806	3.4
Supplemental and Omitted Taxes	174,700	338,544	-163,844	-48.4
Local Improvements	1,919	1,413	506	35.8
Demolitions	646,424	564,681	81,743	14.5
Encroachments	3,725	3,725	0	0.0
Rehabilitation	219,271	217,626	1,645	0.8
Code Violations	1,863,906	1,982,235	-118,329	-6.0
Arnold Park Monuments	0	5,118	-5,118	-100.0

6. Fee increases and Code changes

- 6A. Water rate increases are proposed to balance the Water Fund. The proposed increases are expected to result in \$870,900 additional revenue based upon a slight reduction in consumption. Consumption charges and fire service charges, including the Holly high-pressure consumption charge, are proposed to increase an average of 2.57%. Increases are also proposed for the 5/8", 3/4", 8" and 10" base meter charge, however the 1" through 6" base meter charges will remain the same.
- 6B. A rate increase of 3% is proposed to balance the Local Works Fund. The proposed increase is expected to result in \$572,400 additional revenue.
- 6C. A residential refuse rate increase of 3% is necessary to balance the Refuse Fund resulting in approximately \$752,200 additional revenue.
- 6D. Increases in parking garage rates are necessary to balance the Parking Fund, resulting in approximately \$184,700 additional revenue. Monthly general parking rates increase \$2 at Court Street, Crossroads, South Avenue, Sister Cities and Washington Square (including the Wadsworth Lot); \$5 for East End and High Falls (including the Kodak surface lot); and \$6 for Mortimer. Premium and reserved monthly parking rates at Court Street, Sister Cities and Washington Square increase \$5. Reserved monthly parking at High Falls increases \$3. Residential rates at Court Street, East End, High Falls, Mortimer, South Avenue, Sister Cities, and Washington Square increase \$10 per month. The monthly student rate for East End is in accordance with rates originally established under the Cultural Center Commission. A separate rooftop rate is no longer an option at the Washington Square garage. Midtown Garage is removed as a designated parking garage.
- 6E. Amend the City Charter to increase the foreclosure fee to partially offset the City's costs for this function. This change will result in incremental revenues of approximately \$150,000.
- 6F. Amend Section 111-72 of the City Code to increase the fee from \$120 to \$130 for owners to redeem passenger vehicles from the City Auto Pound. The additional revenue of \$24,000 offsets the cost of increased fees paid to the City's contracted tow companies. Subsection B of Section 108A-7 which dictates the maximum fee that private towers can charge would also be amended to increase the maximum fee from \$120 to \$130.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2017-154
(Int. No. 223)

Adoption of the Budget estimates for municipal purposes for the 2017-18 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2017 to June 30, 2018, providing for the expenditure of \$525,604,100, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2017-18 are hereby authorized to be expended and the sum of \$525,604,100 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$ 1,854,200
Administration	8,804,400
Neighborhood and Business Development	10,985,000
Environmental Services	85,363,100
Finance	10,944,700
Information Technology	8,249,200
Law	2,030,900
Library	11,793,500
Recreation and Youth Services	11,822,800
Emergency Communications	13,540,300
Police	89,837,600
Fire	50,215,900
Undistributed Expenses	143,058,700
Contingency	7,548,500
Cash Capital	31,933,000
Debt Service	37,622,300
Sub-total	\$525,604,100
Tax Reserve	2,490,723
Total	\$528,094,823

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2017-18 is hereby fixed and determined at \$472,745,423 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2017-18 providing for the raising of taxation on real estate for municipal purposes of the sum of \$55,349,400 is hereby adopted.

June 20, 2017

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2017-18.

Section 6. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

Ordinance No. 2017-155
(Int. No. 224)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

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

Section 1. The sum of \$55,349,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2017 and expiring June 30, 2018 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 3. This ordinance shall take effect on July 1, 2017.

Passed unanimously.

Ordinance No. 2017-156
(Int. No. 225)

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018 are hereby in all respects confirmed:

Street and Lot Maintenance	\$5,398,897.31
Roadway Snow Removal	8,580,744.62

June 20, 2017

Sidewalk Snow Removal	2,716,706.81
Hazardous Sidewalk Repair	3,467,951.27
Delinquent Refuse	525,480.82
Delinquent Water Charges	5,987,481.75
Supplemental Taxes	170,656.88
Omitted Taxes	4,042.73
Street Malls	34,241.00
Parking Lots	61,261.00
Code Enforcements	144,337.50
Code Violations	1,863,906.00
Downtown Enhancement	604,100.00
Public Market Plowing	5,888.07
Public Market Security	41,160.70
Encroachment Fees	3,725.00
Rehabilitation Charges	219,271.27
Lyell Avenue Street Lights - District I	2,119.90
Lyell Avenue Street Lights - District II	2,243.45
Wilson Blvd. Street Lights	539.03
Monroe Avenue Lights I	1,301.46
Monroe Avenue Lights and Sidewalk II	604.20
Norton Street Lights	1,335.72
Norton Street Streetscape	2,815.00
Cascade Lights	1,546.33
Cascade Streetscape	8,000.00
Lake Avenue Lights	3,925.04
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	507.60
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,800.00
East Main Street Lights	351.37
Browncroft Lighting	9,508.99
Mt. Hope Streetscape	30,000.00
Demolition	646,424.00
Local Improvements	1,918.77

Section 2. This ordinance shall take effect immediately

Passed unanimously.

Ordinance No. 2017-157
(Int. No. 226)

**Levying taxes for school purposes for the fiscal year commencing July 1, 2017 and expiring
June 30, 2018**

June 20, 2017

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

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2017 and expiring June 30, 2018 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2017 and expiring June 30, 2018.

Section 3. This ordinance shall take effect on July 1, 2017.

Passed by the following vote:

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

Nays – Councilmember Conklin - 1

Local Improvement Ordinance No. 1736
(Int. No. 227)

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2017 and expiring June 30, 2018

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2017 to June 30, 2018; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2017 to June 30, 2018:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.
- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.

- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2017-18 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2017-18 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefited parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2017 shall be \$20,164,300.01 consisting of \$5,398,897.31 for street and lot maintenance, \$3,467,951.27 for sidewalk repair, \$8,580,744.62 for roadway snow removal and \$2,716,706.81 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2017 and June 30, 2018, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2017 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2017

Passed unanimously.

Ordinance No. 2017-158
(Int. No. 228)

Amending the Municipal Code with respect to designated parking garages and parking rates

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

Section 1. Section 111-118 of the Municipal Code, Establishment and designation of parking garages, as amended, is hereby further amended by amending subsection D-I to read in its entirety as follows:

~~D.~~ The underground parking garage situate between Clinton Avenue South, Court Street, Chestnut Street, Elm Street and Main Street East, with entrances and exits on Cortland Street and all of the above streets except Main Street East, known as the "Midtown Garage."

~~E.~~D. The underground parking garage situate on Disposition Parcel I of the Genesee Crossroads Urban Renewal Project, with entrances and exits on Corinthian Street and Andrews Street, known as the "Genesee Crossroads Garage."

~~F.~~E. The building located at 28 North Fitzhugh Street, known as the "Sister Cities Garage."

~~G.~~F. The building located at 240 State Street, known as the "High Falls Garage," and the surface lot located at 231 State Street for so long as the City shall possess a lease to use said surface lot for public parking purposes.

~~H.~~G. The building located at 194 Court Street, known as the "Court Street Garage."

~~I.~~H. The building located at 475 East Main Street, known as the "East End Garage," formerly owned by the Cultural Center Commission.

Section 2. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsections A(6)(a)-(i) to read in their entirety as follows:

- (a) Court Street Garage: ~~\$89~~ \$91 for parking in the general area, ~~\$105~~ \$110 for parking in the premium area, and ~~\$136~~ \$141 for parking in the reserved area.
- (b) Genesee Crossroads Garage: ~~\$89~~ \$91.
- (c) High Falls Garage ~~\$72~~ \$77 for parking in the general area, ~~\$115~~ \$118 for parking in the reserved area, \$46 for reserved residential parking, and ~~\$52~~ \$57 for parking in the Kodak surface lot located at 231 State Street.
- (d) South Avenue Garage ~~and Midtown Garage~~: ~~\$89~~ \$91
- (e) Sister Cities Garage: ~~\$89~~ \$91 for parking in the general area and ~~\$105~~ \$110 for parking in the premium area.
- (f) Mortimer Street Garage: ~~\$64~~ \$70 for parking in the garage and in the surface lot. Notwithstanding the parking rates established in this subsection, the Parking Director, subject to the approval of the Mayor, is authorized to establish a program allowing a parking discount reducing the monthly rate to \$25 in the Mortimer Street Garage for up to 50 members of the High Tech Rochester program.

- (g) Washington Square Garage: ~~\$89~~ \$91 for parking in the general area of the garage, ~~\$105~~ 110 for parking in the reserved area of the garage, and ~~\$27~~ \$29 for parking in the Wadsworth Square Lot.
- (h) East End Garage: ~~\$74~~ \$79 for general parking, ~~\$49~~ \$59 for reserved residential parking, and ~~\$42.25~~ \$43.50 for student parking.
- (i) The Parking Director is hereby authorized to designate portions of the Court Street Garage for general parking, premium parking and reserved parking; portions of the Washington Square Garage for ~~rooftop parking~~, general parking and premium parking; portions of the High Falls Garage for general parking and reserved parking; and portions of the Sister Cities Garage for general parking and premium parking, as a part of the variable monthly parking initiative. The Parking Director is authorized to establish rules and regulations to provide for monthly parking by authorized City employees in the High Falls and South Avenue Garages in accordance with collective bargaining agreements approved by the City.

Section 3. This ordinance shall take effect on July 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-159
(Int. No. 229)

Amending the Municipal Code with respect to water rates

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

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsections A and C thereof to read in their entirety as follows:

A. Consumption rates.

(1) Consumption charge; schedule of rates.

Gallons Consumed per Month	Charge per 1,000 Gallons
0 to 300,000	\$3.53 <u>\$3.62</u>
300,001 to 1,000,000	\$3.173 <u>\$3.25</u>
1,000,001 to 13,000,000	\$2.472 <u>\$2.53</u>
Over 13,000,000	\$1.41 <u>\$1.45</u>

(2) Base Charge.

Size of Meter (inches)	Charge per Month
5/8	\$7.64 <u>7.97</u>
3/4	\$11.64 <u>11.95</u>
1	\$37.62
1 1/2	\$55.72
2	\$74.53
3	\$186.25
4	\$372.15
6	\$557.90
8	\$912.95 <u>1,009.72</u>
10	\$1,247.96 <u>1,438.15</u>

C. Fire-service charges.

(1) Domestic fire-service charge.

Size of First Check Valve (inches)	Charge per Quarter
Up to 2	\$41.00 <u>42.00</u>
4	\$81.00 <u>83.00</u>
6	\$160.00 <u>164.00</u>
8	\$318.00 <u>326.00</u>
10	\$470.00 <u>482.00</u>
12	\$676.00 <u>693.00</u>

(2) Holly high-pressure fire-service charge.

Size of First Check Valve (inches)	Charge per Quarter
Up to 2	\$112.00 <u>115.00</u>
4	\$225.00 <u>231.00</u>
6	\$299.00 <u>307.00</u>
8	\$597.00 <u>612.00</u>
10	\$881.00 <u>904.00</u>

(3) Holly high-pressure consumption charge: ~~\$10.79~~11.07 per 1,000 gallons.

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

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-160
(Int. No. 230)

Amending the Municipal Code with respect to refuse fees

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

Section 1. Section 20-24 of the Municipal Code, Residential and commercial user refuse fees, as amended is hereby further amended by amending subsection A(1) – (3) thereof to read in its entirety as follows:

(1) Fees:

Number of Dwelling Units	Annual Fee
1	\$380.00 <u>391.00</u>
2	\$764.00 <u>787.00</u>
3	\$847.00 <u>872.00</u>

(2) Any residence requiring service and not billed for service on the tax bill will be billed on a pro-rata residential rate per quarter.

(3) Residences/home occupations. The fees for residences which also contain home occupations, for example, beauty parlors, garages, doctor’s/dentist’s offices, are:

Number of Dwelling Units	Annual Fee
1	\$764.00 <u>787.00</u>
2	\$847.00 <u>872.00</u>

A property with three (3) dwelling units and home occupation will be charged according to the commercial rate schedule.

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

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Local Law No. 1
(Int. No. 231)

Local Law amending the City Charter with regard to fees in actions for foreclosure of tax liens by the City.

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 9-123(A) thereof to read as follows:

§ 9-123. Establishing and filing foreclosure list.

- A. The Corporation Counsel shall file in the office of the Monroe County Clerk a list of all parcels of the property with tax liens he or she intends to foreclose under this Title, to be known as the “foreclosure list.” The list shall contain as to each parcel the following:
- (1) The tax account number as shown in the records of the City Treasurer, and the street address if possible.
 - (2) The name of the last known owner, as the name appears on the latest assessment roll of the City.
 - (3) The amount of each tax lien to be foreclosed. The foreclosable tax lien shall include an additional fee of ~~\$175~~ \$250 per parcel, to defray some of the costs of the foreclosure action.

The foreclosure list shall be verified as to accuracy in an affidavit of the City.

Section 2. This local law shall take effect July 1, 2017 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2017-161
(Int. No. 232)

Amending the Municipal Code with respect to towing fees

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

Section 1. Section 108A-7 of the Municipal Code, Towing from privately owned property without the vehicle owner’s permission, as amended, is hereby further amended in subsection B to read in its entirety as follows:

- B. In no event shall a towing company charge a fee in excess of ~~-\$120~~ \$130 for towing, without permission of the vehicle owner, of passenger vehicles, including cars, pickup trucks and passenger vans, or motorcycles or minibikes, from privately owned property in the City. Storage fees for such towed vehicles shall not exceed the storage fees charged at the City Auto Pound pursuant to § 111-72G of the Municipal Code, and no storage fees shall be charged for the first 24 hours after the vehicle is delivered to the storage lot. No mileage fees or fees for an additional person or additional fees of any type shall be charged for such tows. A towing company must be open to allow for the retrieval of such towed vehicles between 9:00 a.m. and 6:00 p.m. daily, and if the towing company performs towing services after 5:00 p.m., until at least one hour after the latest time such company provides towing services. The towing company's telephone number to call to retrieve towed vehicles shall contain a message stating the hours during which a vehicle may be retrieved, the lot location, the fees, and that payment may be made by cash or by any major credit card or debit card. The telephone number shall also contain a system that allows callers to leave a message when their call is not answered.

Section 2. Section 111-72 of the Municipal Code, Illegal parking and towing of vehicles, as amended, is hereby further amended in subsection B thereof to change the fee for the redemption of "passenger vehicles, including pickup trucks and passenger vans, minibikes, mopeds and motorcycles" from \$120 to \$130. The fees that the subsection specifies for other classes of vehicles and for other services shall remain unchanged.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-162
Re: Statement of Necessity

I am submitting this Statement of Necessity so that action may be taken at the June 15 Council Committee Meeting on the attached legislation related to the adoption of the City School District budget. Two items of legislation are required for the School District, and only one was submitted. Despite this oversight, the transmittal letter accurately reflects the actions required by Council for both the City and School District budgets. Given the time sensitive nature of this issue, I am requesting action on this legislation with the 2017-18 Budget introductorys.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-162
(Int. No. 233)

Adoption of the Budget estimates for school purposes for the fiscal year commencing July 1, 2017 and expiring June 30, 2018, and appropriation of sums set forth therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2017 to June 30, 2018, providing for the expenditure of \$883,356,377, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2017-18 are hereby authorized to be expended and the sum of \$883,356,377 is hereby appropriated to the Board of Education for the following purposes:

Operations		\$807,256,026
Cash Capital		14,253,979
Debt Service		<u>61,846,372</u>
	Subtotal	883,356,377
Tax Reserve		<u>5,359,500</u>
	Total	\$888,715,877

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2017-18 is hereby fixed and determined at \$769,615,877 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2017-18 providing for the raising of taxation on real estate for school purposes of the sum of \$119,100,000 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2017.

