

ROCHESTER CITY COUNCIL

REGULAR MEETING

May 12, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via video conferencing on Zoom and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages and on City 12, the City's government access channel that is available to Spectrum Cable subscribers – Channel 1303.

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DES:

- *John Caraballo
- *Barr Miesch

DHRM:

- *Choyce Bush

NBD:

- *Lawrence Fedick

RFD:

- *Daniel Caufield
- *Ricardo Cortez
- *James Hydock
- *Joseph O’Gorman
- *Jerry Randise

RPD:

- *Lloyd Cuyler
- *Kevin Riley
- *Thomas Rodriguez
- *Walter Sanders
- *Mark E. Simmons
- *Brett Sobieraski

**Not attending meeting*

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APPROVAL OF THE MINUTES

By Vice President Lightfoot

RESOLVED, that the minutes of the Regular Meeting on April 14, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

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

The Mayor submits the following:

Quarterly Report NBD Grants Report – March 31, 2020
Quarterly Report PSA costs of less than \$10,000 – March 31, 2020

The Council submits Disclosure of Interest Form from Councilmember Harris on Int. No. 175.

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

None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on May 7, 2020 on the following matters:

Continuation of Local Improvement Ordinance No. 1289 relating to the Monroe Avenue/Oxford Square Commercial Parking Lot Int. No. 157
No Comments

Continuation of Local Improvement Ordinance No. 1258 relating to the North Street Commercial Parking Lot Int. No. 158
No Comments

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas Int. No. 159
No Comments

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan to fund and implement programs to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic Int. No. 177
22 Comments

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

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-121
Ordinance No. 2020-122
Re: Tax Apportionment Assessment Classes – Tax Shift

Council Priority: Deficit Reduction and Long Tern Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation certifying certain calculations related to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves the determination of the “base proportion.” In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination involves two computations. The first is the calculation of the current base proportions using 1989 and 2019 data. The second is the calculation of the adjusted base proportions using 2019 and 2020 data. Both calculations are attached.

The current base proportions, as calculated by the formula specified by Article 19, are as follows:

Homestead:	.4280889
Non-Homestead:	<u>.5719111</u>
Total:	1.0000000

In comparison, the new adjusted base proportions are as follows:

Homestead:	.4250944
Non-Homestead:	<u>.5749056</u>
Total:	1.0000000

The new proportions result in the following shifts in the share of the tax levy allocated to each class:

Homestead:	+2.71%
Non-Homestead:	-1.91%

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-80

May 12, 2020

Ordinance No. 2020-121
(Int. No. 187)

Determining and certifying base proportions, current percentages, and base percentages for the 2020 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2020 assessment roll to be as follows:

	<u>Homestead Class</u>	<u>Non-Homestead Class</u>
Current base proportions	42.80889%	57.19111%
Current percentage	61.22380%	38.77620%
Base percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No, 2020-122
(Int. No. 188)

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2020 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2020 assessment roll to be as follows:

	<u>Homestead Class</u>	<u>Non-Homestead Class</u>
Adjusted base proportion	.4250944	.5749056
Taxable assessed value	4,537,747,916	3,010,384,520
Net change in assessed value from 2019 resulting from physical and quantity changes	+2,833,400	+26,475,400
Net change in assessed value from 2019 resulting from other than physical and quantity changes	+745,373,666	+333,159,822

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Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
May 12, 2020

To the Council:

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

- Int. No. 153 Approving the apportionment of taxes and charges
- Int. No. 154 Authorizing an amendatory agreement relating to a Cloud-Based Financial Data Management and Reporting Solution, **as amended**
- Int. No. 155 Authorizing a master license agreement with Greenlight Networks, LLC
- Int. No. 156 Resolution endorsing Five Star Bank's application to establish a Banking Development District
- Int. No. 160 Amending City policy related to pre-employment drug testing
- Int. No. 161 Authorizing a master license agreement with Crown Castle Fiber LLC
- Int. No. 176 Amending the Budget and authorizing an agreement for the provision of public access television

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

- Int. No. 157 Continuation of Local Improvement Ordinance No. 1289 relating to the Monroe Avenue/Oxford Square Commercial Parking Lot
- Int. No. 158 Continuation of Local Improvement Ordinance No. 1258 relating to the North Street Commercial Parking Lot
- Int. No. 159 Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

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Respectfully submitted,
Malik Evans
LaShay D. Harris
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-123
Re: Apportionment of Taxes and Charges

City Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 75 properties. This apportionment has been certified by the Assessor and is authorized by §6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in 2019-2020. These taxes and charges, which total \$145,586.57, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2020 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2020.

A copy of the property list is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-123
(Int. No. 153)

Approving the apportionment of taxes and charges

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon various parcels of land as certified by the Assessor of the City of Rochester on April 14, 2020, pursuant to Section 6-78 of the Charter of the City of Rochester, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

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Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo - 9.

Nays – None- 0.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-124

Re: Amend - Comprehensive Annual
Financial Report (CAFR) Cloud-Based
Financial Data Management and
Reporting Solution

City Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation relating to the Cloud-Based Financial Data Management and Reporting Solution system for preparing the City of Rochester's Comprehensive Annual Financial Report (CAFR).

This legislation will Authorize an additional \$12,000 to cover a funding shortfall for FY ~~20-21~~, FY 19-20 year 5, of this agreement, establishing \$140,000 as the maximum compensation for the agreement with Workiva, Inc.

The set up cost of \$8,000 for this agreement was funded from the 2015-16 Operating Budget for the Department of Finance. Subsequent licensing costs of \$24,000 per year were also funded from the annual Operating Budget of the Department of Finance.

Services include, but are not limited to, the following:

- Multiple user capability with various levels of controls
- The capability to edit, create and submit reports internally and externally
- Automated ability to link, tie (increment/decrement) and round numbers between related financial statements
- Ability to manage and import financial data several times throughout the process
- Ability to link financial data to a single source document so that information is always up-to-date and consistent between documents
- Presence of a clear audit trail
- Implement changes in reporting requirements, particularly changes to reporting under the Governmental Accounting Standards Board (GASB).

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A copy of the analysis is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-81

Ordinance No. 2020-124
(Int. No. 154, as amended)

Authorizing an amendatory agreement relating to a Cloud-Based Financial Data Management and Reporting Solution

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 Workiva Inc. to continue to provide a Cloud-Based Financial Data Management and Reporting Solution for preparing the City's Comprehensive Annual Financial Report. The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2016-129 so as to increase the maximum license fee for the fifth year of the agreement by \$12,000 to a new total of \$36,000. The increase in compensation shall be funded from the ~~2019-20~~ 2020-21 Budget of the Department of Finance, contingent upon approval.

Section 2. The agreement authorized herein 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. 2020-125
Re: Master License Agreement-
Greenlight Networks, LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a master license agreement with Greenlight Networks, LLC, a telecommunications company that is installing a fiber based telecommunications network in the City right-of-way. Greenlight's network provides ultra-high speed internet and ethernet services to residents and small businesses in the City of Rochester. Greenlight is a local company with headquarters located in the City of Rochester. Greenlight has been installing its fiber

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optic cable in the City for nearly six years, as well as in surrounding communities and they are now expanding into the Buffalo area.

The terms of the master license agreement will be consistent with the Chapter 106 Telecommunications in the Right-Of-Way Code of the City of Rochester, Ordinance No. 2019-34, adopted on February 29, 2019, which established the process and standards for master license agreements for telecommunications providers, including a term of ten years with two five-year renewals, a compensation schedule, requirements for insurance, security and other requirements set forth in Chapter 106 or in the Rules and Regulations for Work in the Right-of-Way which were adopted by the City Engineer pursuant to Chapter 106.

The size and extent of Greenlight’s fiber network and the compensation to be paid to the City is not known at this time, because the facilities may be installed over a period of time and to an extent that will be dependent on Greenlight’s customer needs. Nevertheless, all new fiber and other related facilities will be subject to individual permit review before installation and the compensation paid to the City will be determined by the amount of facilities in the right-of-way as set forth in Code section 106-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-125
(Int. No. 155)

Authorizing a master license agreement with Greenlight Networks, LLC

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

Section 1. The Mayor is hereby authorized to enter into a master license agreement with Greenlight Networks, LLC for the installation of telecommunications facilities and accessory equipment in the public right-of-way. The term of the master license agreement shall be ten years, with the option to extend for up to two additional five year renewal terms.

Section 2. The master license agreement shall be consistent with the provisions and requirements of Chapter 106 of the Municipal Code, Telecommunications in the Right-of-Way.

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:

Re: Resolution No. 2020-23
Five Star Bank Banking
Development District Program
Proposal

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Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation endorsing Five Star Bank's Banking Development District (BDD) Program proposal to the New York State Department of Financial Services. An endorsement from the City of Rochester is a requirement of submission for the application.

The BDD program was created in 1997 to encourage the establishment of bank branches in areas of New York State with demonstrated need for increased banking services, enhance access by consumers to banking services, and promote local economic development. Through the program, banks that receive a BDD designation receive below-market-rate deposits to be used to support increased activity within the district and lower the financial risk that a bank branch may incur when operating in a lower-income community.

Five Star Bank is proposing the creation of a BDD focused on their Downtown Rochester branch, located at Five Star Bank Plaza on Chestnut Street. A map of the proposed BDD is attached, and was reviewed with Five Star Bank staff during the April 16, 2020 City Council work session. If successful in their application, Five Star Bank has committed to significantly expanding and enhancing its ability to deliver banking and lending services in the BDD, and continuing its support of a variety of financial empowerment programs throughout the community.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-82

Resolution No. 2020-23
(Int. No. 156)

Resolution endorsing Five Star Bank's application to establish a Banking Development District

WHEREAS, in 1997 the New York State Legislature enacted the Banking Development District (BDD) Program in order to encourage the establishment of bank branches in areas with a demonstrated need for banking services, to enhance access by consumers to banking services and to promote local economic development;

WHEREAS, a bank branch that is granted a BDD designation by the NYS Department of Financial Services becomes eligible to receive below market-rate deposits from the State of New York and other financial incentives in order to lower the financial risk that the branch may incur when operating in an underserved community, usually comprised of low- and moderate-income households;

WHEREAS, during the Program's 23 years of operation approximately 50 BDD's have been established throughout the State, but no BDD has been established in the Rochester area;

WHEREAS, Five Star Bank, a New York State chartered community bank, is proposing to designate a BDD in an area of the city of Rochester based out of their Downtown Chestnut Street branch;

WHEREAS, the City Council has been provided with a map that specifies the boundaries of the Bank's proposed BDD area, which was selected through the analysis of geographic information system mapping, demographic, financial services availability, and bank location data;

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WHEREAS, the proposed BDD aligns with the geographic borders and overall vision for the joint pilot district in which the City and the Rochester Monroe Anti-Poverty Initiative launch and evaluate new anti-poverty programs and initiatives, and would serve populations in need of increased access to mainstream financial services;

WHEREAS, if the State grants its BDD application, the Bank has committed to expand and enhance several banking and lending programs it already operates designed for underserved and underbanked populations, to continue its support of a variety of financial empowerment programs throughout the community, and to collaborate with the City of Rochester to identify opportunities to better serve the community with access to mainstream financial services and wealth-building opportunities; and

WHEREAS, the Program rules require the Bank's BDD applications to include a resolution of endorsement by the City.

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

Section 1. The City Council does hereby approve and endorse the application of Five Star Bank for the designation of the above described Banking Development District within the City of Rochester and authorizes the Bank to provide this Resolution to the NYS Department of Financial Services and the Superintendent of Financial Services in support of the Bank's application for the designation of the BDD.

Section 2. The City Council authorizes and encourages the Mayor to provide to the Bank and to the State agencies and officials any research, information, or other support from City officials and agencies that she deems appropriate for obtaining State approval of the Bank's BDD application and for ensuring that the BDD functions in a manner that maximizes the economic development and opportunity purposes of the BDD Program.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1770
Local Improvement Ordinance No. 1771
Local Improvement Ordinance No. 1772
Re: Continuation of LIO No. 1289,
Various Agreements and Assessments
for Operation and Maintenance of Special
District Parking Lots

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the City to enter into one one-year agreements with various contractors for operation and maintenance of each of the special district assessment parking lots during 2020-21, authorizing special district assessments for the neighborhood commercial and residential parking lots appropriating \$62,465 for operation and maintenance of the parking areas during 2020-21, and the continuing for ten years the local improvement district authorizations relating to the Monroe Avenue/Oxford Square and North Street commercial parking lots.

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Special Assessment District parking lots established by City Council in 1979 include: Culver/Merchants, Monroe Avenue/Oxford Square Lot, North Street, Lyell Avenue and Woodside/Goodwill. A sixth lot was created in 2011-12 for Mt. Hope in the College Town district. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments reflect the cost of snow plowing, cleaning, landscaping, maintenance, lighting and parking regulation enforcement. These services are provided either by City personnel, by private companies under contract to the City or by the property owners themselves, and it is impractical to go out to bid due to the direct involvement of each contractor to each respective lot. The total assessments required and total appropriation for 2020-2021 is:

Lot Name	20/21 Budget	19/20 Budget	Variance	Reason	Consultant/Contractor
Lyell Avenue	\$9,955.00	\$9,803.00	\$152.00	Increase in lot insurance rate	Quality Home Furnishings, LLC/ Thomas Sullivan
Monroe/Oxford	\$16,200.00	\$16,200.00	\$0.00	N/A	Thomas M. Adams Realty, LLC/ Thomas Adams
Woodside/Goodwill	\$14,850.00	\$14,925.00	-\$75.00	Decrease in RG&E	Woodside Goodwill Parking Lot LLC/ Dominic C. Zicari
Culver/Merchants	\$9,810.00	\$9,810.00	\$0.00	N/A	Culver Merchants Business Association, Inc./ Ann Page
North Street	\$12,650.00	\$11,700.00	\$950.00	Increase in Parking lot repairs (install two new signs)	Domicello Enterprises, LLC/ Phillip Domicello
Mt Hope	\$1,000.00	\$1,000.00	\$0.00	N/A	1400 Mt. Hope Ave LLC/ David L. Gandell
Sub-total	\$64,465.00	\$63,438.00	\$1,027.00		
Rollover Untaxed					
Monroe/Oxford	-\$2,000.00	\$0.00	-2,000.00	Prior years carry over (landscape work decreased)	
Total	\$62,465.00	\$63,438.00	-\$973.00		

A public hearing is required for these local improvements.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1770
(Int. No. 157)

Continuation of Local Improvement Ordinance No. 1289 relating to the Monroe Avenue/Oxford Square Commercial Parking Lot

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WHEREAS, by Local Improvement Ordinance No. 1289, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Monroe Avenue/Oxford Square Commercial Parking Lot; and

WHEREAS, said Local Improvement Ordinance was extended for subsequent terms of ten years by each of Local Improvement Ordinance Nos. 1441 and 1604, and the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1289, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Monroe Avenue/Oxford Square Commercial Parking Lot, as extended by Local Improvement Ordinance Nos. 1441 and 1604, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2019 and continuing through June 30, 2029.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1771
(Int. No. 158)

Continuation of Local Improvement Ordinance No. 1258 relating to the North Street Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1258, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the North Street Commercial Parking Lot; and

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

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

Section 1. Local Improvement Ordinance No. 1258, relating to the levying of local improvement assessments to fund the cost of special work and services related to the North Street Commercial Parking Lot is hereby re-enacted for an additional period of ten years, commencing on July 1, 2020 and continuing through June 30, 2030.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1772
(Int. No. 159)

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

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

Section 1. The 2020-21 assessment for operation and maintenance of the special assessment district parking lots listed below shall be \$62,465. The assessment amounts are hereby authorized and appropriated and shall be allocated and levied against the properties benefited by the special assessment district parking lots that were established or continued by the Local Improvement Ordinances (LIOs) specified, as follows:

Lot Name	LIO No.	2020-21 Assessment
Lyell Avenue	1548	\$ 9,955
Monroe/Oxford	1770	\$14,200
Woodside/Goodwill	1517	\$14,850
Culver/Merchants	1534	\$ 9,810
North Street	1771	\$12,650
Mt. Hope	1651	\$ 1,000

Section 2. The 2020-21 budget for the operation and maintenance of the special assessment district parking lots shall be \$64,465, comprised of the assessed amounts specified in Section 1 herein, plus \$2,000 in funds for the Monroe/Oxford district that are left over from that district’s prior assessments.