Passed by the following vote:

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

Nays – Councilmember Conklin - 1.

Councilmember Conklin moved to discharge Int. No. 300 from committee.

The motion was seconded by Councilmember McFadden.

Adopted unanimously.

Introductory No. 300 was introduced on August 9, 2016 and appears in its original form with its transmittal letter on page___ of the 2016 Council Proceedings

Ordinance No. 2017-163
(Int. No. 300)

Amending Chapter 63 of the Municipal Code with regard to housing discrimination on the basis of source of income

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

Section 1. Chapter 63 of the Municipal Code, Human Rights, as amended, is hereby further amended by amending Sections 63-1, 63-2 and 63-5 as follows:

§ 63-1. Legislative findings.

The Council hereby finds and declares that the City has the responsibility to act to assure that every individual within this City is afforded an equal opportunity to enjoy a full and productive life and that the failure to provide such equal opportunity, whether because of discrimination, prejudice or intolerance in employment, housing, public accommodations and financing practices based upon age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, ~~or~~ marital status or source of income, not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the City and its inhabitants.

§ 63-2. Definitions.

When used in this chapter, the following terms shall have the following definitions:

DISCRIMINATION, DISCRIMINATE or DISCRIMINATORY

Any direct or indirect act, policy or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference based on, or the perception of, age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, ~~or~~ marital status or source of income; or the aiding, abetting, inciting, coercing or compelling thereof.

SOURCE OF INCOME

Payments from a lawful occupation or employment, as well as other payments including, but not limited to, pensions, annuities, public assistance, supplemental security income, social security disability insurance, unemployment benefits, Housing Choice Vouchers (formerly known as Section 8), other housing voucher or subsidy programs, and any other governmental or charitable subsidy.

§ 63-5. Discrimination in housing and commercial space.

- A. It shall be unlawful, due to discrimination, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease real property, housing or commercial space, constructed or to be constructed, or any officer, agent or employee thereof:
- (1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any real property, housing or commercial space;
 - (2) To discriminate against any person in the terms, conditions or privileges of the sale, rental or lease of any real property, housing or commercial space or in the furnishing of facilities or services in connection therewith; or
 - (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of real property, housing or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of real property, housing or commercial space which expresses, directly or indirectly, any discrimination or any intent to discriminate, but nothing in this subsection prohibits using a form or making a record or inquiry for the purpose of required government reporting.
- B. The provisions of ~~this~~ subsection A shall not apply:
- (1) To the rental of a dwelling unit in a two-family dwelling, if the owner or members of the owner's family reside in one of such dwelling units;
 - (2) To the restriction of the rental of all rooms in a dwelling to individuals of the same gender;
 - (3) To the rental of a room or rooms in a dwelling if the renter or lessee would share common living areas with the owner or lessor or members of the owner's or lessor's family; or
 - (4) Solely with respect to age, to the restriction of the sale, rental or lease of housing exclusively to persons 55 years of age or older.
- C. It shall be an unlawful discriminatory practice, based on the actual or perceived source of income, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease housing, constructed or to be constructed, or any officer, agent or employee thereof:
- (1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any housing;
 - (2) To exclude, deny, restrict, limit, segregate, or otherwise differentiate against any person in the terms, conditions or privileges of the sale, rental or lease of any housing or in the furnishing of facilities or services in connection therewith; or
 - (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of housing or to

make any record or inquiry in connection with the prospective purchase, rental or lease of housing which expresses, directly or indirectly, any differentiation or intent to differentiate on the basis of source of income.

D. The following conduct shall not constitute an unlawful discriminatory practice under subsection C:

(1) An inquiry, required disclosure, or required verification about a person's source of income that is necessitated by a Federal, State, or local law that is generally applicable, applicable to the housing at issue, or applicable to the financing or subsidies necessary to a person's purchase or leasing of such housing.

(2) A refusal to rent or lease housing to a person due to one or more of the following conditions and such refusal is based on selection criteria that are applied equally to all tenants or prospective tenants or purchaser without regard to the category of income source:

[a] the person's income is insufficient to make the payments over the term of the lease; and/or

[b] the person is a tenant who has been unable to make timely lease payments in all or part of the preceding 18 months.

(3) A refusal to rent or lease housing to a person whose income is from an illegal source.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Spaul - 8

Nays – Councilmember Patterson -1

By Vice President Miller
June 20, 2017

To the Council:

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

Int. No. 183 Authorizing the sale of vacant land on a portion of 83 Mortimer Street

The following entitled legislation is being held in committee:

Int. No. 182 Authorizing the sale of land parcel at 270 East Avenue

June 20, 2017

Respectfully submitted,

Dana K. Miller
Michael A. Patterson
Elaine M. Spaul (Abstained Int. No. 183)
Loretta C. Scott

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-164
Re: Sale of Real Estate- A Portion of
83 Mortimer Street

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the sale by request for proposal of a portion of 83 Mortimer Street to Patrick Dutton in the amount of \$375,000, as determined by an independent appraisal prepared by Jay Loson of Midland Appraisal Associates in September 2016.

The property being sold is the western portion of the Mortimer Street parcel. The City demolished the rear portion of the Mortimer Street garage several years ago, creating this vacant land that has remained unimproved and serves as the rear ingress/egress for the Mortimer Street Garage. The City will retain ownership of the Mortimer Street Garage, including the rear ingress/egress area, and convey the balance of the parcel to Mr. Dutton.

Mr. Dutton owns several buildings in the block of East Main Street between North Clinton Avenue and St. Paul Street, more specifically 186 East Main Street, 190-194 East Main Street, 9-17 North Clinton Avenue, and recently purchased 34 St. Paul Street (Edwards Building) from Monroe County. The Edwards Building adjoins the parcel that the City is selling. Mr. Dutton intends to develop the Mortimer Street property as a surface parking lot for use by the tenants of the Edwards Building. Acquisition of the City property will allow Mr. Dutton to make necessary improvements to the rear of the Edwards Building in order to comply with New York State and City code requirements for lighting and ventilation. The parcel will be used initially as a staging area for the rehabilitation Mr. Dutton's East Main Street properties.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-97

Ordinance No. 2017-164

(Int. No. 183)

Authorizing the sale of vacant land on a portion of 83 Mortimer Street

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

Section 1. The Council hereby approves the negotiated sale with proposal of the Property comprising approximately 0.55 acres of vacant, unimproved land on the western portion of 83 Mortimer Street (SBL # 106.79-1-55.1), being more particularly bounded and described as follows:

Beginning at a point on the south ROW line of Mortimer Street (61' ROW), 227.0 feet east of the easterly ROW line of St. Paul Street (66' ROW), said point being the northwest corner of lands conveyed to the City of Rochester in Liber 3048 of Deeds, Page 117 and being the Point or Place of Beginning; thence

- 1) Easterly, along said ROW line of Mortimer Street, a distance of 145 feet, more or less, to a point; thence
- 2) Southerly, parallel with the west line of said lands of the City of Rochester and approximately along the east edge of an existing curblin, a distance of 165.0 feet, more or less, to the north ROW line of Division Street (33' ROW); thence
- 3) Westerly, along said ROW line of Division Street, a distance of 145 feet, more or less, to the southwest corner of said lands of the City of Rochester; thence
- 4) Northerly, along the west line of said lands of the City of Rochester, a distance of 165.0 feet, more or less, to the northwest corner thereof, being the Point or Place of Beginning

to Patrick Dutton or an entity formed by him in order to provide a construction staging area and parking for the adjacent property located at 34 St. Paul Street. The sale price shall be \$375,000.

Section 2. The Mayor is hereby authorized to grant and accept any easements or licenses for utilities, ancillary development, or public access that the Mayor determines to be necessary or appropriate to effectuate the terms and purposes of the sale.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson - 8

Nays – None-0

Councilmember Spaul abtained due to a professional relationship.

Vice President Miller moved to discharge Int. No. 182 from committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-165
Re: Sale of Real Estate- Rocinnerloop 2 LLC,
270 East Avenue

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 one City-owned property at 270 East Avenue (the "Property") to Rocinnerloop 2 LLC (the "Developer"), with principals Robert C. Morgan and David Christa. This legislation will:

1. Authorize the sale of the Property to the Developer for the appraised value of \$600,000; and,
2. Authorize the granting and acceptance of any necessary easements for utilities, ancillary development, and for public access.

The sale price of the Property was determined by an independent appraisal completed by Kevin L. Bruckner, MAI, CCIM, of Bruckner, Tillett, Rossi, Cahill & Associates, in October 2016.

The Property is a new parcel resulting from the assembly of land due to the Inner Loop East Transformation Project. As part of the City's efforts to reintegrate the neighborhoods previously separated by the eight-lane highway on the eastern portion of the Inner Loop, a request for proposals for the purchase and redevelopment of this and four other parcels was issued on March 17, 2016, followed by an informational meeting on March 29, 2016. 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 City received two proposals which were evaluated by staff from the Department of Neighborhood and Business Development, Department of Environmental Services, Bureau of Assessment, and Law Department, as well as the City Council Chief of Staff. The Developer was recommended based on the proposed development program and its financial strength.

The selected proposal includes a mixed-use development stretching from East Avenue to Charlotte Street, consisting of two buildings, or "wings", connected by a glass entry link. One wing is five stories and will include retail and office tenants at street level with residential apartments above. The other wing is four stories of residential apartments and an urban green space located on the northern portion of the property. There will be a total of 120 apartments, one level of underground parking, and approximately 27,000 square feet of retail and office space. The Developer proposes commencing construction in the fall 2017.

The estimated sources and uses of funds for the Property are as follows:

June 20, 2017

<u>Sources</u>		<u>Uses</u>	
Bank Loan	\$26,575,024	Land	\$ 600,000
Developer Equity	<u>6,970,256</u>	Apartment Costs	25,327,696
TOTAL	\$33,545,280	Site Work	2,863,571
		Amenities	1,488,200
		Soft Costs	<u>3,265,813</u>
		TOTAL	\$33,545,280

The Developer has committed to demonstrating a good faith effort to achieve the City's Minority, Women, Small, and Disadvantaged Business Enterprise goal of 20%; workforce minority goal of 20%; workforce female goal of 6.9%; and workforce city resident goal of 25%. The Developer will also ensure that rents charged on 10% of the apartment units will be affordable to households earning no more than 120% of the area median income.

The State Environmental Quality Review for the Inner Loop East Transformation Project included future development parameters. This project falls within those parameters, and is therefore covered by the Negative Declaration on issued December 23, 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-98

Ordinance No. 2017-165
(Int. No. 182)

Authorizing the sale of land parcel at 270 East Avenue

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

Section 1. The Council hereby approves the negotiated sale with proposal of 270 East Avenue (SBL# 121.25-01-52), comprising approximately 1.37 acres of vacant land that has been assembled from the Inner Loop East Transformation Project, to Rocinnerloop 2 LLC to establish a mixed use development extending from East Avenue to Charlotte Street. The sale price shall be \$600,000.

Section 2. The Mayor is hereby authorized to grant and accept any easements or licenses for utilities, ancillary development, or public access that the Mayor determines to be necessary or appropriate to effectuate the terms and purposes of the sale.

Section 3. The Mayor is hereby authorized to enter 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.

Passed unanimously.

June 20, 2017

By Councilmember Ortiz
June 20, 2017

To the Council:

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

- | | |
|--------------|--|
| Int. No. 184 | Authorizing the sale of real estate |
| Int. No. 186 | Authorizing a professional services agreement for the Zombie and Vacant Property Remediation and Prevention Initiative |
| Int. No. 187 | Authorizing an amendatory agreement with The Center for Dispute Settlement, Inc. for the City's housing and rehabilitation and repair programs |
| Int. No. 221 | Authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services |

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

- | | |
|--------------|---|
| Int. No. 185 | Amending the Zoning Code text for the Planned Development District No. 7 – Rochester Science Park |
| Int. No. 218 | Local Law amending the City Charter with respect to the organization of the Department of Neighborhood and Business Development |
| Int. No. 219 | Amending the Municipal Code with respect to the organization of the Department of Neighborhood and Business Development |

The following entitled legislation is being held in committee:

- | | |
|--------------|--|
| Int. No. 188 | Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to notification requirements for information meetings and public hearings |
|--------------|--|

Respectfully submitted,

Jacklyn Ortiz
Molly Clifford
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott

NEIGHBORHOOD & COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

June 20, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-166
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of eight 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 two properties are vacant lots sold via request for proposal. The church will erect fences to enclose the lots and create a parking lot with landscaping for their adjoining property and will combine the lots with their existing properties.

The next two properties are vacant lots sold by negotiated sales to the adjacent owners. The purchasers will combine the lots with their existing properties and utilize them as green space.

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

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,308.

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-99

Ordinance No. 2017-166
(Int. No. 184)

Authorizing the sale of real estate

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

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

June 20, 2017

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
15 Loomis St	106.31-3-9.1	66 x 117	7730	500	Full Gospel Tabernacle Church
19 Loomis St	106.31-3-7.1	71 x 117	7683	500	Full Gospel Tabernacle Church

Section 2. The Council hereby approves of the negotiated sale of the following parcels of vacant land:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
772-776 Ave D	091.80.3-28.1	69 x 103	7121	500	Jose Torres
131 Masseth St	105.73-2-41	47 x 114	5347	450	Devin James Hutchings

Section 3. 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
85 Bloss St	105.51-3-10	42 x 84	3896	Michelle Vinson
227 Hebard St	106.50-2-18.3	55 x 93	2790	Maria Santos a/k/a Maria Maldonado
18 Lamont Pl	107.53-1-53	33 x 114	3779	Road Vultures Motorcycle Club, Inc.
410-412 Tremont St	120.52-1-30	45 x 46	2070	James I. McClary

Section 4. 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 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-167
Re: Zoning Text Amendment -
Planned Development No. 7 –
Rochester Science Park

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by adding professional offices and firms to the list of permitted uses in the Rochester Science Park Planned Development District No. 7, which is located at 1920 South Avenue. The Science Park is roughly 55 acres and was established in 1985. Approximately nine acres remain undeveloped. The first company moved into the park around 1990. Since then, the park has only permitted “high-tech” type uses. However, that has limited the City’s ability to attract new tenants. Therefore, this amendment is seeking to add professional

June 20, 2017

offices to the list of permitted uses in order to optimize the City's ability to attract new tenants and develop the remainder of the Park.

The City Planning Commission held an informational meeting on the proposed Text Amendment on Monday, May 1, 2017. The applicant spoke in support of the application; no one spoke in opposition. By a vote of 7-0, the Planning Commission recommended Approval.