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

Section 4. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-126
Re: Updating the City’s Pre-Employment
Drug Testing Policy

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to amend the City’s pre-employment drug testing policy to remove tetrahydrocannabinol (THC), a compound found in marijuana, from the controlled substances included in the testing. Candidates selected for hire for positions with the City of Rochester would no longer be tested for THC prior to commencing work, except for certain positions deemed to require it, such as those related to public safety.

The City of Rochester strives to provide a drug-free workplace and prohibits the possession, use, purchase, sale or transfer of controlled substances, including marijuana, during worktime and in or on City property or facilities. Removal of pre-employment testing for THC avoids unfair discrimination against individuals for an activity conducted during non-work hours that may have no effect on their ability to perform the job for which they are applying.

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Although some form of marijuana use, whether medical and/or recreational, is legal in many states across the country, only a few jurisdictions have taken the step of removing marijuana use as a factor in employment decisions. Rochester can continue to lead the way in this effort by revising City policy to no longer require pre-employment testing for THC.

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott
City Council President

Ordinance No. 2020-126
(Int. No. 160)

Amending City policy related to pre-employment drug testing

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

Section 1. The Council hereby authorizes the removal of testing for tetrahydrocannabinol (THC), a compound found in marijuana, as part of pre-employment drug testing for City of Rochester employees, except where it may be required for certain positions, including positions related to public safety.

Section 2. The Mayor is hereby directed to revise the City's pre-employment drug testing policy to be consistent with the authorization in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-127
Re: Master License Agreement –
Crown Castle Fiber LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a master license agreement with Crown Castle Fiber LLC, a telecommunications company that is installing fiber based telecommunications facilities, including microcellular repeater equipment in the City right-of-way. Crown Castle's fiber based telecommunications network provides high speed internet and data transport services to business customers in the City of Rochester and installs and maintains telecommunications facilities and equipment for other telecommunications providers. A national communications company, in business for over twenty-five years, in 2018 Crown Castle merged with Fiber Technologies Networks, L.L.C., a local company that installed fiber to numerous City buildings in the early 2000's. More recently, Crown Castle installed eleven small cell antennas for other telecommunications providers, pursuant to a 2016 Right-of-Way Agreement, which will be terminated and incorporated into the Master License Agreement.

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The terms of the master license agreement will be consistent with the Chapter 106 Telecommunications in the Right-of-Way Code of the City of Rochester, Ordinance No. 2019-34, adopted on February 29, 2019, which established the process and standards for master license agreements for telecommunications providers, including a term of ten years with two five-year renewals, a compensation schedule, requirements for insurance, security and other requirements set forth in Chapter 106 or in the Rules and Regulations for Work in the Right-of-Way which were adopted by the City Engineer pursuant to Chapter 106.

The size and extent of Crown Castle's fiber network and other facilities and the compensation to be paid to the City are not known at this time because additional facilities may be installed over a period of time and that will be dependent on Crown Castle's customer needs. Nevertheless, all new fiber, small cell antennas and other related facilities will be subject to individual permit review before installation and the compensation paid to the City will be determined by the number and amount of facilities in the right-of-way as set forth in Code section 106-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-127
(Int. No. 161)

Authorizing a master license agreement with Crown Castle Fiber LLC

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

Section 1. The Mayor is hereby authorized to enter into a master license agreement with Crown Castle Fiber LLC for the installation of telecommunications facilities and accessory equipment in the public right-of-way. The term of the master license agreement shall be ten years, with the option to extend for up to two additional five year renewal terms.

Section 2. The master license agreement shall be consistent with the provisions and requirements of Chapter 106 of the Municipal Code, Telecommunications in the Right-of-Way.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-128
Re: Budget Amendment and Agreement –
Rochester Community TV, Inc.

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Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to funding for Rochester Community TV, Inc. This legislation will:

1. Amend the 2019-20 Budget of Undistributed Expenses to increase revenue and expense in the amount of \$173,100 to reflect the receipt of Public Education and Government (PEG) funds from Charter Communications pursuant to the City's franchise agreement with Charter Communications.
2. Authorize an agreement with Rochester Community TV, Inc. (Carvin Eison, General Manager), a not-for-profit corporation that administers the public access channel RCTV, to establish quarterly payments for the PEG funding. The first payment will be \$173,100, which will be funded from the 2019-20 Budget of Undistributed Expenses. Future payments are authorized to the extent of the amount of revenue received from Charter Communications. The remaining payments will be funded from the 2020-21 Budget of Undistributed Expenses, contingent upon approval. The term of the agreement is one year.

The City's franchise agreement with Charter Communications provides for annual PEG funding for RCTV that the City passes directly to Rochester Community TV, Inc. Starting later this year, some of the PEG fee amount may be deducted from the City's franchise fee paid by Charter Communications to the City pursuant to a recent FCC order which is currently being challenged in the courts. The unsettled circumstances concerning the PEG fees and the possible impact on the City's franchise fees necessitated the need to change the way the PEG funding is passed on to Rochester Community TV, Inc. Establishing quarterly payments of the PEG amount will allow the funding amounts to be adjusted based on any final franchise fee deductions, which are yet to be confirmed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-128
(Int. No. 176)

Amending the Budget and authorizing an agreement for the provision of public access television

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue and expense of the Budget of Undistributed Expenses by the sum of \$173,100, which is hereby appropriated from Public Education and Government (PEG) funds received pursuant to the City's franchise agreement with Charter Communications.

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Community TV, Inc. to establish quarterly payments to distribute the PEG funds for public access television. The first payment shall be in the amount of \$173,100, which shall be funded from the 2019-20 Budget of Undistributed Expenses. The remaining payments are authorized to the extent of the amount of revenue

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received from Charter Communications, and shall be funded from the 2020-21 Budget of Undistributed Expenses, contingent upon approval. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
May 12, 2020

To the Council:

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

- Int. No. 162 Authorizing the sale of real estate
- Int. No. 178 Appropriating Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs
- Int. No. 179 Appropriating Community Development Block Grant-Coronavirus funds for the Emergency Assistance Repair Program
- Int. No. 180 Appropriating Community Development Block Grant-Coronavirus funds for a Landlord Rehabilitation Grant Program
- Int. No. 181 Appropriating Community Development Block Grant-Coronavirus funds and authorizing an amendatory agreement for landlord/tenant eviction prevention services
- Int. No. 182 Appropriating Community Development Block Grant-Coronavirus funds and authorizing amendatory agreements for foreclosure prevention services
- Int. No. 183 Appropriating CARES Act coronavirus relief funds and authorizing amendatory agreements for the Housing Opportunities for Persons with AIDS Program
- Int. No. 184 Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement for an Aging in Place Home Food Distribution Program
- Int. No. 185 Appropriating CARES Act coronavirus relief funds and authorizing agreements for services for the homeless and those at risk of homelessness
- Int. No. 186 Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement relating to Bridging the Digital Divide for City school student, **as amended**

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

Int. No. 177 Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan to fund and implement programs to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic

Respectfully submitted,
Michael A. Patterson
Mary Lupien
Jacklyn Ortiz
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-129
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

The two properties are listed on the attached spreadsheet under the heading, I. Negotiated Sale – Unbuildable Vacant Land. Each is being sold for \$1.00 (as per City policy). The first lot at 462 Child Street is being sold to Flower City Habitat for Humanity who will rehabilitate their adjoining structure at 468 Child Street and sell to a first time homebuyer who will occupy the property. The vacant lot will be combined with the structure and will be used as additional green space to support the single family home that is being renovated.