A public hearing is required for the Zoning Text Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-100

Ordinance No. 2017-167
(Int. No. 185)

Amending the Zoning Code text for the Planned Development District No. 7 – Rochester Science Park

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in the text for Planned Development District No. 7 – Rochester Science Park, at Paragraphs A(2), C(1) and C(2), as follows:

- A. Overview; introduction and statement of intent.
 - (1) ...
 - (2) Uses permitted in this PD district will be restricted to businesses of a scientific ~~purpose~~ or professional use or nature as outlined within this document under acceptable uses. Site amenities, including the woods and trees of special interest or size, are to be retained to the maximum extent feasible. The district, to be identified as the "Rochester Science Park Subdivision" (and to be referred to herein as the "district" or the "Science Park"), will permit one or more subdivision lots (referred to herein as "sites" or "lots") with access from the main drive of the Science Park which intersects South Avenue. A controlled emergency access road connects the main drive's easterly cul-de-sac to a service drive located on the adjoining institutional property. The Science Park is to provide sites needed by expanding high technology firms and will provide an attractive setting conducive to the requirements of such firms for a quiet environment in close proximity to similar firms and research-related centers. Existing screening of the District's perimeter adjoining institutional and residential uses will be maintained, and additional landscape screening with trees, shrubs and planted berms is to be provided.

C. Uses.

(1) Purpose and intent. These district regulations are intended to provide an area within the City of Rochester for businesses or uses of a scientific ~~purpose or~~ nature engaged in research, development, professional office training, ~~administration,~~ and light manufacturing activities. The district regulations are further intended to provide a low-intensity, parklike environment and well-landscaped sites that are in harmony with proximate residential, commercial and institutional uses.

(2) Permitted uses:

(a) Research in the following:

- [1] Pharmaceuticals.
- [2] Antibody and antigen.
- [3] Agricultural.
- [4] DNA and genetic.
- [5] Industrial chemicals to replace noxious chemicals that produce hazardous waste.
- [6] Biosecurity.
- [7] Environmental or organic pollutants.
- [8] Fuel cell.
- [9] Blood.
- [10] Nanotechnology.
- [11] Chemical constituents of body fluids.
- [12] Clinical and disease detection.
- [13] Those fields listed in Subsection C(2)(c) below.

(b) Medical offices with a research component that is an integral part of the health care which they provide. The research component must consist of a minimum of 20% of the net floor area.

(c) Manufacture, processing and assembly of the following:

- [1] Communications equipment.
- [2] Data processing equipment, including personal computers, mainframes, microcomputers, hand-held PCS (PDA), and/or the components found in each (including chips and semiconductors).
- [3] Software.
- [4] Electronic systems, components and accessories.
- [5] Photographic/imaging equipment and systems.
- [6] Optics.
- [7] Photovoltaic and photonics (light absorption for energy).
- [8] Fuel cell components.
- [9] Networking equipment (switches, hubs, fiber and routers among similar components).
- [10] Industrial and environmental control equipment.
- [11] Nanotechnology.

[12] Products resulting from research as indicated in Subsection C(2)(a) above.

(d) Professional offices and firms consisting of the following:

- [1] Engineering
- [2] Financial Assistance (consulting, banking and back office excluding branch and drive through locations)
- [3] Accounting
- [4] Insurance
- [5] Architectural
- [6] Legal
- [7] Planning

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-168
Re: Agreement – Causewave Community
Partners, Inc., Zombie and Vacant
Property Remediation and Prevention Initiative

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

Transmitted herewith for your approval is legislation establishing \$44,000 as maximum compensation for an agreement with Causewave Community Partners, Inc. for a marketing campaign to connect residents facing foreclosure with The Housing Council's foreclosure prevention services. The term of the agreement will be for two years and funded through a previously authorized grant from the Local Initiatives Support Corporation (LISC) for the Zombie and Vacant Property Remediation and Prevention Initiative (Ord. No. 2016-365).

The LISC grant to the City was the result of the February 11, 2016 Settlement Agreement between Morgan Stanley and the New York Attorney General. LISC promotes the activities of the New York State Housing Stabilization Fund to support the work of municipalities or their housing finance agencies to enact Housing Quality Improvement and Enforcement Programs. This includes improving the marketing of foreclosure prevention efforts; increasing the capacity to manage the vacant property program and facilitating Abandonment Actions; providing support for the Monroe County Vacant Task Force; and assisting with the development of efficient and effective means of collaborating with State agencies to ensure compliance with the new Zombie Law.

June 20, 2017

On November 16, 2016, City Council authorized the grant agreement with LISC for \$350,000. To date, \$96,560 has been billed to cover the expenses associated with staffing and the Abandonment Action process. The proposed agreement with Causewave Community Partners, Inc. will fulfill the LISC's expectation for marketing foreclosure prevention services to citizens.

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-101

Ordinance No. 2017-168
(Int. No. 186)

Authorizing a professional services agreement for the Zombie and Vacant Property Remediation and Prevention Initiative

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 Causewave Community Partners, Inc. for a marketing campaign to advertise foreclosure prevention services as part of the Zombie and Vacant Property Remediation and Prevention Initiative. The maximum compensation for the agreement shall be \$44,000, which shall be funded from the funds appropriated for the Initiative in Ordinance No. 2016-365. The term of the agreement shall be 2 years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-169
Re: Amendatory Agreement – The Center for
Dispute Settlement, Dispute Resolution
Services for Housing Repair Programs

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

June 20, 2017

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with The Center for Dispute Settlement (CDS) that will extend the term of the original agreement by two years (Ord. No. 2014-361).

CDS provides arbitration and dispute resolution services to settle disagreements between property owners and contractors that arise out of the City's housing rehabilitation and repair programs. Extending this agreement enables CDS to continue providing these services, which have yet to be utilized. However, it is important to maintain this agreement in the event that these services are needed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-169
(Int. No. 187)

Authorizing an amendatory agreement with The Center for Dispute Settlement, Inc. for the City's housing and rehabilitation and repair programs

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with The Center for Dispute Settlement, Inc. to provide arbitration services that arise out of the City's housing and rehabilitation and repair programs. The amendatory agreement shall extend the term of the agreement originally authorized by Ordinance No. 2014-361 by two years.

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

Section 3. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 2
Ordinance No. 2017-170
Re: Charter and Code Amendments

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

June 20, 2017

Transmitted herewith for your approval is legislation amending the City of Rochester Charter and Code to reflect the reorganization of the Department of Neighborhood and Business Development (NBD). The amendments will accomplish the following:

1. Realign the responsibilities in §10 of the City Charter by relocating the demolition functions in §10-3 to §10-6; relocating the Zoning functions from §10-4 to §10-6; renaming §10-4 the Division of Planning; and renaming §10-6 the Bureau of Buildings and Zoning;
2. Update all sections in the code where the Bureaus of Inspection and Compliance Services and Planning and Zoning are located; and
3. Replace the title of Director of Planning and Zoning in all applicable sections with the “Manager of Zoning”.

These changes will insure that the applicable sections of the Charter and Code are in line with the proposed changes to NBD as reflected in the 2017-18 Budget.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 2
(Int. No. 218)

Local Law amending the City Charter with respect to the organization of the Department of Neighborhood and Business Development

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending the following provisions of Article X, Department of Neighborhood and Business Development:

§ 10-1 Department of Neighborhood and Business Development.

D. There shall be in the Department of Neighborhood and Business Development a Bureau of Business and Housing Development, a ~~Bureau~~ Division of Planning and Zoning, a Bureau of Neighborhood Preservation, a Bureau of Buildings and Zoning ~~Inspection and Compliance Services~~, and such other operating units as deemed necessary by the Commissioner and the Mayor for effective and efficient operation of the Department.

§ 10-3 Bureau of Business and Housing Development.

~~C. The Director of Development Services shall provide for the demolition of structures when necessary, so that such structures are no longer threats to the health, welfare and safety of the residents of the City.~~

~~DC.~~ The Director of Development Services shall be responsible for the development of business and housing programs under the Community Development Block Grant and other federal and state programs and liaison with the Rochester Housing Authority and other housing corporations.

§ 10-4 ~~Bureau~~ Division of Planning and Zoning.

A. There shall be a ~~Bureau~~ Division of Planning and Zoning, the head of which shall be the ~~Director~~ Manager of Planning and Zoning.

~~B. The Bureau of Planning and Zoning shall be responsible for the administration of the Zoning Code. The Bureau shall provide staff services to the Zoning Board of Appeals, the Planning Commission, the Preservation Board, the Rochester Environmental Commission and such other boards as may be established. The Director of Planning and Zoning shall have all powers necessary to the administration of the Zoning Code and shall, consistent with the expressed standards, purposes and intent of the Zoning Code, promulgate, adopt and issue such procedural rules, regulations and forms as are necessary and shall from time to time recommend revisions and modifications to the Zoning Code. In addition, the Director of Planning and Zoning may, upon written request, for good cause shown and without any notice or hearing, extend any time limit imposed on an applicant or permittee by the Zoning Code of the City of Rochester or, unless the resolution shall expressly provide otherwise, by any resolution of any body acting pursuant to said ordinance for a period not to exceed the length of the original period. The Director of Planning and Zoning may delegate these responsibilities necessary to the administration of the Zoning Code to the Manager of Zoning, or said responsibilities may be assigned to the Manager of Zoning in the Zoning Code.~~

~~C. The Bureau of Planning and Zoning shall assist the Planning Commission by conducting studies, performing reviews and making recommendations on matters before the Commission and shall provide such other general assistance as the Planning Commission may require in the discharge of its duties.~~

~~D. The Director of Planning and Zoning shall have authority to permit minor adjustments or modifications to final plans for planned developments and cluster developments, and subject to the procedures, standards and limitations of the Zoning Code, the Director shall have the authority to issue administrative adjustments for variation of not more than 10% any numerical standard set forth in the Zoning Code, for five or fewer spaces for an alternative parking plan and for a minor parking area.~~

~~E. The Director of Planning and Zoning shall have the authority to review and approve, approve with conditions or deny applications for site plan review, subject to the right of appeal of such decision to the City Planning Commission.~~

~~F. The Director of Planning and Zoning shall have the authority to issue certificates of nonconformity, subject to the right of appeal of such decision to the Zoning Board of Appeals.~~

~~G. The Director of Planning and Zoning shall have the authority to issue certificates of~~

~~appropriateness for applications that conform to the preservation guidelines adopted by the Preservation Board.~~

~~H. The Bureau of Planning and Zoning shall be responsible for reviewing plans and issuing permits pursuant to the Building Code for new construction, alterations and demolitions.~~

~~I. B. The Bureau Division of Planning and Zoning shall conduct and coordinate the City's physical, environmental and transportation planning. The Director Manager of Planning and Zoning shall undertake studies of the physical, economic and social factors relevant to the well-being of the City. The Director Manager shall be responsible for preparing and maintaining a Comprehensive Development Plan for the City; reviewing the conformity of municipal and private proposals to the City's development objectives; collecting, cataloging and analyzing data on demographic, economic and physical characteristics of the City; and coordinating the City's planning programs with those of the Genesee/Finger Lakes Regional Planning Council, the Monroe County Department of Planning and the Genesee Transportation Council.~~

~~J. C. The Bureau Division of Planning and Zoning shall also be responsible for planning and coordinating projects and programs for the conservation and revitalization of the City's neighborhoods in accordance with the Comprehensive Development Plan.~~

§ 10-5. Bureau of Neighborhood Preservation.

There shall be a Bureau of Neighborhood Preservation, the head of which shall be the Neighborhood Service Centers Director. ~~The Bureau of Neighborhood Preservation~~ shall be responsible for the operation and management of the Neighborhood Service Centers. The Bureau shall facilitate resolution of neighborhood complaints, reduce nuisance activities, provide technical assistance in community organizing, plan and implement special projects, monitor City-owned vacant structures, issue Business Permits, issue parking permits for handicapped residents in accordance with Article 32 of the New York State Vehicle and Traffic Law, enforce the provisions of the Property Conservation Code, Zoning Code, Refuse and Sanitation Codes, the Anti-Litter Ordinance and the Streets Code, and promote crime prevention activities.

§ 10-6 Bureau of Buildings and Zoning Inspection and Compliance Services.

A. There shall be a Bureau of Buildings and Zoning Inspection and Compliance Services, the head of which shall be the Director of Buildings and Zoning Inspection and Compliance Services. The Director shall issue certificates of occupancy and certificates of compliance for new and existing structures and property.

B. The Bureau shall enforce or cause to be enforced all laws and ordinances relating to new construction and alterations and the maintenance, construction, use and occupancy of buildings, structures and property, as directed by the Commissioner or the Mayor or by law or ordinance.

C. The Bureau, together with the Commissioner of Environmental Services, shall enforce or cause to be enforced the Refuse and Sanitation Codes, the Anti-Litter Ordinance,

and the Streets Code.

D. The Bureau shall conduct inspections for new construction and alterations for conformance with plans and shall perform property maintenance inspections of existing buildings and property.

E. The Director of ~~Buildings and Zoning Inspection and Compliance Services~~ shall have all powers necessary to administer the issuance of certificates of occupancy, certificates of compliance and any and all enforcement associated with the laws and ordinances enforced by the Bureau and shall, consistent with the expressed standards and purposes and intent of the applicable codes, promulgate, adopt and issue procedural rules and forms as are necessary and shall from time to time recommend revisions and modifications to the Building Code, Property Conservation Code, Plumbing Code, Electrical Code, and the Elevator Code.

F. The Director of Buildings and Zoning shall provide for the demolition of structures when necessary, so that such structures are no longer threats to the health, welfare and safety of the residents of the City.

G. The Bureau of Buildings and Zoning shall be responsible for the administration of the Zoning Code. The Bureau shall provide staff services to the Zoning Board of Appeals, the Planning Commission, the Preservation Board, the Rochester Environmental Commission, Project Review Committee and such other boards as may be established. The Director of Buildings and Zoning shall have all powers necessary to the administration of the Zoning Code and shall, consistent with the expressed standards, purposes and intent of the Zoning Code, promulgate, adopt and issue such procedural rules, regulations and forms as are necessary and shall from time to time recommend revisions and modifications to the Zoning Code. In addition, the Director of Buildings and Zoning may, upon written request, for good cause shown and without any notice or hearing, extend any time limit imposed on an applicant or permittee by the Zoning Code of the City of Rochester or, unless the resolution shall expressly provide otherwise, by any resolution of any body acting pursuant to said ordinance for a period not to exceed the length of the original period. The Director may delegate the responsibilities necessary to the administration of the Zoning Code, including those responsibilities set forth in this Subsection and in Subsections H, I, J, K, L, and M and in exercising responsibilities assigned to the Director under any provision of the Municipal Code that entails making any evaluation, determination, certification, notification, or certification regarding compliance with or violation of the Zoning Code, to the Manager of Zoning, or said responsibilities may be assigned to the Manager of Zoning in the Zoning Code.

H. The Bureau of Buildings and Zoning shall assist the Planning Commission by conducting studies, performing reviews and making recommendations on matters before the Commission and shall provide such other general assistance as the Planning Commission may require in the discharge of its duties.

I. The Director of Buildings and Zoning shall have authority to permit minor adjustments or modifications to final plans for planned developments and cluster developments, and subject to the procedures, standards and limitations of the Zoning Code, the Director shall have the authority to issue administrative adjustments for variation of

not more than 10% of any numerical standard set forth in the Zoning Code, for five or fewer spaces for an alternative parking plan and for a minor parking area.

J. The Director of Buildings and Zoning shall have the authority to review and approve, approve with conditions or deny applications for site plan review, subject to the right of appeal of such decision to the City Planning Commission.

K. The Director of Buildings and Zoning shall have the authority to issue certificates of nonconformity, subject to the right of appeal of such decision to the Zoning Board of Appeals.

L. The Director of Buildings and Zoning shall have the authority to issue certificates of appropriateness for applications that conform to the preservation guidelines adopted by the Preservation Board.