The second lot at 115 Randolph Street is being sold to the Rochester Housing Development Fund Corporation in order to resolve a title issue against the adjoining property at 109 Randolph Street. An encroachment onto the City-owned parcel will be rectified when title is vested in the Rochester Housing Development Fund's name. The vacant lot will be combined with the structure and the RHDFC will rehabilitate and sell to a first time homebuyer will occupy the property.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$278.

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

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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. AT-83

Ordinance No. 2020-129
(Int. No. 162)

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 unbuildable vacant land with proposal, each for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
462 Child St	105.74-2-48	27 x 88	2,381	Flower City Habitat for Humanity
115 Randolph St	091.84-1-3	11 x 115	1,240	Rochester Housing Development Fund Corporation

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-130
Re: Amending the 2019-20 Annual Action Plan,
Consolidated Community Development Plan –
CARES Act

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

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

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Transmitted herewith for your approval is legislation amending the 2019-20 Annual Action Plan, which was approved by City Council at the June 18, 2019 City Council Meeting, Ordinance No.: 2019-164. The legislation will:

1. Amend the 2019-20 Annual Action Plan, Consolidated Community Development Plan, to reflect the receipt and use of \$7,467,774 in funds from the Coronavirus Aid, Relief, and Economic Security (CARES) ACT as follows: \$4,881,038 in Community Development Block Grant-Coronavirus (CDBG-CV) funds, \$2,444,707 in Emergency Solutions Grants-Coronavirus (ESG-CV) funds, and \$142,029 in Housing Opportunities for Persons With AIDS-Coronavirus (HOPWA-CV) funds;
2. Authorize the submission of the Plan to the U.S. Department of Housing and Urban Development (HUD); and
3. Authorize agreements with HUD for the receipt and use of grants to fund the Plan.

The CARES Act was signed into law on March 27, 2020 and provides fast and direct economic support for American workers, families, and small businesses. The Amended Annual Action Plan describes projects and activities that will be undertaken with these federal funds to address priority needs.

Approval by the City Council of the Amended Annual Action Plan is required by HUD.

A public hearing on the Amended 2019-20 Annual Action Plan will be held on May 7, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-130
(Int. No. 177)

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan to fund and implement programs to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic

WHEREAS, in Ordinance No. 2019-164, the City approved and adopted a Consolidated Community Development Plan/2019-20 Annual Action Plan (the 2019-20 Action Plan) to fund and implement community development activities under the federal Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, HOME Investment Partnerships, City Development Fund, Urban Development Action Grant loan and interest repayments, and other programs;

WHEREAS, the federal Coronavirus Aid, Relief and Economic Security Act enacted on March 27, 2020 (CARES Act) authorizes the U.S. Department of Housing and Urban Development (HUD) to provide supplemental community development funding to municipalities to implement additional activities to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic;

WHEREAS, on April 2, 2020, HUD awarded the City of Rochester with \$7,467,774 in supplemental CARES Act funding for three of the community development programs as follows:

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Community Development Block Grant (CDBG-CV)	\$4,881,038
Emergency Solutions Grants (ESG-CV)	\$2,444,707
Housing Opportunities for Persons with AIDS (HOPWA-CV)	\$ 142,029

WHEREAS, the use of these supplemental CARES Act funds will require a substantial amendment to the 2019-20 Action Plan;

WHEREAS, a plan for amending the 2019-20 Action Plan to incorporate the receipt and use of the CARES Act funds for coronavirus epidemic relief activities (Amendment Plan) has been prepared, presented to the City Council, and circulated for public review and comment through a process that was designed to engage residents and stakeholders in compliance with the CARES Act’s expedited review requirements, consistent with emergency social distance and public safety requirements, and as set forth in the amended 2019-20 Citizen Participation Plan that is included in the Amendment Plan;

WHEREAS, the publication of the Amendment Plan and the solicitation of community input included:

- (1) Beginning Friday May 1, 2020, posting the Amendment Plan on-line to the City’s Consolidated Plan webpage: <https://www.cityofrochester.gov/conplan> and emailing notice of the Plan and a link to the webpage to a list of over 400 local stakeholders, including staff of community organizations and agencies, neighborhood and business association leaders, and Rochester residents; .
- (2) Publishing in the May 1st Democrat & Chronicle a notice of the availability of the Plan for a public comment period to extend through 5:00 PM on May 6, 2020;
- (3) Presenting the written comments received to the members of City Council beforehand and reading them into the record during a City Council Public Hearing held on May 7, 2020; and
- (4) streaming the Public Hearing live on the Council's Facebook <https://www.facebook.com/RochesterCityCouncil/> and YouTube https://www.youtube.com/channel/UC_U7nbtS5kEz4bjEM8AGXlQ?view_as=subscriber pages;

WHEREAS, the City Council has reviewed the public comments and recommendations on the Amendment Plan; and

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions to be addressed in the Amendment Plan with City staff.

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

Section 1. The Council hereby approves and adopts the Amendment Plan as an Amendment to the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan), including the addition of \$7,467,774 in CARES Act funding to the project funds set forth in the 2019-20 Action Plan under the following new categories:

Community Development Block Grant-Coronavirus (CDBG-CV)	\$4,881,038
Emergency Solutions Grants-Coronavirus (ESG-CV)	\$2,444,707

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Housing Opportunities for Persons with AIDS-Coronavirus (HOPWA-CV) \$ 142,029

Section 2. The Mayor is hereby authorized to submit said Amendment to the United States Department of Housing and Urban Development (HUD).

Section 3. The Mayor is hereby further authorized to provide any such information that may be required by HUD and to execute any grant agreement, project sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Amendment in accordance with the CARES Act and with any other applicable community development laws and regulations. The agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-131
Re: Business Emergency and Food
Establishment Grant Programs –
CDBG-CV - CARES Act

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to appropriate \$1,800,000 from the 2019-20 CDBG-CV Fund, consisting of supplemental funding to states and local governments to assist businesses who have been severally impacted during the COVID 19 crisis. These funds will be utilized to assist businesses within the city of Rochester through the following programs:

1. Business Emergency Retention Grant (BERG) program in the amount of \$1,500,000 to be utilized towards working capital for businesses who are incurring daily operating expenses without incoming revenue due to the COVID 19 crisis. Eligible operating expenses will include: rent/mortgage, utilities, payroll, insurance and inventory among other similar related operating expenses.
2. Business Food Establishment Grant program in the amount of \$300,000 to be utilized by restaurants to prepare meals for city residents. Funding will be utilized as working capital expenses required to assist in preparing and distributing meals for city residents and include similar related expenses as mentioned above for the BERG program.

The City is requesting approval from HUD for the above mentioned Business Food Establishment Grant. If this program is not approved by HUD, it is requested the proceeds in the amount of \$300,000 be added to the Business Emergency Retention Grant program.

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Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-131
(Int. No. 178)

**Appropriating Community Development Block Grant-Coronavirus funds to Business
Emergency Response Grant and Business Food Establishment Grant programs**

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

Section 1. The Council hereby appropriates \$1,500,000 from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan) for the implementation of a Business Emergency Retention Grant program as provided for in the Amendment to the 2019-20 Action Plan approved in Ordinance No. 2020-130.

Section 2. The Council hereby appropriates \$300,000 from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan) for the implementation of a Business Food Establishment Grant program as provided for in the Amendment to the 2019-20 Action Plan approved in Ordinance No. 2020-130. This appropriation shall be contingent upon the United States Department of Housing and Urban Development (HUD) authorizing the City to use CDBG-CV funds for said purpose.

Section 3. The Council hereby appropriates to the Business Emergency Retention Grant program an additional \$300,000 from the CDBG-CV allocation of the 2019-20 Action Plan in the event that HUD does not authorize the expenditure of said funds on a Business Food Establishment Grant program as set forth in the contingency in Section 2 herein.

Section 4. The Mayor is hereby authorized to enter into grant agreements with the recipients of funding from the programs authorized herein. The agreements 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. 2020-132
Re: Emergency Assistance Repair Program –
CDBG-CV - CARES Act

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

May 12, 2020

Transmitted herewith for your approval is legislation related to the City's Emergency Assistance Repair Program. This legislation will appropriate \$100,000 from the 2019-20 CARES Act from the Community Development Block Grant (CDBG-CV) program for the City's use to operate the program.

The City's Emergency Assistance Repair Program will provide assistance to eligible owner occupants for furnace, hot water tank and/or other emergencies. The funds will serve approximately 50 households. The City will continue to use its existing term agreements with the various service providers to perform the necessary work.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-132
(Int. No. 179)

Appropriating Community Development Block Grant-Coronavirus funds for the Emergency Assistance Repair Program

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

Section 1. The amount of \$100,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the City's use to operate the Emergency Assistance Repair Program (EARP) to assist income eligible owner-occupants with emergency home repairs, including replacements of furnaces and hot water tanks.

Section 2. The Mayor is hereby authorized to enter into agreements with the recipients of grants for this Program. The recipients of Program grants must be current with City and County real property taxes and not be subject to mortgage foreclosure. The grant agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. This ordinance shall take effect immediately.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-133
Re: Landlord Rehabilitation Grant Program
CDBG-CV – CARES Act

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

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Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City's Landlord Rehabilitation Grant Program. This legislation will appropriate \$300,000 from the 2019-20 CARES Act from the Community Development Block Grant (CDBG-CV) program for the City's use to operate the program.

The City's Landlord Rehabilitation Grant Program will provide assistance to eligible Landlords with vacant units to make minor repairs to enable quick occupancy. The funds will serve approximately 150 Landlords.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-133
(Int. No. 180)

Appropriating Community Development Block Grant-Coronavirus funds for a Landlord Rehabilitation Grant Program

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

Section 1. The amount of \$300,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the City's use to operate a Landlord Rehabilitation Grant Program that will assist eligible owners of vacant affordable units to make minor repairs that will enable quick occupancy for tenants with household incomes equal to or less than 80% of the Area Median Income.

Section 2. The Mayor is hereby authorized to enter into grant agreements with the landlords receiving Program grants. The recipients must be current with City and County real property taxes and not be subject to mortgage foreclosure. The grant agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-134
Re: Agreement – Landlord Tenant
Eviction Prevention Program
Services – CDBG-CV – CARES Act

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Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$185,000 and authorizing an agreement with The Legal Aid Society of Rochester, New York (Principal: Carla Palumbo) for the Landlord/Tenant Services Program. This legislation will:

1. Appropriate \$185,000 from the 2019-20 CDBG-CV fund for expanded implementation of the Landlord/Tenant Services Program; and
2. Authorize a new or amended agreement in the amount of \$185,000 with The Legal Aid Society of Rochester, New York to provide housing stabilization services to tenants and landlords. The term of the agreement shall be two years and the cost will be financed from the appropriation herein.

The additional funds are to provide support to households directly affected by the COVID19 pandemic and may be added to an existing agreement with The Legal Aid Society of Rochester, New York that was authorized by Ordinance No. 2019-174 in the amount of \$95,000. The Legal Aid Society of Rochester New York will serve as lead agency in partnership with Legal Assistance of Western New York Inc. (Principal: C. Kenneth Perri) and The Housing Council at PathStone, Inc. (Principal: Susan Boss). Services for both landlords and tenants include a variety of eviction prevention services to re-establish or maintain stable housing situations.

The proposed agreement will position Legal Aid and the other organizations to proceed with project implementation as quickly as possible. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted
Lovely A. Warren
Mayor

Ordinance No. 2020-134
(Int. No. 181)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing an amendatory agreement for landlord/tenant eviction prevention services

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

Section 1. The sum of \$185,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the provision of additional eviction prevention services to tenants and landlords (the Program).

Section 2. The Mayor is hereby authorized to enter into a new or amendatory agreement with The Legal Aid Society of Rochester, New York to provide additional Program services to households affected by the coronavirus pandemic for a term of up to two years. The maximum compensation for said services shall be \$185,000, which shall be funded from the sum appropriated in Section 1 herein. If funds

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are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing agencies shall enter into agreements for these services only with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-135
Re: Agreements – Foreclosure Prevention
Program – CDBG-CV – CARES Act

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2019-20 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Foreclosure Prevention Program. This legislation will:

1. Appropriate a total of \$75,000 from the FY 19-20 CDBG-CV fund for implementation of the Foreclosure Prevention Program.
2. Amend or authorize agreements, establishing \$65,000 for The Housing Council at Pathstone, Inc. (Principal: Susan Boss) and \$10,000 for Empire Justice Center (Principal: Kristin Brown) as total maximum compensation to provide foreclosure prevention services. The term of these agreements will be extended two years and the cost will be financed from the funds appropriated herein.

The additional funds are to provide support to households directly affected by the COVID19 pandemic. These two organizations are uniquely qualified. The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include the review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services. The Empire Justice Center will provide legal advice and litigation services when required by analysis of clients' circumstances.

The proposed agreement will position the two agencies to proceed with project implementation as quickly as possible. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals is attached.

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Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-135
(Int. No. 182)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing amendatory agreements for foreclosure prevention services

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

Section 1. The sum of \$75,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the provision of additional foreclosure prevention services to households affected by the coronavirus epidemic.

Section 2. The Mayor is hereby authorized to enter into a new or amendatory agreement with The Housing Council at PathStone, Inc. to provide additional foreclosure prevention services for a term of up to two years. The maximum compensation for said services shall be \$65,000, which shall be funded from a portion of the sum appropriated in Section 1 herein. If funds are not available or are less than anticipated, the amounts and terms of the foregoing agreements shall be adjusted accordingly.

Section 3. The Mayor is hereby authorized to enter into a new or amendatory agreement with Empire Justice Center to provide additional foreclosure prevention services for a term of up to two years. The maximum compensation for said services shall be \$10,000, which shall be funded from a portion of the sum appropriated in Section 1 herein. If funds are not available or are less than anticipated, the amounts and terms of the foregoing agreements shall be adjusted accordingly.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing agencies shall enter into agreements for these services only with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance 2020-136
Re: Housing Opportunities for Persons
with AIDS Program – HOPWA-CV –
CARES Act

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

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Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2019-20 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Housing Opportunities for Persons with AIDS Program (HOPWA). This legislation will:

1. Appropriate a total of \$142,029 from the 2019-20 HOPWA-CV fund for implementation of the HOPWA Program.
2. Amend or authorize agreements, establishing \$85,217 for Trillium Health, Inc. (Andrea DeMeo, CEO) and \$56,812 for Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services (Lori VanAuken, Executive Director) to provide additional HOPWA services with the funds appropriated herein for a term of two years.

The additional funds are to provide support to households directly affected by the COVID19 pandemic and may be added to existing agreements with Trillium Health, Inc. and Catholic Charities Community Services that was authorized by Ordinance No. 2019-181 in the amounts of \$557,828 and \$371,885, respectively. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Trillium Health, Inc. and Catholic Charities Community Services provide maximum HOPWA assistance through the coordination of other funding sources and other service providers. HOPWA serves Livingston, Monroe, Ontario, Orleans and Wayne counties. Trillium Health provides service to the five-county area. Catholic Charities Community Services serves Monroe County.

The proposed agreement will position the two agencies to proceed with project implementation as quickly as possible. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals was completed and attached herewith.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-136
(Int. No. 183)

Appropriating CARES Act coronavirus relief funds and authorizing amendatory agreements for the Housing Opportunities for Persons with AIDS Program

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

Section 1. The sum of \$142,029 is hereby appropriated from the Housing Opportunities for Persons with AIDS-Coronavirus (HOPWA-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 to provide additional HOPWA program services to households impacted by the coronavirus epidemic.

Section 2. The Mayor is hereby authorized to enter into a new or amendatory agreement with Trillium Health, Inc. to provide additional HOPWA program services for a term of up to two years. The maximum compensation for said services shall be \$85,217, which shall be funded from a portion of the sum appropriated in Section 1 herein.

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Section 3. The Mayor is hereby authorized to enter into a new or amendatory agreement with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services to provide additional HOPWA program services for a term of up to two years. The maximum compensation for said services shall be \$56,812, which shall be funded from a portion of the sum appropriated in Section 1 herein.