M. The Bureau of Buildings and Zoning shall be responsible for reviewing plans and issuing permits pursuant to the Building Code for new construction, alterations and demolitions.

§ 10-8 Issuance of appearance tickets.

State-certified Code Enforcement Officers in the Bureau of Buildings and Zoning Inspection and Compliance Services or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Streets Code, Refuse and Sanitation Codes, Property Conservation Code, Zoning Code, Fire Prevention Code, Building Code, Electrical Code, Elevator Code, and Plumbing Code and any other laws and ordinances enforced by the Department of Neighborhood and Business Development over which the Municipal Code Violations Bureau has jurisdiction, including violations of the New York State Uniform Fire Prevention and Building Code. Code Enforcement Inspectors in the Bureau of Inspection and Compliance Services or the Neighborhood Service Centers may issue appearance tickets returnable in the Municipal Code Violations Bureau for violations of the Anti-Litter and Snow Ordinances, Refuse and Sanitation Codes, and Property Conservation Code. Neighborhood Service Centers Administrators are further authorized to issue appearance tickets for violations of the Noise Code.

Section 2. Section 2-18 of the City Charter, Code of Ethics, as amended, is hereby further amended by revising a portion of the list of City positions requiring the filing of a financial disclosure contained in subsection G(1) therein as follows:

Commissioner of Neighborhood and Business Development
Neighborhood Service Centers Director
Neighborhood Service Centers Administrator
Director of Development Services
Director of Buildings and Zoning
Director of Planning and Zoning
Director of Inspection and Compliance Services
Manager of Code Compliance
Director of Planning

June 20, 2017

Manager of Planning
Manager of Zoning

Section 3. This local law shall take effect on July 1, 2017 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Councilmember Ortiz moved to amend Int. No. 219.

The motion was seconded by Councilmember Clifford.

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul
- 9

Nays – None - 0

Ordinance No. 2017-170
(Int. No. 219, as amended)

Amending the Municipal Code with respect to the organization of the Department of Neighborhood and Business Development

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

Section 1. The following sections of Chapter 120 of the Municipal Code, Zoning, as amended, are hereby further amended by deleting the words “Director of Planning and Zoning” in each place they appear therein and by inserting in their place the phrase “Manager of Zoning” and by deleting the word “Director” in each place that it appears therein when it is not part of the phrase “Director of Planning and Zoning” and by inserting in its place the word “Manager”:

- § 120-5 Zoning Map.
- § 120-77.1 C-V Collegetown Village District.
- § 120-77.2 M-D Marina District.
- § 120-83 Special permit uses.
- § 120-97 Establishment of district.
- § 120-102 Variance.
- § 120-103 Special permit uses.
- § 120-120 Zoning designations and modifications.
- § 120-121 Urban Renewal District procedures.
- § 120-126 Procedures for planned development districts.
- § 120-142 Junkyards or salvage yards.

- § 120-143 Personal wireless telecommunication facilities.
- § 120-148.1 Shooting ranges.
- § 120-148.2 Solar energy system.
- § 120-149 Temporary uses.
- § 120-155 Waste stations
- § 120-163 Accessory uses and structures.
- § 120-169 Landscaping, buffers and screening.
- § 120-172 Off-street loading.
- § 120-173 Off-street parking.
- § 120-174 Off-street stacking requirements.
- § 120-178 Site grading.
- § 120-179 Responsibility for administration.
- § 120-181 Project Review Committee
- § 120-182 Director of Planning and Zoning.
- § 120-184 Planning Commission.
- § 120-185 Preservation Board.
- § 120-186 Zoning Board of Appeals.
- § 120-188 Common review procedures.
- § 120-189 Certificate of zoning compliance.
- § 120-190 Procedures approved by the City Council.
- § 120-191 Procedures approved by the Director of Planning and Zoning.
- § 120-192 Procedures approved by the Planning Commission.
- § 120-193 Procedures approved by the Preservation Board and Planning Commission.
- § 120-194 Procedures approved by the Preservation Board.
- § 120-195 Procedures approved by the Zoning Board of Appeals.
- § 120-199 Nonconforming use.
- § 120-205 Enforcement Responsibility.
- § 120-208 Definitions.
- Appendix 120r: Summary of Notice
- Attachment PDD: Planned Development Districts 7, 8, 9, 10, 11, 12, 14, 15, 16

Section 2. Chapter 120 of the Municipal Code, Zoning, is hereby further amended in portions of §120-173F(6) as follows:

§ 120-173. Off-street parking.

F. Design and maintenance for vehicle parking. Except as provided in Chapter 78 of the Code of the City of Rochester, known as the "Parking Lot Ordinance," pertaining to the parking areas within the CCD District, every parking area, parking lot and garage shall be designed, constructed and maintained in accordance with the standards and requirements set forth herein.

...

(6) Surface.

(a) Off-street parking lots and parking areas shall be constructed in such a manner so as to provide an all-weather, durable and dustless surface. Individual stalls shall be clearly identified by markings four to six inches in width.

(b) Parking surfaces shall be graded and drained to dispose of all surface water accumulation in the area without shedding additional water on an

adjoining property or right-of-way.

(c) The use of interior catch basins or a similar system linked to the Monroe County Pure Waters District facilities shall be approved by the Manager of ~~Zoning Plan Review~~.

(d) The Manager of ~~Zoning Plan Review~~ shall approve the surface material.

Section 3. Chapter 120 of the Municipal Code, Zoning, is hereby further amended in portions of §120-181A as follows:

§ 120-181. Project Review Committee.

A. Membership.

(1) There shall be a Project Review Committee made up of the following individuals or a designee:

(a) ~~The Director of Planning and~~ Manager of Zoning;

(b) ~~The Deputy Commissioner of Neighborhood and Business Development~~ Director of Development Services;

(c) The Manager of Planning;

~~(e-d)~~ The Permit Office Manager;

~~(d-e)~~ The City Engineer; ~~and~~

(f) The Manager of Code Enforcement; and

~~(e-g)~~ Three urban design specialists, appointed by the Mayor, that could include, but not be limited to, an architect, an urban planner and a landscape architect.

Section 4. Chapter 120 of the Municipal Code, Zoning, is hereby further amended in Appendix 120q Summary of Authorities by deleting the words “Director of Zoning” in each place they appear therein and by inserting in their place the phrase “Manager of Zoning.”

Section 5. Chapter 21 of the Municipal Code, Real Estate, as amended, is hereby further amended in § 21-5C and D and § 21-9B as follows:

§ 21-5 **Public auction sales.**

C. After approval by City Council, the successful bidder must conditionally close with the Law Department in a timely manner. At the conditional closing, the purchaser shall be required to deposit the balance of the purchase price with the City. From the date of conditional closing, the purchaser shall have by contract a specified time period to repair all building code violations cited by the Bureau of Buildings and Zoning ~~NET~~, or complete construction of an improvement on the formerly vacant lot as signified by the issuance of a certificate of occupancy, or meet any other applicable condition imposed by the City. Extensions may be granted, in writing, by the Division of Real Estate. In such cases, the successful bidder must pay to the City additional in-lieu-of-tax payments and any other applicable City charges. In lieu of conditional closing, the Director of Real Estate may provide for title to be passed through a reverter deed which permits the City to retake title in the event that the purchaser does not comply with conditions of the sale. The use of such reverter deeds shall be upon terms and conditions, including financial guaranties of rehabilitation, as the Director of Real Estate shall establish.

D. After notification by the ~~Bureau of NET~~ or Bureau of Buildings and Zoning that a certificate of occupancy has been issued, or that other applicable City-imposed conditions have been met, the Division of Real Estate shall notify the Law Department to record the deed.

§ 21-9 Sale by land contract.

B. A residential tenant must deposit 10% of the purchase price with the Division of Real Estate upon signing a land contract agreement. A commercial or industrial tenant must deposit 25% of the purchase price upon signing a land contract agreement. Purchasers at public auction must follow the procedures set forth in § 21-5 of the Municipal Code. Processing of such sale shall proceed in the manner set forth for the sale of real property at public auction. A land contract purchaser shall have nine months from the execution of the land contract agreement to complete rehabilitation of the property and eliminate code violations cited by the Bureau of ~~Buildings and Zoning Property Conservation and Inspection Services~~. When the last payment is made under the land contract agreement, the deed shall be recorded in the purchaser's name. Until the deed is filed, the City shall retain the right to periodically inspect the property to ensure property code compliance.

Section 6. Chapter 39 of the Municipal Code, Building Code, as amended, is hereby further amended in § 39-215D, § 39-217B and § 39-218B as follows:

§ 39-215 Issuance of certificate of occupancy or certificate of compliance.

D. An application for a certificate of occupancy shall be endorsed by the Director of ~~Buildings Planning~~ and Zoning.

§ 39-217 Conditional certificate of occupancy.

- B. The Commissioner must find that:
- (1) The building is near substantial compliance with applicable regulation.
 - (2) The building is in compliance with the Zoning Code, Chapter 120, as certified by the Director of ~~Buildings Planning~~ and Zoning.

§ 39-218 Partial certificate of occupancy.

- B. The Commissioner must find that:
- (1) The portion of the building to be occupied is in substantial compliance with applicable regulations.
 - (2) That portion of the building to be occupied is in compliance with the Zoning Code, Chapter 120, as certified by the Director of ~~Buildings Planning~~ and Zoning.

Section 7. Chapter 66 of the Municipal Code, Junkyard Operators, Junk Dealers and Scrap Processors, as amended, is hereby further amended in § 66-5B and §66-7B as follows:

§ 66-5 Application procedure; inspections; license requirements.

B. Upon receipt of an application for a junkyard operator, junk dealer, and/or scrap processor license, and after approval for Zoning Code compliance by the Director of ~~Buildings Planning and Zoning~~, the Commissioner of Neighborhood and Business Development and the Fire Chief shall cause an inspection of the premises to be made to determine whether the applicant is complying with the laws and ordinances which they are charged with enforcing, and said Commissioner and Fire Chief and members of their staffs shall have the right to enter upon any premises for which a junkyard operator, junk dealer, and/or scrap processor license is sought for the purpose of making such an inspection during normal business hours.

§ 66-7 Restrictions on licensing and operation.

B. Junkyard operators, junk dealers, or scrap processors shall comply with all the notices, orders, decisions and rules and regulations made by the Chief of Police, Fire Chief, Commissioner of Neighborhood and Business Development and the Director of ~~Buildings Planning and Zoning~~ governing the occupation and use of said premises.

Section 8. Chapter 90 of the Municipal Code, Property Code, as amended, is hereby further amended in § 90-3 to add a new definition, and in § 90-34C, § 90-37A and § 90-57I(1) as follows:

§ 90-3. Definitions.

DIRECTOR The Director of Buildings and Zoning or legally designated representative.

§ 90-34 Application.

C. The Director of ~~Planning and Zoning~~ shall cause a review of the location to ensure that the operation of the business at that location will be in compliance with the Zoning Code.

§ 90-37 Operation of businesses.

A. The owner and operator of any business shall comply with all the notices, orders, decisions and rules and regulations made by the Chief of Police, Fire Chief, Commissioner and the Director of ~~Planning and Zoning~~ governing the occupation and use of the premises.

§ 90-57 Standards for clearance examination and report.

I. Rejection of clearance examination report/nonresponsibility of issuer.

(1) The Director of ~~Inspection and Compliance Services~~, or the Director's designee, is authorized to reject a lead clearance examination report that does not meet the requirements set forth herein or that is found after an inspection to not substantially represent the conditions present at the premises for which the report was prepared. The reasons for the rejection shall be set forth in writing to the issuer of the report and to the

owner of the property to which the report pertains.

Section 9. Chapter 96 of the Municipal Code, Secondhand Dealers, as amended, is hereby further amended in § 96-3C and § 96-8B as follows:

§ 96-3 Application for license.

C. Upon receipt of an application for a secondhand dealer's license, and after approval for Zoning Code compliance by the Director of ~~Buildings Planning~~ and Zoning, the Chief of Police shall cause an inspection to be made of the applicant's business premises to determine whether public safety problems exist, and the Chief of Police shall cause an investigation to be made of the background of the owner and operator of the business. Before the issuance of a license, the Chief of Police and his or her representatives shall have the right to enter upon such premises during normal business hours for the purpose of making inspections. After a license has been issued, further inspections of the premises, to ensure compliance with the laws, ordinances and rules and regulations relating to secondhand businesses, may be made in areas open to the public or other areas with consent, and the Chief of Police shall have the authority to seek warrants where the same are constitutionally required.

§ 96-8 General operation of secondhand dealer's businesses.

B. Secondhand dealers shall comply with all the notices, orders, decisions and rules and regulations made by the Chief of Police, Fire Chief, Commissioner of Neighborhood and Business Development and the Director of ~~Buildings Planning~~ and Zoning governing the occupation and use of the premises.

Section 10. Chapter 128 of the Municipal Code, Land Subdivision Regulations, as amended, is hereby further amended in the definition of Director in § 128-3 as follows:

§ 128-3 Definitions of words and terms.

DIRECTOR

The Director of ~~Buildings Planning~~ and Zoning of the City of Rochester or his or her designee.

Section 11. The following sections of the Municipal Code, as amended, are hereby further amended by deleting the words "Director of Planning and Zoning" in each place they appear therein and by inserting in their place the phrase "Manager of Zoning" and by deleting the word "Director" in each place that it appears therein when it is not part of the phrase "Director of Planning and Zoning" and by inserting in its place the word "Manager":

§ 29-3

§ 29-4

§ 29-14

§ 29-15

§ 29-19

§ 29-20

§ 39-209

June 20, 2017

§ 76-6

§ 76-7

§ 99-4

Section ~~11~~ 12. This ordinance shall take effect on July 1, 2017 or on the effective date of an accompanying local law that changes the titles and responsibilities of certain Department of Neighborhood and Business Development officials as provided herein, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-171
Re: Intermunicipal Agreement - Monroe
County, Lead Paint Poisoning
Prevention Inspection Services

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services in the amount of \$310,000. The term of the agreement is April 1, 2017 through March 31, 2018.

The funds associated with this agreement provide a reimbursement of expenses associated with enforcement of the City's Lead-Based Paint Poisoning Prevention Ordinance. These resources are part of the State's Lead Primary Prevention Grant dollars provided to Monroe County. The \$310,000 covers visual inspections for lead hazards in 2,950 units, 1,332 Lead Dust Wipe Sampling tests and \$30,142 for Clerical and I T support. This agreement has been in place since October 1, 2007.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-171
(Int. No. 221)

Authorizing an intermunicipal agreement with Monroe County for lead paint poisoning prevention inspection services

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

June 20, 2017

Section 1. The Mayor is hereby authorized to enter into an agreement with Monroe County for the receipt and use of \$310,000 for lead paint poisoning prevention inspection and enforcement services.

Section 2. The term of the agreement is April 1, 2017 through March 31, 2018.

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:

Introductory No. 188
Re: Amending Zoning Code –
Notification Requirements

Transmitted herewith for your approval is legislation to amend the Zoning Code with regard to notification requirements for informational meetings and public hearings.

The current notification requirement is 300 feet, this legislation would change the requirement to 600 feet, and will increase the number of residents that are informed of proposed changes in their neighborhood. This legislation is in response to comments that Council has received from constituents regarding the notification process.