Section 4. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing agencies shall enter into agreements for the HOPWA program only with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-137
Re: Agreement – Aging in Place Home
Food Distribution for Seniors Program –
CDBG-CV – CARES Act

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the Aging in Place Home Food Distribution Program. This legislation will:

1. Appropriate \$20,000 from the 2019-20 CDBG-CV Fund to address perishable food and home delivery of food for income-eligible elderly owner occupants, and
2. Establish maximum compensation for this activity with Lifespan of Greater Rochester, Inc. (Anne Marie Cook, President / CEO) in the amount of \$20,000.

Lifespan has identified perishable and non-perishable food distribution as a key and economical method for helping older residents remain independent and safe at home. Elderly city homeowners at 80% or less than the median area income as established and updated by HUD, are eligible for the program.

The Aging in Place Home Food Distribution Program will support food purchases and deliveries in order to help provide a safe and comfortable environment for the elderly amid Covid-19 concerns.

The term of the agreement will be two years. A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-137
(Int. No. 184)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement for an Aging in Place Home Food Distribution Program

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

Section 1. The sum of \$20,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for an Aging in Place Home Food Distribution Program to provide home deliveries of food to income-eligible seniors (the Program).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. to implement the Program. The maximum compensation for the agreement shall be \$20,000, which shall be funded from the sum appropriated in Section 1 herein. The term of the agreement shall be up to two years.

Section 3. If funds are not available or are less than anticipated, the amounts and terms of the agreement shall be adjusted accordingly.

Section 4. The agreement 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. 2020-138
Re: Homeless & Homelessness/Eviction
Prevention Services Agreements –
Emergency Solutions Grants (ESG-CV) &
Community Development Block Grant
(CDBG-CV) – CARES Act

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$1,034,272 in 2019-20 CARES Act - ESG-CV funds for twelve (12) agreements and \$900,000 in 2019-20 CARES Act – CDBG–CV funds for one agreement to provide a variety of homelessness prevention and supportive services for households and individuals affected by the COVID-19 epidemic. This legislation will:

- 1) Appropriate \$1,034,272 from the 2019-20 CARES Act – ESG-CV Program to continue and expand services available to our homeless and at-risk of homelessness populations, in the amounts specified below;

Organization	Principal	ESG-CV
Spiritus Christi Prison Outreach, Inc.	Jim Smith	\$36,904
Rochester Area Interfaith Hospitality Network, Inc.	Kim Hunt-Uzelac	\$29,898
Volunteers of America of Western New York, Inc.	Lynn Sullivan	\$28,545
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (Homelessness Prevention)	Marlene Bessette	\$367,133
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (Emergency Shelter)	Marlene Bessette	\$103,040
The Center for Youth Services, Inc.	Elaine Spaul	\$102,865
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	Angela Panzarella	\$35,232
Willow Domestic Violence Center of Greater Rochester, Inc.	Meaghan de Chateauvieux	\$62,719
Saving Grace Ministries of Rochester, Inc.	James Crowley	\$15,000
Open Door Mission, Inc.	Anna Valeria-Iseman	\$201,597
Recovery Houses of Rochester, Inc.	Van Smith, Jr.	\$33,721
Housing Advocacy Services, Inc.	Heather Briggs	\$17,618
TOTAL		\$1,034,272

2. Appropriate \$900,000 from 2019-20 – CARES Act – CDBG-CV to the Catholic Charities of the Diocese of Rochester, dba, Catholic Family Center (Marlene Bessette, Principal) for expanded implementation of their Homelessness Prevention and Rental Assistance Program; and
3. Authorize a new professional services agreement, or amend an existing professional service agreement, with each of the providers listed above to provide assistance to households affected by the COVID 19 pandemic.

The City received an award letter on April 3, 2020 announcing the ESG-CV funds, and throughout April 2020 the City coordinated with community members, including; current grantees, the CoC, the County, DHS, consumers, and other stakeholders to determine the best and most effective use of these funds. Several priorities were identified early on, including:

1. Homelessness Prevention, by supporting tenants through the provision of rental assistance, rental arrears, and cash security deposits, and providing support to agencies coordinating those efforts. Planning & systems development must be done now to adequately meet the anticipated increase in demand for these services.
2. Staffing & Hazard Pay, including funding for hazard pay, wages for front line workers, trainings for COVID response, and cleaning supplies/protective equipment to ensure staff have safe working environments (shelters will be able to recoup these costs dating back to March 27th).
3. Funding for Hotel Rooms, or financial support for other alternative placements to decompress shelters, move high-risk persons out of congregate living settings, and get those persons into safe shelter while more permanent options are considered.

**Note: since the release of the NOFA, the City has learned that the County/DHS will be funding hotel placements by accessing available FEMA funding, and it is unlikely that any ESG-CV funding will be used for hotel stays. Funding will be provided to support those living in hotels and efforts to get them housed.*

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4. Supportive Services, by offering funding for shelter staff to provide crucial essential services to homeless persons living in shelters, but also for our homeless population that has been relocated to temporary housing, to locations such as hotels. These persons have immediate needs that must be addressed, and work will need to be done to ensure they have appropriate housing after “New York on Pause” ends.

The City performed outreach, in conjunction with the Monroe County Office of Planning, County DHS, the Continuum of Care, Homeless Services Network, and over 90 local service providers to determine the status of the populations they serve, both homeless and those at risk of homelessness, with the expectation that the at-risk population will have expanded needs in the coming weeks and months as the eviction moratorium is lifted.

The community confirmed the priority list above, and helped refine our planning and strategy. The City and County will award funding to the community in a tiered approach, and will release the funding in two phases. Phase I was announced through the release of a Notice of Funding Availability (NOFA) on April 22, 2020. The Phase I NOFA will award ESG-CV funding to programs addressing those immediate needs that have already been identified, including; systems integration and design for eviction prevention services, staffing, hazard pay, and training for front-line workers, essential supportive services for homeless persons, and funding to move people out of hotels and into housing. Given the anticipated increase in need for eviction and homeless prevention services, various eligibility standards and requirements, and the varied and de-centralized availability of direct eviction and foreclosure assistance, the City is working with several community partners on a systems integration and unified funding project. A coordinated entry system has been utilized in recent years to help persons move from homelessness to housing, but a similar system, designed to prevent persons from becoming homeless, has yet to be developed. This project would make the intake, resource identification, and referral process more efficient and effective, and would lower costs while helping a greater number of people. The City will continue to work with the United Way, Catholic Family Center, CCSI, DHS, the County, and a number of others to aid this process.

The City’s funding announcement, award, and contract development processes have been expedited to get funding out to grantees as quickly as possible. Approximately \$1 million of ESG-CV funding will be awarded through Phase I, with the remaining funding to be awarded during Phase II in mid-May. The City’s allocation was part of the first \$1 billion of ESG-CV funding called for within the CARES Act, and was formula driven. HUD is developing a new formula for a second allocation of the remaining \$2.96 billion. The CARES Act requires HUD to distribute the second allocation within 90 days of enactment of the bill. Coordination with other funding agencies is ongoing, to determine highest and best use of each funding source and to allow ESG-CV funds to target projects, programs, and populations with the greatest need and lowest resources. We continue to work with DHS, the United Way, and the CoC to deploy funds strategically.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be program dependent, but range from 6 to 12 months, with the option to extend for up to an additional year if funds remain in the original appropriation.

This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-138
(Int. No. 185)

Appropriating CARES Act coronavirus relief funds and authorizing agreements for services for the homeless and those at risk of homelessness

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

Section 1. The sum of \$1,034,272 is hereby appropriated from the Emergency Solutions Grant-Coronavirus (ESG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 continue and expand services for the homeless and those at risk of homelessness under the Emergency Solutions Grant Program (ESG Program).