Respectfully submitted,
Loretta C. Scott
President

Michael A. Patterson
Northeast District Council Member

Introductory No. 188

AMENDING THE ZONING CODE, CHAPTER 120 OF THE MUNICIPAL CODE, WITH REGARD TO NOTIFICATION REQUIREMENTS FOR INFORMATION MEETINGS AND PUBLIC HEARINGS

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

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended so that Subsections K and L(1),(2) and (3) of Section 120-188, Common review procedures, read in their entirety as follows:

K. Informational meetings.

(1) Informational meetings shall be required for the following:

- (a) Planned development district designation;
- (b) Comprehensive Plan, Official Map, Zoning Map or zoning text amendments; and
- (c) Preservation district designation (by Planning Commission).

(2) Notification.

- (a) Mailed notice. Within 10 business days of receipt of the complete application, the Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within ~~300-600~~ feet from the property line and the official neighborhood contacts. For applications for Comprehensive Plan or text amendments, notice shall only be made to the official neighborhood contact.
- (b) Published notice. The Director of Planning and Zoning shall cause notice for such meetings to be placed in an official newspaper or a newspaper of general circulation in the City at least once, not more than 30 nor less than 10 business days before the date of the meeting.

L. Public hearings.

(1) Public hearings shall be required for the following:

- (a) Certificate of appropriateness approved by the Preservation Board;
- (b) Special permit;
- (c) Planned development district designation (by City Council);
- (d) Cluster development;
- (e) Adoption of neighborhood design guidelines;
- (f) Comprehensive Plan, Official Map or Zoning Map or zoning text amendments (by City Council);
- (g) Landmark designation;
- (h) Certificate of economic hardship;
- (i) Preservation district designation (by City Council);
- (j) Variances;
- (k) Appeals of administrative decisions;
- (l) Site plan referrals; and
- (m) Subdivisions per Chapter A128.

(2) Setting hearing. For all matters properly brought before the Zoning Board of Appeals, the Planning Commission or the Preservation Board for which a public hearing is required by this chapter, the body charged with conducting the hearing shall, upon receipt of a completed application, select a reasonable time and place for such hearing; provided, however, that such time shall be not later than 62 days following the submission of the subject application, unless the applicant shall agree to some later time.

(3) Notification.

(a) Mailed notice.

- [1] The Director of Planning and Zoning shall be required to mail the appropriate notices for public hearings to property owners, both within and outside the municipal boundaries of the City

of Rochester, within ~~300-600~~ feet of the property line. Where notice by mail is required, it shall be given at least 20 days in advance of the hearing date by regular United States mail, except that notice to City agencies or officials may be by interdepartmental memorandum.

- [2] Where mailed notice is required, it shall be sent to the applicant, the owner of any property subject of the application as shown in the records of the office of the City Treasurer, the Department of Neighborhood and Business Development, the Official Neighborhood Contact and to any other person or persons deemed by the Director of Planning and Zoning to have a direct interest in the matter of the hearing.
- [3] The time and manner for mailed notices for public hearings to be held by the City Council shall be determined by the City Clerk.

Section 3. This ordinance shall take effect with regard to informational meetings and public hearings occurring on and after July 1, 2017.

Strikeout indicates deleted text, new text is underlined.

Held in committee.

By Councilmember Haag
June 20, 2017

To the Council:

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

- | | |
|--------------|---|
| Int. No. 189 | Appropriating funds and authorizing agreements for the 2017 Preventive Maintenance Contract #4 Project |
| Int. No. 190 | Appropriating funds and authorizing agreements for the 2017 Preventive Maintenance Contract #4 Project |
| Int. No. 191 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$100,000 Bonds of said City to finance the reconstruction of certain portions of Cleveland Street, Draper Street, Central Park, Merchants Road and Browncroft Boulevard related to the 2017 Preventive Maintenance Contract #4 Project |
| Int. No. 192 | Appropriating funds for the 2016 Preventive Maintenance Contract 2 street project |

- Int. No. 193 Appropriating funds for the 2016 Preventive Maintenance Contract 2 street project
- Int. No. 195 Authorizing an agreement with LaBella Associates, D.P.C. for bridge and structural engineering services
- Int. No. 196 Authorizing an amendatory agreement for the Charlotte Street and Haags Alley Improvement Project
- Int. No. 197 Amending the authorization of a services agreement with the New York State Power Authority for the Five Cities Energy Plan Program
- Int. No. 198 Appropriating funds and authorizing an agreement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project
- Int. No. 199 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$428,000 Bonds of said City to finance a portion of the costs of the street reconstruction of the Dewey Avenue/Driving Park Avenue Intersection Realignment Project
- Int. No. 200 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$463,000 Bonds of said City to finance a portion of the costs of the water main replacement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project
- Int. No. 201 Authorizing agreement for the Flower City Park & Parkdale Terrace Curb Replacement Project
- Int. No. 202 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$555,300 Bonds of said City to finance the street improvements related to the Flower City Park & Parkdale Terrace Curb Replacement Project
- Int. No. 203 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$102,000 Bonds of said City to finance water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terrace related to the 2017 Flower City Park and Parkdale Terrace Curb Replacement Project
- Int. No. 204 Authorizing an agreement for the Rochester Riverside Convention Center Escalator Assessment, as amended
- Int. No. 205 Authorizing agreements for the Mt. Hope Avenue Phase 2 Improvement Project
- Int. No. 206 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,880,000 Bonds of said City to finance the milling and resurfacing of certain portions of Marketview Heights streets related to the 2017 Marketview Heights Residential Milling and Resurfacing Program Project
- Int. No. 207 Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Ridgeway Avenue Transportation Improvement Project

June 20, 2017

- | | |
|--------------|--|
| Int. No. 208 | Authorizing agreements and funding for the Shared Mobility Program |
| Int. No. 209 | Authorizing an application to New York State for funding of water quality infrastructure projects |
| Int. No. 210 | Authorizing an agreement with the New York State Department of Environmental Conservation for the disposition of electronic waste material |
| Int. No. 211 | Authorizing a project participation agreement and funding to repair a support column at 99 Court Street |

The following entitled legislation is being held in committee:

- | | |
|--------------|---|
| Int. No. 194 | Approving geometric changes related to the Atlantic Avenue at Merriman Street Safety Improvements |
|--------------|---|

Respectfully submitted,
Matt Haag
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-172
Introductory No. 190
Ordinance No. 2017-173
Re: 2017 Preventive Maintenance
Contract #4 Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the 2017 Preventive Maintenance Group #4 Project (Cleveland Street / Draper Street / Central Park / Merchants Road / Browncroft Boulevard). This legislation will:

1. Appropriate \$1,720,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and construction inspection services for the Project;

June 20, 2017

2. Appropriate \$322,500 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of the construction and construction inspection services for the Project;
3. Authorize the issuance of bonds totaling \$100,000 and the appropriation of the proceeds thereof to partially finance the street portion of the Project; and
4. Establish \$300,000 as maximum compensation for a professional services agreement with Joseph C. Lu Engineering and Land Surveying, PC, Rochester, New York, for resident project representation (RPR) services.

This federal aid project, administered by the City under agreement with the NYS Department of Transportation (DOT) includes five locations:

- Browncroft Boulevard (Merchants Road- East City Line)
- Merchants Road (Browncroft Boulevard - Culver Road)
- Central Park (Portland Avenue- North Goodman Street)
- Cleveland Street (Hudson Avenue- North Street)
- Draper Street (North Street- Portland Avenue)

The Project was designed by LaBella Associates, D.P.C. as authorized in December 2014 (Ord. No. 2014-395). Joseph C. Lu Engineering was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement may extend until three months after project completion.

Bids for construction were received on April 18, 2017. The apparent low bid of \$1,567,524.60 was submitted by Villager Construction Corp., which is 10.9% less than the engineer's estimate. An additional \$279,825 will be allocated for Project contingencies.

Funding for the project is as follows:

Source	Construction	Contingency	RPR	Total
FHWA	\$1,254,020	\$225,980	\$240,000	\$1,720,000
NYS Marchiselli Aid	235,129	42,371	45,000	322,500
Bond to be issued	73,914	11,086	15,000	100,000
2011-12 Cash Capital	644	56	0	700
Rochester Pure Waters District (Ord. No. 2016-376)	3,818	332	0	4,150
Total	\$1,567,525	\$279,825	\$300,000	\$2,147,350

The Project will begin construction in summer 2017 and will be substantially complete by fall 2017. The Project's construction and RPR services will result in the creation and/or retention of the equivalent of 20 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-102

Ordinance No. 2017-172
(Int. No. 189)

Appropriating funds and authorizing agreements for the 2017 Preventive Maintenance Contract #4 Project

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

Section 1. The sum of \$1,720,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the 2017 Preventive Maintenance Contract #4 Project (Project).

Section 2. The sum of \$322,500 in anticipated reimbursements from the Marchiselli Aid Program is hereby appropriated to fund Project construction and inspection.

Section 3. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$300,000 which shall be funded from the appropriations authorized in Section 1 herein (\$240,000), in Section 2 herein (\$45,000), and from the proceeds of bonds (\$15,000) to be appropriated for the Project. The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Spauld motioned to return Int. No. 190 to committee.

The motion was seconded by Councilmember McFadden.

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson,
Spauld – 9
Nays – None -0.

Introductory No. 190

APPROPRIATING FUNDS AND AUTHORIZING AGREEMENTS FOR THE 2017 PREVENTIVE MAINTENANCE CONTRACT #4 PROJECT

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

Section 1. The sum of \$1,720,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the 2017 Preventive Maintenance Contract #4 Project (Project).

Section 2. The sum of \$322,500 in anticipated reimbursements from the Marchiselli Aid Program is hereby appropriated to fund Project construction and inspection.

Section 3. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$300,000 which shall be funded from the appropriations authorized in Section 1 herein (\$240,000), in Section 2 herein (\$45,000), and from the proceeds of bonds (\$15,000) to be appropriated for the Project. The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows Project completion.

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

Section 6. This ordinance shall take effect immediately.

Held in committee.

Ordinance No. 2017-173
(Int. No. 191)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$100,000 Bonds of said City to finance the reconstruction of certain portions of Cleveland Street, Draper Street, Central Park, Merchants Road and Browncroft Boulevard related to the 2017 Preventative Maintenance Contract #4 Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling, resurfacing and reconstruction of certain portions of Cleveland Street (Hudson Avenue to North Street), Draper Street (North Street to Portland Avenue), Central Park ((Portland Avenue to N. Goodman Street), Merchants Road (Browncroft Boulevard to Culver Road) and Browncroft Boulevard (Merchants Road to East City Line) related to the 2017 Preventative Maintenance Contract #4 Project in the City, including new curbing, sidewalks, manholes, basins, water valve castings and other roadway improvements (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,147,350, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 bonds of the City to finance a portion of said appropriation, \$1,720,000 in anticipated reimbursements from the Federal Highway Administration, \$322,500 in NYS Marchiselli Aid Program reimbursements, \$700 from 2011-2012 Cash Capital and \$4,150 from Rochester Pure Waters District (Ordinance No. 2016-376) 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 \$100,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20. of the Law, is fifteen (15) years.

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

Introductory No. 192
Ordinance No. 2017-174
Re: Amendment– 2016 Preventive
Maintenance Contract 2 Project

Transmitted herewith for your approval is legislation related to the 2016 Preventive Maintenance Contract 2 Project (Ames Street, Buffalo Road, West Main Street and West Avenue). This legislation will:

1. Appropriate \$19,200 from anticipated reimbursements from the Federal Highway Administration (FHWA) to fund a portion of the design services for the project;
2. Amend Ordinance No. 2014-392 to replace a portion of the City funded share (\$19,200) of the design agreement with Hunt Engineers, Architects and Land Surveyors related to the 2016 Preventive Maintenance Contract 2 Project (Ames Street, Buffalo Road, West Main Street and West Avenue) with the funds appropriated herein;
3. Appropriate \$160,000 from anticipated reimbursements from the FHWA to finance an additional federal construction share of the project.

June 20, 2017

4. Appropriate \$208,000 from anticipated New York State Marchiselli Aid for the construction of this project; and
5. Amend Ordinance No. 2016-196 to replace a portion of the City-funded share (\$39,300) of the resident project representation (RPR) agreement with Hunt Engineers, Architects & Land Surveyors related to the 2016 Preventative Maintenance Contract 2 Project (Ames Street, Buffalo Road, West Main Street and West Avenue) with the funds appropriated herein.

The 2016 Preventive Maintenance Contract 2 Project was designed by Hunt Engineers, Architects & Land Surveyors, P.C. via Ordinance Nos. 2014-392 and 2015-333. The project includes milling and resurfacing four arterial streets; intersection improvements; adjustments to catch basin frames and grates, and water valves and sewer castings; spot street base and sidewalk repair; installation of truncated domes at sidewalk ramps; installation of new pavement markings; and replacement of traffic loops.

This federal aid project, administered by the City under an agreement with the New York State Department of Transportation, includes four locations:

- Ames Street (West Avenue to Maple Street)
- Buffalo Road (Mt. Read Boulevard to West Avenue)
- West Main Street (York Street to Churchlea Place)
- West Avenue (Grover Street To York Street)

The project will begin construction in summer 2017 and will be substantially complete by winter 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Councilmember Haag motioned to return Int. No. 192 to committee.

The motion was seconded by Councilmember Clifford.

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 9

Nays – None -0.

Introductory No. 192

APPROPRIATING FUNDS FOR THE 2016 PREVENTIVE MAINTENANCE CONTRACT 2 STREET PROJECT

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

Section 1. The sum of \$19,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the design services for the 2016 Preventive Maintenance Contract 2 on Ames Street, Buffalo Road, West Main Street and West Avenue (Project).

Section 2. Section 3 of Ordinance No. 2014-392 is hereby amended as follows to replace with the funds appropriated in Section 1 herein \$19,200 of City funds that were previously appropriated to the Project:

Section 3. The sum of \$140,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hunt Engineers, Architects and Land Surveyors, P.C. for design services for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$92,800 from funds to be received from the Federal Highway Administration (FHWA) appropriated herein, by \$19,200 in anticipated FHWA reimbursements to be appropriated in a subsequent ordinance, and by ~~\$47,200~~ \$28,000 from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 3. The sum of \$160,000 in anticipated reimbursements from the FHWA is hereby appropriated to fund construction of the Project.

Section 4. The sum of \$208,000 in anticipated New York State Marchiselli Aid is hereby appropriated to fund construction of the Project.

Section 5. Section 1 of Ordinance No. 2016-196 is hereby amended as follows to replace with a portion of the Marchiselli Aid funds appropriated in Section 4 herein \$39,300 of City funds of that were previously appropriated to the Project:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of \$262,000 with Hunt Engineers, Architects & Land Surveyors, P.C., for resident project representation services related to the 2016 Preventive Maintenance Group #2 (Project) authorized by Ordinance Nos. 2014-392 and 2015-333. The agreement shall be funded by \$209,600 from the FHWA reimbursements appropriated in Section 4, ~~\$43,492~~ \$10,873 from a bond ordinance to be authorized for the Project, ~~\$3,353.60~~ \$838.40 from 2011-12 Cash Capital, ~~and \$5,554.40~~ \$1,388.60 from Rochester Pure Waters District funds authorized by Ordinance No. 2016-160, and \$39,300 in anticipated New York State Marchiselli Aid to be appropriated in a subsequent ordinance.

Section 6. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Held in committee.

Ordinance No. 2017-174
(Int. No. 193)

Appropriating funds for the 2016 Preventive Maintenance Contract 2 street project

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

Section 1. The sum of \$19,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the design services for the 2016 Preventive Maintenance Contract 2 on Ames Street, Buffalo Road, West Main Street and West Avenue (Project).

Section 2. Section 3 of Ordinance No. 2014-392 is hereby amended as follows to replace with the funds appropriated in Section 1 herein \$19,200 of City funds that were previously appropriated to the Project:

Section 3. The sum of \$140,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hunt Engineers, Architects and Land Surveyors, P.C. for design services for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$92,800 from funds to be received from the Federal Highway Administration (FHWA) appropriated herein, by \$19,200 in anticipated FHWA reimbursements to be appropriated in a subsequent ordinance, and by ~~\$47,200~~ \$28,000 from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 3. The sum of \$160,000 in anticipated reimbursements from the FHWA is hereby appropriated to fund construction of the Project.

Section 4. The sum of \$208,000 in anticipated New York State Marchiselli Aid is hereby appropriated to fund construction of the Project.

Section 5. Section 1 of Ordinance No. 2016-196 is hereby amended as follows to replace with a portion of the Marchiselli Aid funds appropriated in Section 4 herein \$39,300 of City funds of that were previously appropriated to the Project:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement not to exceed a maximum compensation of \$262,000 with Hunt Engineers, Architects & Land Surveyors, P.C., for resident project representation services related to the 2016 Preventive Maintenance Group #2 (Project) authorized by Ordinance Nos. 2014-392 and 2015-333. The agreement shall be funded by \$209,600 from the FHWA reimbursements appropriated in Section 4, ~~\$43,492~~ \$10,873 from a bond ordinance to be authorized for the Project, ~~\$3,353.60~~ \$838.40 from 2011-12 Cash Capital, ~~and \$5,554.40~~ \$1,388.60 from Rochester Pure Waters District funds

June 20, 2017

authorized by Ordinance No. 2016-160, and \$39,300 in anticipated New York State Marchiselli Aid to be appropriated in a subsequent ordinance.

Section 6. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 194
Re: Pavement Width Changes- Atlantic at
Merriman Safety Improvements Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to changes in pavement width required for the Atlantic at Merriman Safety Improvements Project. This legislation will:

1. Authorize a reduction in pavement width of six feet along the north side of Atlantic Avenue, beginning approximately 50 feet west of Merriman Street and extending to the intersection of Merriman Street; and
2. Authorize a reduction in pavement width of four feet along the north side of Atlantic Avenue, beginning at the intersection of Merriman Street and tapering east for approximately 90 feet to the existing curb line.

Residents of the neighborhood requested this change to improve pedestrian access to the playground located on the corner of Atlantic Avenue and Merriman Street. In addition to pavement width changes, this project includes new pavement marking and a cross walk, drainage improvements, ADA accessible curb ramps, and sidewalk improvements. The project is being designed by the City's Department of Environmental Services, Bureau of Architecture and Engineering.

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

A public meeting was held on March 29, 2017; the meeting minutes are attached. The pavement width changes were endorsed at the May 16, 2017 Traffic Control Board meeting.

It is anticipated the construction will be completed in summer 2017.

June 20, 2017

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 194

APPROVING GEOMETRIC CHANGES RELATED TO THE ATLANTIC AVENUE AT MERRIMAN STREET SAFETY IMPROVEMENTS

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

Section 1. In furtherance of the Atlantic at Merriman Safety Improvements project, Council hereby approves the following pavement width changes for Atlantic Avenue:

- a) a decrease of 6 feet along the northerly side of Atlantic Avenue, beginning approximately 50 feet west of the intersection with the westerly line of Merriman Street and extending in an easterly direction to said intersection; and
- b) a decrease of 4 feet along the northerly side of Atlantic Avenue beginning at the intersection with the easterly line of Merriman Street, extending in an easterly direction and tapering down to the existing curb line approximately 90 feet from said intersection.

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

Section 3. This ordinance shall take effect immediately.

Held in committee.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-175
Re: Agreement – LaBella Associates, D.P.C.,
Bridge and Structural Engineering Services

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum annual compensation for an agreement with LaBella Associates, D.P.C., Rochester, New York, for bridge and structural engineering services. The agreement will have an initial term of one year with the option for four, one-year renewals. The cost of the initial agreement will be financed from 2016-17 Cash Capital, with subsequent renewals financed from future Cash Capital, contingent upon adoption of said budgets.

June 20, 2017

Under the City's Annual Bridge Inspection Program, the City is responsible for whole and partial maintenance of 61 bridges and 10 tunnels, which are examined on a yearly basis and any required maintenance is identified and scheduled for repair. In accordance with this agreement, LaBella Associates will provide bridge and tunnel inspections, miscellaneous structural investigations, design and construction reviews, contract preparation, resident project representation and general consultation services.

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

The agreement results in the creation and/or retention of the equivalent 1.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor
Attachment No. AQ-103

Ordinance No. 2017-175
(Int. No. 195)

Authorizing an agreement with LaBella Associates, D.P.C. for bridge and structural engineering 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 LaBella Associates, D.P.C., for bridge and structural engineering services. The agreement shall have a term of one year with four one-year renewal options.

Section 2. The agreement shall obligate the City to pay no more than \$150,000 annually and the cost of the initial term shall be funded from 2016-17 Cash Capital. The cost for any renewal terms shall be funded from future budget years' Cash Capital allocations of the Department of Environmental Services, contingent upon the adoption of said 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.

June 20, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-176
Re: Amendatory Agreement – Passero
Associates Engineering & Architecture,
PLLC, Charlotte Street and Haags Alley Improvements

Transmitted herewith for your approval is legislation establishing \$23,000 as maximum compensation for an amendatory agreement with Passero Associates Engineering & Architecture, PLLC, for additional resident project representation (RPR) services for the reconstruction of Charlotte Street and Haags Alley. The original agreement was authorized on July 12, 2016 (Ord. No. 2016-244) for \$100,000; the amendatory amendment will increase the total amount to \$123,000. The cost of the amendatory agreement will be financed from the New York State Dormitory Authority Grant authorized via Ordinance No. 2015-120. The agreement may extend until two years after final acceptance of the project.

The project includes new asphalt pavement for Charlotte Street and new concrete pavement for Haags Alley. Both streets will have new granite curbs, concrete sidewalk replacement, new driveway aprons, catch basin upgrades, new water main and services, hydrants, and street lighting upgrades. The project will include some enhanced sidewalk and crosswalk materials that will coordinate with the materials used for the development at 14-80 Charlotte Street.

Passero Associates Engineering & Architecture, PLLC will provide additional RPR services, for the remainder of the roadway reconstruction on Charlotte Street and Haags Alley. Contract days were added to the project due to Rochester Gas & Electric's delays in relocating facilities, and New York State Department of Environmental Conservation's delays in brownfield remediation on Haags Alley, both of which extended the contractors' schedule past the original contract date.

Construction began in April 2017 with scheduled completion for August 2017. The amendatory agreement will result in the creation and/or retention of the equivalent of 0.25 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-176
(Int. No. 196)

Authorizing an amendatory agreement for the Charlotte Street and Haags Alley Improvement Project

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 Passero Associates Engineering & Architecture, PLLC for additional resident project representation services for the Charlotte Street and Haags Alley Improvement Project. The amendatory

June 20, 2017

agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2016-244 by \$23,000 to a new total of \$123,000. Said amendatory amount shall be funded from the Dormitory Authority of the State of New York grant agreement authorized in Ordinance No. 2015-120.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-177
Re: Amending Ordinance No. 2015-231- New
York Power Authority's Five Cities Energy Plan
Program, Funding for Energy Analyst

Transmitted herewith for your approval is legislation amending Ordinance No. 2015-231 by changing the source of funds for the provision of an Energy Analyst contract employee to assist the City with the implementation of the Rochester Energy Plan.

In July 2015, City Council authorized the Mayor to enter into an agreement with the New York Power Authority (NYPA) for the services of an Energy Analyst contract employee in connection with the NYPA Five Cities Energy Plan Program via Ordinance No. 2015-231. The legislation stated that the Five Cities Energy Plan Program Formula Grant would fund the Energy Analyst contract employee, however, this contract employee is supplied and paid by NYPA. As a result, the proposed amendment will correct and change the source of funding from the Five Cities Energy Plan Program Formula Grant to NYPA.

The Energy Analyst began working at the City in October 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-177
(Int. No. 197)

June 20, 2017

Amending the authorization of a services agreement with the New York State Power Authority for the Five Cities Energy Plan Program

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

Section 1. Section 2 of Ordinance No. 2015-231 regarding the New York Power Authority (NYPA) Five Cities Energy Plan Program (Program) is hereby amended as follows to provide that the services of a Program Energy Analyst shall be provided to the City by an employee under contract to the NYPA rather than through an employee who is compensated by the City's Program grant funds:

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York ~~State~~ Power Authority (NYPA) for the services of an Energy Analyst ~~contract~~ employee in connection with the Five Cities Energy Plan Program ~~Formula Grant~~. The Energy Analyst shall be compensated by the NYPA and at no cost to the City ~~cost of said agreement shall be funded from the funds appropriated in Section 1 herein~~. Said agreement shall have a term of two years with an option to extend for up to three additional 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-178

Ordinance No. 2017-179

Ordinance No. 2017-180

Re: Dewey Avenue / Driving Park Avenue
Intersection Realignment Project

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

Transmitted herewith for your approval is legislation related to the Dewey Avenue / Driving Park Avenue Intersection Realignment Project. This legislation will:

1. Appropriate \$2,909,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) Highway Safety Improvement Program (HSIP) to finance a portion of the construction and construction inspection services for the project;

2. Appropriate \$450,000 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of the construction and construction inspection services for the project;
3. Authorize the issuance of bonds totaling \$428,000 and the appropriation of the proceeds thereof to partially finance the street portion of the project;
4. Authorize the issuance of bonds totaling \$463,000 and the appropriation of the proceeds thereof to partially finance the water portion of the project;
5. Establish \$670,000 as maximum compensation for an agreement with Joseph C. Lu Engineering and Land Surveying, PC, Rochester, New York, for resident project representation (RPR) services; and
6. Establish \$70,000 as maximum compensation for an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester, New York, for construction phase design services for the project. The cost of the amendatory agreement will be funded from 2014-15 Cash Capital, and the term may extend until six months after completion and acceptance of the construction of the project.

Lu Engineering was selected for RPR services through a request for proposals process, which is described in the attached summary.

The original agreement with Bergmann Associates for design services was for \$433,600, as authorized in March 2014 (Ord. No. 2014-16). This was followed by two amendatory agreements in the amounts of \$90,000 (Ord. No. 2016-112) and \$42,000 (Ord. No. 2017-70), which combined with the proposed amendatory agreement of \$70,000 herein, brings total maximum compensation to \$635,600

This project includes the design and construction of a locally administered federal aid project consolidating the offset intersection at Dewey and Driving Park Avenues, enhancing overall mobility for all users, reducing congestion, and improving highway safety. The project also includes street reconstruction, new curbing, sidewalks, access ramps, bike facilities, landscaping, a partial replacement of the water main and services, hydrants, receiving basins, new traffic signal, a new street lighting system and geometric changes.

Below is a legislative history of previous Council actions taken for this project:

<u>Purpose</u>	<u>Month</u>	<u>Ordinance No.</u>
NYS Master Agreement & Appropriations	January	2014-16
Amending Ord. No. 2014-16	April	2014-94
Adoption of Determination & Findings	August	2015-267
Authorize Marchiselli Aid	December	2015-408
Amendatory Agreement A	April	2016-112
Appropriations	May	2016-158
Acquisitions Authorized	August	2016-274
Official Map Amendment	August	2016-275
Geometrics	October	2016-348

June 20, 2017

Amendatory Agreement B

March

2017-70

Landscape and streetscape enhancements for the project will include concrete and exposed aggregate concrete on portions of the sidewalks; construction of an open-space area; construction of flush and raised tree pits; and various plantings and furnishings.

Bids for construction were received on May 22, 2017. The apparent low bid of \$3,342,591.35 was submitted by Ramsey Constructors, Inc. which is 3.89% more than the engineer's estimate. An additional \$251,758.65 will be allocated for project contingencies.

The costs for the categories of work for the project based upon the bid amount are as follows:

<u>Category</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Federal HSIP	\$ 2,470,843.88	\$ 438,156.12	\$ -0-	\$2,909,000
State Aid	205,903.66	41,165.48	202,930.86	450,000
General Debt	292,408.46	116,309.37	19,282.17	428,000
Water Debt	360,927.60	73,203.91	28,868.49	463,000
Rochester Pure Waters				
District (Ord. No. 2016-376)	6,346.45	-0-	353.55	6,700
2013-14 Cash Capital	<u>6,161.30</u>	<u>1,165.12</u>	<u>323.58</u>	<u>7,650</u>
Total	\$ 3,342,591.35	\$ 670,000	\$ 251,758.65	\$ 4,264,350

Public informational meetings were held on May 19, 2014, June 23, 2014 and July 20, 2015. The minutes of these meetings have previously been forwarded to the City Clerk's Office.

It is anticipated that construction will begin in summer 2017, with completion scheduled by winter 2018. The project will result in the creation and/or retention of the equivalent of 46.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-104

Ordinance No. 2017-178
(Int. No. 198)

Appropriating funds and authorizing an agreement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

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

Section 1. The sum of \$2,909,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund construction and inspection of the Dewey Avenue/Driving Park Avenue Intersection Realignment Project (Project).

Section 2. The sum of \$450,000 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund Project construction and inspection.

Section 3. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to execute such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of FHWA and Marchiselli Aid funding for the Project.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$670,000 which shall be funded from the appropriations in Section 1 (\$438,156.12) and Section 2 (\$41,165.48) above, a street bond (\$116,309.37) and water bond (\$73,203.91) to be issued for the Project, and 2013-14 Cash Capital (\$1,165.12). The term of the agreement shall continue until 3 months after the two-year guarantee inspection that follows Project completion.

Section 5. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for construction phase design services. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2014-16 and amended by Ordinance Nos. 2016-112 and 2017-70 by \$70,000 to a new total of \$635,600. Said amendatory amount shall be funded by 2014-15 Cash Capital. The term of the agreement shall end six months after completion and acceptance of the construction of the Project.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2017-179
(Int. No. 199)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$428,000 Bonds of said City to finance a portion of the costs of the street reconstruction of the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of design and construction of consolidating the offset intersection at Dewey Avenue and Driving Park Avenue in the City, including street reconstruction, new curbing, sidewalks, access ramps, bicycle facilities, landscaping and street lighting (the "Project"). The

estimated maximum cost of this portion of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,787,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$428,000 bonds of the City to finance a portion of said appropriation, \$2,909,000 in anticipated Federal Highway Safety Improvement Program funds, \$450,000 from the NY State Marchiselli Aid Program 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 \$428,000 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 \$428,000. 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. 20. of the Law, is fifteen (15) years.

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

June 20, 2017

- (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.

Ordinance No. 2017-180
(Int. No. 200)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$463,000 Bonds of said City to finance a portion of the costs of the water main replacement for the Dewey Avenue/Driving Park Avenue Intersection Realignment Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of a partial replacement of the water main and services, hydrants and receiving basins in connection with consolidating the offset intersection at Dewey Avenue and Driving Park Avenue in the City (the "Project"). The estimated maximum cost of this portion of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$477,350, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$463,000 bonds of the City to finance a portion of said appropriation, \$6,700 from the Rochester Pure Waters District (Ordinance No. 2016-376), \$7,650 from 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 \$463,000 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 \$463,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-181
Ordinance No. 2017-182
Ordinance No. 2017-183

Re: Flower City Park & Parkdale Terrace
Curb Replacement Project

Transmitted herewith for your approval is legislation related to Flower City Park & Parkdale Terrace Curb Replacement Project. This legislation will:

1. Establish \$90,000 as maximum compensation for an agreement with Passero Associates Engineering & Architecture, PLLC, Rochester, New York, for resident project representation (RPR) services; and
2. Authorize the issuance of bonds totaling \$657,300 and the appropriation of the proceeds thereof to partially finance the rehabilitation of Flower City Park and Parkdale Terrace from Lake Avenue to Maplewood Drive.