Section 2. The Mayor is hereby authorized to enter into a new or amendatory professional services agreement with each of the following providers for ESG Program services. The agreements shall obligate the City to pay an aggregate amount not to exceed \$1,034,272 with the maximum amount for each agreement being as follows:

Provider	Amount
Spiritus Christi Prison Outreach, Inc.	\$ 36,904
Rochester Area Interfaith Hospitality Network, Inc.	\$ 29,898
Volunteers of America of Western New York, Inc.	\$ 28,545
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (for Homelessness Prevention)	\$367,133
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (for Emergency Shelter)	\$103,040
The Center for Youth Services, Inc.	\$102,865
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	\$ 35,232
Willow Domestic Violence Center of Greater Rochester, Inc.	\$ 62,719
Saving Grace Ministries of Rochester, Inc.	\$ 15,000
Open Door Mission, Inc.	\$201,597
Recovery Houses of Rochester, Inc.	\$ 33,721
Housing Advocacy Services, Inc.	\$ 17,618
TOTAL	\$1,034,272

The maximum amounts of said agreements, or so much thereof as may be necessary, shall be funded from the sum appropriated in Section 1. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 3. The sum of \$900,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20

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Annual Action Plan as amended by Ordinance No. 2020-130 to continue and expand a Homelessness Prevention and Rental Assistance Program.

Section 4. The Mayor is hereby authorized to enter into a new or amendatory professional services agreements with Catholic Charities of the Diocese of Rochester, dba Catholic Family Center to implement the Homelessness Prevention and Rental Assistance Program. The maximum compensation for the agreement shall be \$900,000, which shall be funded from the sum appropriated in Section 3 herein. If funds are not available or are less than anticipated, the agreement amount and terms shall be adjusted accordingly.

Section 5. The term of each agreement authorized in Sections 2 and 4 shall range from 6 months to 1 year, depending on program requirements and on the preconditions applicable to the awards of ESG-CV and CDBG-CV coronavirus relief funds under the federal Coronavirus Aid, Relief and Economic Security (CARES) Act. When permissible, an agreement may provide an option to extend the term for up to 1 additional year if funds from the original appropriation remain.

Section 6. The agreements authorized in Sections 2 and 4 shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and the provider agencies shall only enter into agreements with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the CARES Act.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-139
Re: - Appropriation and Agreement –
Programming to Address the Digital
Divide – CARES Act

Council Priority: Supporting the Creation of Effective
Educational Systems

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

Transmitted herewith for your approval is legislation related to the use of emergency coronavirus pandemic funds to provide equitable access to technology, equipment, and internet connectivity for grade school students during and after the closure of schools caused by the pandemic.

This legislation will authorize the City to enter into a professional services agreement with United Way of ~~Greater Rochester~~, Inc. Services Corporation (Jaime Saunders, President & CEO) to coordinate a city-wide initiative that provides Rochester City School District (RCSD) students the technology necessary to access distance learning curriculum services. The term of the agreement will be 1 year. The compensation for the agreement will be appropriated from the CDBG - CV allocation within the 2019-20 Action Plan in the maximum amount of \$721,038, which may be increased to \$1,021,038 if the Council does not, on or prior to July 21, 2020, appropriate \$300,000 from the CDBG - CV allocation for the build-out of additional space to deal with the coronavirus epidemic.

May 12, 2020

The City is partnering with the United Way, the Rochester Area Community foundation, and the RCSD to address the lack of equitable access to technology equipment and internet connectivity experienced by Rochester youth. While this “digital divide” is a known issue in our community, it has been compounded by the current pandemic crisis, resulting in immediate barriers to students’ academic success. Through this city-wide initiative, between 2,000 and 3,000 Rochester City School District students in grades 5 and below will be provided required technology to access distance learning curriculum.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-139
(Int. No. 186, as amended)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement relating to Bridging the Digital Divide for City school students

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

Section 1. The sum of \$721,038 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 to fund the Bridging the Digital Divide Initiative to provide the technology and equipment necessary for Rochester City School District students to access distance learning services (the Bridging the Digital Divide Initiative). This appropriation of CDBG-CV funds to the Initiative shall increase by \$300,000 to a new total of \$1,021,038 if the Council does not, on or prior to July 21, 2020, appropriate \$300,000 of additional CDBG-CV funds for the build-out of additional space to provide coronavirus relief services.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with United Way Services Corporation of Greater Rochester, Inc. to coordinate the Bridging the Digital Divide Initiative. The term of the agreement shall be 1 year. The maximum compensation for the agreement shall be the entire amount appropriated to the Initiative in Section 1 herein, which is the sum of \$721,038 but subject to a contingent increase to \$1,021,038 as provided for therein.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. If funds are not available or are less than anticipated, the amount and term of the agreement shall be adjusted accordingly.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

May 12, 2020

By Councilmember Gruber
May 12, 2020

To the Council:

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

- Int. No. 163 Authorizing an agreement to design Resiliency and Economic Development Initiative projects along the Genesee River, **as amended**
- Int. No. 164 Authorizing an amendatory agreement relating to the ROC City Skate Park
- Int. No. 165 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$412,000 Bonds of said City to finance the ROC City Skate Park
- Int. No. 166 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,342,000 Bonds of said City to finance the Sager Drive Improvement Project
- Int. No. 167 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with the Sager Drive Improvement Project
- Int. No. 168 Authorizing an agreement for the Sager Drive Improvement Project

Respectfully submitted,
Mitch Gruber
Malik Evans
Jose Peo
Willie Lightfoot
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-140
Re: Agreement – Ramboll, Lake Ontario
 Resiliency and Economic Development
 Initiative (REDI) Grants

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

May 12, 2020

Transmitted herewith for your approval is legislation related to Lake Ontario REDI Grants. This legislation will:

1. Establish \$680,000 as maximum compensation for an agreement with Ramboll US Corporation, (Stephen Washburn – Chief Executive Officer, 4350 North Fairfax Drive, Suite 300, Arlington, Virginia) for design services for the NYS Resiliency and Economic Development Initiative (REDI) Grant projects. The cost of the agreement will be financed from the grant appropriated herein and \$34,000 from 2016-17 Cash Capital; and,
2. Appropriate \$646,000 in anticipated reimbursements from Lake Ontario Resiliency and Economic Development Initiative (REDI) grant as administered through Dormitory Authority of the State of New York (DASNY).

Governor Andrew M. Cuomo launched the REDI program in May 2019 to meet the needs of New York State residents living in the eight (8) counties impacted by Lake Ontario and St. Lawrence River flooding. The \$300 million program is intended to repair damage caused by previous flood events and to increase the resiliency of municipal shoreline facilities to protect against anticipated future high water events. Council authorized the application for funding and agreements with New York State in December 2019 (Ordinance No. 2019-376).

Ramboll was hired by NYS to conduct initial design reports for all statewide municipalities receiving grant funding through the REDI program, including the City's projects. Ramboll was selected for design services based upon their extensive experience with the project area, the NYS REDI program and the involved state and federal agencies. A No RFP Justification form is attached.

Ramboll will complete the design of improvements for the City's REDI funded projects. The City's REDI projects are on both the west and east sides of the Genesee River. The west side project includes an approximate 3,200 foot length of river shoreline consisting of the City's River St. Marina and associated facilities along with a number of tax parcels owned by other entities. The west side project will provide resilient bank stabilization measures, flood mitigation techniques, utility upgrades and marina dock modifications. The east side project includes an approximate 975 foot length of river shoreline consisting of City parcels along with parcels owned by other governmental and private entities. The east side project will provide continuous flood protection (floodwalls and berms) along the river and upgrades to the landside storm sewer systems and utilities to better handle any future storm water intrusion.

Design phase will begin in spring 2020 with anticipated completion in spring 2021. The agreement shall have a term of six (6) months after acceptance of the design documents completion of the Bidding Phase. The agreement will result in the creation and/or retention of the equivalent of 7.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-140
(Int. No. 163, as amended)

Authorizing an agreement to design Resiliency and Economic Development Initiative projects along the Genesee River

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

May 12, 2020

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Ramboll US Corporation to provide design services relating to two proposed Genesee River shoreline improvement projects associated with New York State's Resiliency and Economic Development Initiative (REDI). The maximum compensation for the agreement shall be \$680,000, which shall be funded in the amount of \$34,000 from 2016-17 Cash Capital and in the amount of \$646,000, which is hereby appropriated for the purpose, from the Dormitory Authority of the State of New York through a portion of the REDI grant agreement authorized in Ordinance No. 2019-376. The term of the agreement shall extend to 6 months after ~~the acceptance of the design documents~~ completion of the bidding phase.