The proposed improvements include replacement of the existing curbs, underdrain, driveway aprons, repair or replacement of catch basins, spot sidewalk repair on Flower City Park and full sidewalk replacement on Parkdale Terrace. Additionally lead and galvanized water services will be replaced on Parkdale Terrace.

Bids for construction were received on May 9, 2017. The apparent low bid of \$551,390 was submitted by Hewitt Young Electric, LLC which is 4.32% greater than the engineer's estimate. An additional \$54,099 will be allocated for project contingencies.

The costs for the categories of work for the project based upon the bid amount are as follows:

	Construction	RPR	Contingency	Street Lighting and Parking Signs	Total
Bonds to be issued	\$433,030	\$76,500	\$43,794	\$1,976	\$555,300
Water bonds to be issued	80,495	13,500	8,005	0	102,000
Pure Waters Reimbursement (Ord. No. 2016-376)	37,865	0	2,300	0	40,165
Total	\$551,390	\$90,000	\$54,099	\$1,976	\$697,465

Passero Associates Engineering & Architecture, PLCC was selected for RPR services through a Request for Proposal process, which is described in the attached summary.

June 20, 2017

A public meetings was held on November 22, 2016; a copy of the meeting minutes are attached.

Construction is anticipated to commence in the summer of 2017 and be completed in the fall of 2017. The project will result in the creation and/or retention of the equivalent of 7.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-105

Ordinance No. 2017-181
(Int. No. 201)

Authorizing agreement for the Flower City Park & Parkdale Terrace Curb Replacement Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Passero Associates Engineering & Architecture, PLLC for resident project representation (RPR) services for the Flower City Park & Parkdale Terrace Curb Replacement Project between Lake Avenue and Maplewood Drive, comprised of the replacement of existing curbs, underdrain, and driveway aprons, the repair or replacement of catch basins, and spot sidewalk repairs on Flower City Park and the full replacement of sidewalks and of lead and galvanized water service pipes on Parkdale Terrace (collectively, the Project). The maximum compensation for the agreement shall be \$90,000, consisting of funds to be appropriated to the Project by a street bond ordinance (\$76,500) and by a water bond ordinance (\$13,500). The term of the agreement shall continue to 3 months after completion of a two year guarantee inspection of the Project.

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.

Ordinance No. 2017-182
(Int. No. 202)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$555,300 Bonds of said City to finance street improvements related to the Flower City Park & Parkdale Terrace Curb 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 cost of replacement of existing curbs, underdrain, street lighting and driveway aprons including spot sidewalk repair on Flower City Park and full sidewalk replacement on Parkdale Terrace (from Lake Avenue to Maplewood Drive) related to the Flower City Park & Parkdale Terrace Curb Replacement Project (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 \$555,300, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$555,300 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 \$555,300 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 \$555,300. 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. 20. c. of the Law, is fifteen (15) years.

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

Ordinance No. 2017-183
(Int. No. 203)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$102,000 Bonds of said City to finance water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terrace related to the 2017 Flower City Park and Parkdale Terrace Curb 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 cost of water appurtenance adjustments and catch basin replacements along Flower City Park and Parkdale Terrace (from Lake Avenue to Maplewood Drive) related to the 2017 Flower City Park and Parkdale Terrace Curb Replacement Project (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 \$142,165. The plan of financing includes the issuance \$102,000 bonds of the City, the proceeds of which are hereby appropriated to the Project, \$40,165 in anticipated reimbursements from the Rochester Pure Waters District appropriated in Ordinance No. 2016-376, 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 \$102,000 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 \$102,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper

June 20, 2017

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. 2017-184
Re: Agreement – Stantec Consulting
Services, Inc. Joseph A. Floreano
Rochester Riverside Convention
Center (RRCC) Escalator Assessment

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for architectural and engineering services related to the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) Escalator Modernization Project. The cost of the agreement will be funded from 2016-17 Cash Capital and the term will extend through the completion and acceptance of the consultant's escalator conditions assessment.

The purpose of this analysis is to determine the most efficient, cost effective solution to modernize and maintain the escalators at this City facility for future decades. The consultant will perform a conditions survey and assessment for each of the RRCC's 10 escalators. A decision matrix of alternatives will be developed that will include related schematic designs and cost estimates.

Stantec Consulting Services Inc. was selected through a request for proposals process which is described in the attached summary. The assessment portion of the project will begin in summer 2017 with scheduled completion in fall 2017. This agreement is estimated to result in the creation and/or retention of the equivalent of 1 full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-106

Ordinance No. 2017-184
(Int. No. 204, as amended)

June 20, 2017

Authorizing an agreement for the Rochester Riverside Convention Center Escalator 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 with Stantec Consulting Services Inc. to prepare an assessment of the escalators located at the Joseph A. Floreano Rochester Riverside Convention Center (RRCC) in support of the RRCC Escalator Modernization Project. The maximum compensation for the agreement shall be \$100,000, which shall be funded from ~~2016-17~~ 2015-16 Cash Capital. The term of the agreement shall continue through to the completion and the Department of Environmental Services' acceptance of the assessment.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-185
Re: Mt. Hope Avenue Phase 2
Improvement Project

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

1. Authorize an agreement with the New York State Department of Transportation (NYSDOT) to provide Right of Way (ROW) acquisition and incidental services for the project;
2. Authorize the Mayor to accept the terms of NYSDOT's project agreement for ROW acquisitions and incidental services for the project, including associated schedule, appendices, exhibits and attachments;
3. Authorize the City Engineer to execute reimbursement requests with NYSDOT; and
4. Authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to reflect that the State is performing the property acquisition work by decreasing maximum compensation by \$179,973 to a new total of \$571,027. The funding reduction is comprised as follows: \$143,978 in federal aid (Ord. No. 2015-243), \$30,972.21 in 2012-

June 20, 2017

13 Cash Capital (Ord. No. 2016-268), and \$5,022.79 in 2014-15 Cash Capital (Ord. No. 2016-198). The term of the amendatory agreement is six months after completion and acceptance of the construction of the project.

The Mt. Hope Avenue Phase 2 Improvement Project will reconstruct Mt. Hope Avenue from Rossiter Road to the south City line. The project includes street reconstruction, new curbing, sidewalks, water main and services, hydrants, receiving basins, street lighting and tree plantings.

It is expected that there will be multiple de minimis property takings for this project. The NYSDOT has offered to perform the work to secure these acquisitions, which includes securing title abstracts and property appraisals, communications and negotiations with the property owners, paying property owners for the takings, and filing the titles. The City agrees to accept and take title to all permanent property rights the State acquires for the project. In order to pay for this work, the State will apply the federal aid earmarked for ROW incidentals to itself, once the Federal Highway Administration authorizes aid for the ROW acquisitions. The City is required to deposit to the State the local match for ROW incidentals aid, which is \$35,995. This amount reflects a portion of the decrease in maximum compensation for Bergmann Associates. (\$30,972.21 from 2012-13 Cash Capital and \$5,022.79 from 2014-15 Cash Capital via Ordinance Nos. 2016-268 and 2016-198, respectively.) The local share amount for the ROW acquisitions phase of the work will be calculated once the federal aid is authorized, and that figure will be transmitted as part of the approval of a supplemental NYSDOT agreement that will be needed at that time.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AQ-107

Ordinance No. 2017-185
(Int. No. 205)

Authorizing agreements for the Mt. Hope Avenue Phase 2 Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) to provide Right of Way (ROW) acquisition and incidental services for the Mt. Hope Avenue Phase 2 Improvement Project (Project). The maximum compensation for the agreement shall be \$179,973, which shall be funded by \$143,978 in Federal Highway Administration funds appropriated in Ordinance No. 2015-243, \$30,972.21 in 2012-13 Cash Capital and \$5,022.79 in 2014-15 Cash Capital.

Section 2. The City Engineer is hereby authorized to execute reimbursement requests with NYSDOT.

June 20, 2017

Section 3. The Mayor is hereby authorized to accept the terms of NYSDOT's Project agreement for ROW acquisitions and incidental services for the Project, including associated schedule, appendices, exhibits, and attachments.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to reflect that the State is performing the property acquisition work. The amendatory agreement shall decrease the maximum compensation of the agreement originally authorized by Ordinance No. 2015-198 and amended by Ordinance Nos. 2016-243 and 2016-268 by \$179,973 to a new total of \$571,027. Said amendatory amount shall reduce funding from federal funds appropriated in Ordinance No. 2015-243 by \$143,978, 2012-13 Cash Capital appropriated in Ordinance No. 2016-268 by \$30,972.21 and 2014-15 Cash Capital appropriated in Ordinance No. 2016-198 by \$5,022.79. The term of the agreement shall end six months after completion and acceptance of the construction of the Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-186
Re: Residential Milling and
Resurfacing – Marketview Heights

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

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,880,000 and the appropriation of the proceeds thereof to partially finance street milling and resurfacing in Marketview Heights.

The Residential Milling and Resurfacing – Marketview Heights Improvement Project includes the milling and resurfacing of various city streets in Marketview Heights; spot sidewalk and curb repair; and, pavement markings. (A list of the impacted streets is attached.) The project improves the street system, extends the useful life of the streets, and reduces long term maintenance costs.

Bids for construction were received on May 16, 2017. The apparent low bid of \$1,474,000.00 was submitted by Sealand Contractors Corp. which is 9.84% higher than the engineer's estimate. An additional \$287,518 will be allocated for project contingencies. Resident project representation services will be provided by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. per Ordinance No. 2016-342.

The costs for the categories of work for the project based upon the bid amount are as follows:

Source	Construction	Contingency	RPR	Total
Street Bond	\$ 1,382,832	\$ 268,686	\$ 228,482	\$ 1,880,000
2013-14 Cash Capital	9,250	5,750	1,518	16,518
Rochester Pure Waters District (Ord 16-376)	81,918	13,082	0	95,000
Total	\$1,474,000	\$287,518	\$230,000	\$1,991,518

Construction will begin in summer 2017, with anticipated completion in fall 2017. The project will result in the creation and/or retention of the equivalent of 15.8 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor.

Attachment No. AQ-108

Ordinance No. 2017-186
 (Int. No. 206)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,880,000 Bonds of said City to finance the milling and resurfacing of certain portions of Marketview Heights streets related to the 2017 Marketview Heights Residential Milling and Resurfacing Program Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling, resurfacing and reconstruction of certain portions of Marketview Heights streets, including those portions specified on the attached Exhibit A, related to the 2017 Marketview Heights Residential Milling and Resurfacing Program Project in the City, including new curbing, sidewalks, manholes, basins and other roadway improvements (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 \$1,991,518, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,880,000 bonds of the City to finance a portion of said appropriation, the application of \$16,518 from 2013-2014 Cash Capital, \$95,000 from Rochester Pure Waters (Ordinance No. 2016-376) and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,880,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,880,000. 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. 20. of the Law, is fifteen (15) years.

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

June 20, 2017

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. 2017-187
Re: Amendatory Agreement – Stantec
Consulting Services Inc., Ridgeway
Avenue Transportation Improvement Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services Inc., Rochester, New York, for additional construction phase design and resident project representation (RPR) services required for the Ridgeway Avenue Transportation Improvement Project from Ramona Street to Minder Street. The amendatory agreement extends the term through June 2017, and the cost will be financed as follows:

Federal Highway Administration (Ord. No. 2015-129)	\$ 160,000
New York State Marchiselli Aid (Ord. No. 2015-129)	\$ 30,000
Debt (Ord. No. 2015-130)	<u>\$ 10,000</u>
TOTAL	\$ 200,000

The original agreement with Stantec was for \$998,000 (Ord. No. 2015-129); the proposed amendatory agreement brings maximum compensation to \$1,198,000.

The project will install new granite curbs, concrete sidewalks and driveway aprons. Topsoil and seeding will be placed to restore areas impacted by construction. Drainage improvements include new catch basins and lateral connections. Street lighting improvements include new foundations, conduit, pullboxes, poles, luminaires and wiring. Traffic signal improvements at two locations will include new signal poles, controllers, conduit, pullboxes, traffic signal heads, pedestrian signals, loop wires and fiber optic inner connect cable. A new 12” PVC water main will be installed from east of the CSX Railroad Crossing to Minder Street. New water mains will be installed within the limits of the work area on most of the side streets. Existing services and hydrants will be replaced throughout the project limits. A 16” ductile iron water main will also be replaced at the intersection of Ridgeway and Dewey Avenues.

Stantec will provide additional construction phase design and RPR services due to a project time extension, longer inspection duration, unforeseen conditions, additional overtime and design support.

Construction began after winter shutdown in spring 2017 and is scheduled for completion in summer 2017. The amendatory agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs

June 20, 2017

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-187
(Int. No. 207)

Authorizing an amendatory agreement with Stantec Consulting Services Inc. for the Ridgeway Avenue Transportation Improvement Project

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 Stantec Consulting Services Inc. for additional construction phase design and resident project representation services for the Ridgeway Avenue Transportation Improvement Project. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized by Ordinance No. 2015-129 by \$200,000 to a new total of \$1,198,000. Said amendatory amount shall be funded by \$160,000 from the anticipated reimbursements of the Federal Highway Administration grant authorized in Ordinance No. 2015-129, \$30,000 from anticipated reimbursements of Marchiselli Aid authorized in Ordinance No. 2015-129, and \$10,000 from bonds authorized in Ordinance No. 2015-130. The term of the agreement is hereby extended through June 2017.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-188
Re: Shared Mobility Program – Authorize
Agreements and Appropriate Funds
Council Priority Creating and Sustaining a Culture of Vibrancy
Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the City of Rochester Shared Mobility Program. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the City of Rochester Shared Mobility Program; and,

2. Appropriate \$1,004,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) Congestion Mitigation & Air Quality (CMAQ) program, administered by NYSDOT, to partially finance the development, implementation, and/or expansion of bikeshare, carshare, and vanpool services; and,
3. Authorize the Mayor to enter into a three-year intermunicipal agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) with respect to their sponsorship of six bikeshare stations at an annual cost of \$12,240; and.
4. Authorize the receipt and use of \$12,240 annually for three years (\$36,720 total) from RGRTA for bikeshare station sponsorship.

This federally-funded project will enable the City to launch and/or expand three shared mobility initiatives: bikeshare, carshare, and a commuter vanpool program. Together, these initiatives will reduce traffic congestion, improve air quality, enhance the quality of life, and connect residents to jobs and services. These shared mobility initiatives complement each other and supplement existing transit service in order to provide new mobility options for Rochester's residents and visitors.

With respect to bikeshare specifically, these funds will be used to further expand the Zagster-operated system that is set to launch in summer 2017. An intermunicipal agreement with RGRTA will facilitate their sponsorship of bikeshare stations located at six high priority Regional Transit Service (RTS) bus stop locations, including the RTS Transit Center. The total annual cost of these six stations is \$61,200; RGRTA will provide \$12,240 annually, which represents the required 20% local match for the associated CMAQ funds (\$48,960).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-188
(Int. No. 208)

Authorizing agreements and funding for the Shared Mobility Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to receive and NYSDOT to administer funding from the Federal Highway Administration (FHWA) Congestion Mitigation & Air Quality Improvement program (CMAQ) to support the City's Shared Mobility Program.

Section 2. The sum of \$1,004,000 in anticipated reimbursements from CMAQ is hereby appropriated to finance a portion of the development, implementation, and/or expansion of bikeshare, carshare, and vanpool services under the Shared Mobility Program.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) for the receipt and use of \$12,240 annually (\$36,720 total) with respect to RGRTA's sponsorship of six bikeshare stations within the

June 20, 2017

Rochester Public Bikeshare System network. The term of the agreement shall be 3 years. Said amount is hereby appropriated for the Shared Mobility Program.

Section 4. The agreements authorized herein 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:

Ordinance No. 2017-189
Re: Grant Application – Water
Improvement Projects

Transmitted herewith for your approval is legislation authorizing the Mayor to apply to New York State for grants under the New York State Water Infrastructure Improvement Act (NYS WIIA) program. This program provides grants to assist municipalities in funding water quality infrastructure projects that focus on improving water quality and protecting public health. Municipalities may receive up to \$3 million or 60% of the total project cost, whichever is less. The balance of the funds needed to finance the projects will be funded from the Capital Improvement Program.

The City is preparing applications for grant assistance under NYS WIIA Grant Programs for the following projects:

- Lead water service line replacements
- Water Main Renewal Project - Extensions & improvements of aged water mains
- Water main replacement on Scottsville Rd.
- Cathodic protection of water transmission conduits

Grant applications must be submitted by June 23, 2017 to be considered for funding during the State Fiscal Year, SFY 2017-2018. Construction for eligible projects must be completed during or after Federal Fiscal Year 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-109

Ordinance No. 2017-189
(Int. No. 209)

June 20, 2017

Authorizing an application to New York State for funding of water quality infrastructure projects

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

Section 1. The Mayor is hereby authorized to submit an application to New York State for grants under the New York State Water Infrastructure Improvement Act to fund a portion of the costs of water quality infrastructure projects that focus on improving water quality and protecting public health.

Section 2. The application 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. 2017-190

Re: Agreement – NYS Electronic
Waste Assistance Grant

Transmitted herewith for your approval is legislation authorizing a grant agreement with the New York State Department of Environmental Conservation (NYSDEC). The grant will reimburse the City for up to 50% of direct costs paid to an e-waste recycler in the disposition of electronic waste material as outlined in the NYS Electronic Equipment Recycling and Reuse Act. The eligible period for cost reimbursement was April 1, 2016 through March 31, 2017.

NYS has affirmed the City has met its eligibility requirements for the grant assistance and has approved an agreement with the City. The total amount of reimbursement for this grant will be \$25,140.23. The total amount of the costs incurred was \$50,280.47.

NYS has indicated that there will be a second phase of grant assistance reimbursement for these types of costs, which will cover the period April 1, 2017 through December 31, 2017. The City intends to apply for this second phase of grant assistance as well once the grant opportunity is officially extended to prospective applicants.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-190
(Int. No. 210)

Authorizing an agreement with the New York State Department of Environmental Conservation for the disposition of electronic waste material

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 to reimburse the City for direct costs paid to an electronic waste recycler for the disposition of electronic waste material as outlined in the New York State Electronic Equipment Recycling and Reuse Act. The agreement shall cover a reimbursement period from April 1, 2016 through March 31, 2017. The total reimbursement to the City shall not exceed \$25,140.23.

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.

Councilmember Haag motioned to amend Int. No. 211.

The motion was seconded by Councilmember Spaul.

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul – 9

Nays – None -0.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-191
Re: Agreement – Store Master Funding
XI, LLC, Column Support Repairs

Transmitted herewith for your approval is legislation related to structural repairs to a column underpinning the Dinosaur Bar-B-Que Restaurant (99 Court Street). This legislation will:

1. Authorize a Project Participation Agreement with Store Master Funding XI, LLC for reimbursement costs and access associated with column repairs underpinning the Dinosaur Bar-B-Que Restaurant at 99 Court Street; and,
2. Appropriate a maximum of \$100,000 in anticipated reimbursements from Store Master Funding XI, LLC to finance their share of construction, inspection services and administrative costs.

June 20, 2017

Recent inspections uncovered significant and advance deterioration in the underpinning column supporting the western end of the Dinosaur Bar-B-Que Restaurant (formerly known as the Lehigh Valley Railroad (LVRR) Station – Circa 1905). The City shares joint maintenance responsibility with Store Master Funding XI, LLC for the column. The column is affixed to the Court Street Bridge (circa 1893) and was built around 1920 to support an addition to LVRR Station. The City maintains the original stone base for which the column is situated on, while Store Master Funding XI, LLC owns and maintains the upper portion of the column and corresponding steel framing system.

The Project Participation Agreement pertains to partial shoring of the building at 99 Court Street (known as the Dinosaur Bar-B-Que) along with the demolition and reconstruction of a concrete and stone masonry column that is jointly owned and maintained by both parties. The agreement contains provisions for allowing the City access to the building through a temporary construction easement. The column is directly connected to Pier No. 4 of the Court Street Bridge and serves a dual function as both a debris deflector and column support for 99 Court Street. This agreement contains language related to the shoring, demolition, and reconstruction of said column, a temporary construction easement, cost sharing, maintenance, ownership, liability, insurance, and indemnification.

The project is taking advantage of having cofferdams in the river bed as part of the Promenade at Erie Harbor Project. Use of these cofferdams is imperative, and significantly reduces the overall costs and time.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-191
(Int. No. 211, as amended)

Authorizing a project participation agreement and funding to repair a support column at 99 Court Street

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

Section 1. The Mayor is hereby authorized to enter into a project participation agreement with Dinosaur Restaurants, LLC and Store Master Funding XI, LLC for the sharing of costs, provision of access, and other factors necessary to repair or replace a support column underpinning a restaurant building located at 99 Court Street. The term of the agreement shall continue until ~~both~~ the parties to the agreement have accepted the support column work as complete.

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

Section 3. The sum of up to \$100,000 in anticipated reimbursements from ~~Store Master Funding XI, LLC~~ Dinosaur Restaurants, LLC under the agreement is hereby appropriated for the costs of construction, inspection and administrative services to repair or replace said support column.

Section 4. This ordinance shall take effect immediately.

June 20, 2017

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Haag
June 20, 2017

To the Council:

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

- Int. No. 212 Authorizing an agreement with the Center for Governmental Research Inc. to study the process and performance of the Civilian Review Board
- Int. No. 213 Authorizing a professional services agreement for Skate Park design and grant seeking
- Int. No. 214 Authorizing agreements for the Teenage Pregnancy Prevention Program
- Int. No. 215 Authorizing an equipment funding agreement for the Police Department
- Int. No. 216 Authorizing agreements and appropriating funds for veterinary services

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:

Ordinance No. 2017-192
Re: Agreement – Center for

June 20, 2017

Governmental Research

Council Priority: Public Safety

Transmitted herewith for Council approval is legislation for an agreement with Center for Governmental Research to examine the current Civilian Review Board and provide information for improvements.

The evaluation will take 60 days and will be funded by both the City of Rochester and the Center for Governmental Research. The contact will not exceed \$25,000; \$5,000 will be paid by Center for Governmental Research and \$20,000 from Undistributed.

A Request for Proposals was not done and a justification statement is attached.

Respectfully submitted,
Loretta C. Scott
President
At-Large Member

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

Attachment No. AQ-110

Ordinance No. 2017-192
(Int. No. 212)

Authorizing an agreement with the Center for Governmental Research Inc. to study the process and performance of the Civilian Review Board

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Center for Governmental Research Inc. (CGR) to perform an independent study of the Civilian Review Board, which was established by Resolution No. 92-40 and modified by Resolution No. 95-8 to investigate complaints of police misconduct. In addition to considering the Board's procedures and operations, CGR shall also factor in best practices derived from other cities. The compensation paid by the City shall not exceed \$20,000, which amount shall be funded from the 2016-17 Budget for Undistributed Expense. In addition, CGR shall contribute \$5,000 of in-kind services to the study.

Section 2. The agreement shall have a term of one year and shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

June 20, 2017

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2017-193
Re: Agreement – Stantec Consulting
Services Inc., Skate Park Design
and Fundraising

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

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., Rochester, New York, for the preliminary design of and fundraising assistance for a planned downtown skate park. The cost of this agreement will be funded from 2016-17 Cash Capital and the term will be for two years.

Under this agreement, Stantec will provide site analysis, design assistance, and grant writing and fundraising assistance for the planned downtown skate park. Stantec has a division which specializes in skate park design and fundraising, and has provided skate park conceptual design work for the City under a 2012 agreement (Ord. No. 2013-33).

The consultant was chosen for this work based on the firm's ongoing familiarity with the downtown skate park project and prior experience. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-111

Ordinance No. 2017-193
(Int. No. 213)

Authorizing a professional services agreement for Skate Park design and grant seeking

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 Stantec Consulting Services Inc. for preliminary design and fundraising assistance for a planned downtown skate park. The maximum compensation for the agreement shall be \$30,000, which shall be funded from 2016-17 Cash Capital. The term of the agreement shall be 2 years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-194

Re: Agreements – Federal Teenage
Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention (TPP) program. This legislation will:

1. Authorize an agreement with the U.S. Department of Health and Human Services for the receipt and use of a \$999,999 grant for TPP; and
2. Establish maximum compensation of \$454,944, to be funded from the grant authorized herein, for one year agreements with the following organizations to provide related services:

Baden Street Settlement of Rochester, Inc.	\$165,653
The Center for Youth, Inc.	48,508
Family Resource Center of Hillside Children’s Center	53,171
Ibero American Investors Corporation	48,356
Highland Hospital of Rochester (Family Planning - clinical partner)	69,256
Ann G. T. Young (evaluation partner)	<u>70,000</u>
TOTAL	\$454,944

An additional \$260,400 was anticipated and included in the 2017-18 Budget of the Department of Recreation and Youth Services, contingent upon approval of said budget, to cover staff costs associated with the City’s role as lead agency, including the salary and wage costs for a Project Director, four Pregnancy Prevention Trainers, and one Grant Support Associate. Employee fringe costs of \$132,775 were also anticipated and included in the 2017-18 Budget of Undistributed Expenses, contingent upon approval of said budget. The remaining \$151,880 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel costs such as travel, program and office supplies, printing and indirect costs.

The official name of this federal program is the Teenage Pregnancy Prevention Replication of Evidence-Based Programs to Scale in Communities with the Greatest Need (Tier 1B). Approval by the U.S. Department of Health and Human Services is anticipated by the end of June 2017. This will be year three of a five year grant spanning from July 1, 2015 to June 30, 2020. The program was last approved by City Council in June 2016 via Ordinance No. 2016-214.

The goals of TPP are to: (1) successfully plan, develop, and implement TPP to scale using evidence-based curriculum with fidelity; (2) reduce adolescent pregnancy rates; and (3) improve high school graduation rates. The program, locally promoted as THRIVE (Teens Helping to Reinvent Identity, Values and Empowerment), will serve a combined 1,875 girls and boys each year in the remainder of the grant cycle. Services will be provided in areas with the highest teen birth rates (zip codes 14605, 14608, 14611, 14613, and 14621).

June 20, 2017

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AQ-112

Ordinance No. 2017-194
(Int. No. 214)

Authorizing agreements for the Teenage Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services for the receipt and use of \$999,999 in funding for the operation of the Teenage Pregnancy Prevention Program (Program).

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations for the following not-to-exceed amounts to provide Program services:

Baden Street Settlement of Rochester, Inc.	\$165,653
The Center for Youth Services, Inc.	48,508
Family Resource Center of Hillside Children’s Center	53,171
Ibero American Investors Corporation	48,356
Highland Hospital of Rochester	69,256
Ann G. T. Young	<u>70,000</u>
TOTAL	\$454,944

Section 3. The Program service agreements shall obligate the City to pay an amount not to exceed \$454,944, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein. The agreements shall have a term of one year.

Section 4. The sum of \$151,880 is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein to fund non-personnel expenses of the Program.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson -8

June 20, 2017

Nays – None- 0

Councilmember Spauld abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-195
Re: Agreement – Federal Bureau of
Investigation, Equipment Reimbursement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Federal Bureau of Investigation (FBI) for the receipt and use of up to \$41,100 for the purchase of equipment.

The FBI will reimburse the Police Department in an amount not to exceed \$7,400 for the purchase of eligible equipment that is to be used by members of the FBI Child Exploitation Task Force. These funds will be used to purchase items such as binoculars, a video camera, two desktop workstations, a laptop, and a document scanner. The FBI will also reimburse the department in an amount not to exceed \$33,700 for the purchase of eligible equipment that is to be used by members of the FBI Rochester Area Major Crimes Task Force. These funds will be used to purchase items such as a Cellbrite UFED Touch2 unit (which captures forensic cell phone data), laptops, and audio/video equipment for interview rooms at the Public Safety Building.

Reimbursements from this award must be requested by August 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-195
(Int. No. 215, as amended)

Authorizing an equipment funding agreement for the Police Department

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Federal Bureau of Investigation (FBI) for the receipt and use of up to \$41,100 to reimburse the Rochester Police Department for its purchases of equipment to be used as part of its participation in the Rochester Area Major Crimes Task Force and the FBI Child Exploitation Task Force. The term of the agreement shall be for up to one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2017-196

Re: Agreements - Veterinary Services for
Rochester Animal Services

Transmitted for your approval is legislation establishing \$46,300 as maximum compensation for veterinary services agreements for Rochester Animal Services (RAS). The term of these agreements will be for one year, and the cost will be funded from the 2017-18 Budget of the Police Department (\$8,000), contingent upon adoption of said budget, and by an appropriation from the Animal Control Gifts Fund (\$38,300). The table below summarizes the use of these funds:

Use	Police Budget	Gifts Fund	TOTAL
On-site veterinary services	\$ 0	\$34,300	\$34,300
Monroe Veterinary Associates	8,000	2,000	10,000
Lollypop Farm	0	2,000	2,000
TOTAL	\$8,000	\$38,300	\$46,300

RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during the absence of the regular veterinarian and veterinary technicians. The consultants will provide on-site veterinary services including, but not limited to: examinations, treatments, vaccinations, and the surgical sterilization of animals in custody at the shelter on Verona Street. The consultants may also provide surgical sterilization on animals owned by city residents. Each of the consultants will provide services on a part-time or on-call basis.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2017-196
(Int. No. 216)

Authorizing agreements and appropriating funds for veterinary services

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

Section 1. The Mayor is hereby authorized to enter into agreements with Lollypop Farm, Monroe Veterinary Associates, and other on-site veterinary service providers to provide veterinary services at the Rochester Animal Shelter. The sum of \$46,300, or so much thereof as may be necessary, is hereby established as maximum compensation to be paid for such services. Said amount shall be funded by \$8,000

June 20, 2017

from the 2017-18 Budget of the Police Department, contingent upon approval of such budget, and by \$38,300 from the Animal Control Gifts Fund, which amount is hereby appropriated for that purpose. The maximum compensation and funding source for each agreement shall be as follows:

Use	Police Budget	Gifts Fund	Total
On-site veterinary services	\$ 0	\$34,300	\$34,300
Monroe Veterinary Associates	8,000	2,000	10,000
Lollypop Farm	0	2,000	2,000
TOTAL	\$8,000	\$38,300	\$46,300

Section 2. The agreements shall have a term of one year.

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.

The meeting was adjourned at 8:18 p.m.

HAZEL L. WASHINGTON
City Clerk