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. 2020-141

Ordinance No. 2020-142

Re: ROC City Skate Park

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to ROC City Skate Park. This legislation will:

1. Authorize an amendatory agreement with Stantec Consulting Services Inc. (James R. Hoffman, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, New York) This amendment will increase the compensation by \$92,850 to a maximum total of \$572,850 and will be funded with 2019-20 Cash Capital; and,
2. Authorize the issuance of bonds totaling \$412,000 and the appropriation of the proceeds thereof to partially finance the construction of the Project. The estimated total project construction cost will increase to \$3,036,784 including the bonds issued herein. The total cost of the project will be funded from the sources outlined in the chart on the following page.

The ROC City Skate Park is a customized wheel-friendly skate park located under and adjacent to the Susan B Anthony/Frederick Douglass Bridge will be the first outdoor public skate park in Rochester.

The original Stantec agreement, authorized in September 2018 (Ordinance No. 2018-311), established maximum compensation of \$350,000 for the design, construction administration and RPR Services for the Skate Park. The agreement was amended in July 2019 (Ordinance No. 2019-240) to increase the maximum compensation by \$130,000 to a maximum total of \$480,000. The amendatory agreement authorized herein will fund additional construction phase design services and residential project

May 12, 2020

representation (RPR) services related to the expanding the project and for services related to unforeseen subsurface conditions.

The bonds issued herein, along with prior approved funding, will be utilized to expand the scope of construction to include the entire Phase I skate park. The additional construction will include approximately 2,400 square feet of additional skate plaza area, upgraded sport lighting and fund adjustments in site excavation quantities due to unforeseen subsurface conditions.

The construction of the project will be funded as follows:

Source of Funds	Design	Construction	Contingency	Total
2016-17 Cash Capital	160,000	0	0	\$160,000
2019-20 Cash Capital	100,000	0	0	\$100,000
2019-20 Cash Capital Friends of ROC City Skatepark donation authorized in 2019-240	10,000	0	0	\$10,000
ROC the Riverway grant administered through Empire State Development authorized Ordinance No. 2019-240	0	1,000,000	0	\$1,000,000
RG&E Grant authorized 2019-240	20,000	174,784	0	\$194,784
2018-19 Cash Capital	190,000	450,000	0	\$640,000
2018-19 Cash Capital Tony Hawk Foundation Grant authorized 2018-311	0	250,000	0	\$250,000
Debt to be authorized herein	0	352,216	59,784	\$412,000
2019-20 Cash Capital Tony Hawk Foundation Grant authorized 2020-48	0	50,000	0	\$50,000
2019-20 Cash Capital Rochester Downtown Development Corporation grant authorized April 2020 council	92,850	17,150	0	\$110,000
2019-20 Cash Capital Friends of Roc City Skate park donation authorized 2020-48	0	75,000	0	\$75,000
2019-20 Cash Capital Friends of Roc City Skate park donation authorized April council	0	35,000	0	\$35,000
Total	\$572,850	\$2,404,150	\$59,784	\$3,036,784

C.P. Ward, Inc. (Kenneth A. Stewart, Chief Executive Officer, 100 West River Road, Scottsville, New York) is the contractor for construction. Construction of the Skate Park began in fall 2019 with scheduled for completion in fall 2020. The funding will result in the creation and/or retention of the equivalent of 4.5 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-85

May 12, 2020

Ordinance No. 2020-141
(Int. No. 164)

Authorizing an amendatory agreement relating to the ROC City Skate Park

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. to provide additional design and resident project representation services for the ROC City Skate Park (Project). The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2018-311 and amended in Ordinance No. 2019-240 so as to increase the maximum compensation by \$92,850 to a new total of \$572,850. The increase in compensation shall be funded from 2019-20 Cash Capital.

Section 2. The agreement authorized herein 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. 2020-142
(Int. No. 165)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$412,000 Bonds of said City to finance the ROC City Skate Park

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 for the ROC City Skate Park, a custom concrete wheel-friendly skate park located on the east side of the Genesee River under and adjacent to the Susan B Anthony/Frederick Douglass Bridge (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 \$3,036,784. The plan of financing includes the issuance of \$412,000 bonds of the City to finance a portion of said appropriation, the proceeds of which are hereby appropriated to the Project, \$1,000,000 in ROC the Riverway grant funds from Empire State Development appropriated in Ordinance No. 2019-240, \$194,784 in grant funds from Rochester Gas and Electric Corporation appropriated in Ordinance No. 2019-240, \$380,000 in 2019-20 Cash Capital, \$890,000 in 2018-19 Cash Capital, \$160,000 in 2016-17 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 \$412,000 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

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amount of \$412,000. 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. 3 of the Law, is thirty (30) 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.

May 12, 2020

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-143

Ordinance No. 2020-144

Ordinance No. 2020-145

Re: Sager Drive Improvement Project
(Culver Road to East Boulevard)

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Sager Drive Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,342,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
2. Authorize the issuance of water bonds totaling \$287,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project; and,
3. Establish \$275,000 as maximum compensation for a professional services agreement with Vanguard Engineering, P.C. (Joseph C. Ardieta, P.E., C.E.O., 241 Castlebar Road, Rochester, NY) for Resident Project Representation (RPR) services. The cost of the project will be funded from the sources outlined in the chart on the following page.

Street improvements will include pavement reconstruction, new driveway aprons, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water services, hydrants, telecommunication conduit, and street lighting. These changes will improve accessibility, drainage and rideability.

The project is being designed by the City's Department of Environmental Services, Bureau of Architecture and Engineering.

Vanguard Engineering, P.C. (Joseph C. Ardieta, P.E., C.E.O., 241 Castlebar Road, Rochester, NY) was selected for RPR Services through a Request for Proposal process, which is described in the attached summary. The agreement shall have a term of three (3) months after completion of the two-year guarantee inspection of the project.

Bids for construction were received on March 31, 2020. The apparent low bid of \$1,394,880.00 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, C.E.O., 5711 Gateway Park, Lakeville, New York).

May 12, 2020

The project will be funded as follows:

Source of Funds	Construction	Street Lighting	RPR	Contingency	Total
Bonds authorized herein	1,005,897	29,600	230,559	75,944	1,342,000
Water bonds authorized herein	225,416	0	44,441	17,143	287,000
Pure Waters Reimbursement appropriated April 2020 Council	162,667	0	0	12,200	174,867
2016-17 Cash Capital	900	0	0	300	1,200
Total	\$1,394,880	29,600	\$275,000	\$105,587	\$1,805,067

Construction is anticipated to begin in summer 2020 with substantial completion in fall 2020. The project will result in the creation and/or retention of the equivalent of 19.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-86

Ordinance No. 2020-143
(Int. No. 166)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,342,000 Bonds of said City to finance the Sager Drive Improvement 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 for the Sager Drive Improvement Project extending over the entire length of said street and including pavement reconstruction, new driveway aprons, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, telecommunications conduit and street lighting (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 \$1,518,067. The plan of financing includes the issuance of \$1,342,000 bonds of the City, the proceeds of which are hereby appropriated to the Project, \$174,867 in reimbursements from the Rochester Pure Waters District that are appropriated for sewer improvements associated with the City's street improvement program in Ordinance No. 2020-108, \$1,200 in 2016-17 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 \$1,342,000 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.

May 12, 2020

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 \$1,342,000. 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(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.

May 12, 2020

Ordinance No. 2020-144
(Int. No. 167)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with the Sager Drive Improvement 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 line and water service improvements for the entire length of the street related to the Sager Drive Improvement 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 \$287,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$287,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$287,000 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 \$287,000. 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.

May 12, 2020

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.

Ordinance No. 2020-145
(Int. No. 168)

Authorizing an agreement for the Sager Drive 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 a professional services agreement with Vanguard Engineering, P.C. to provide resident project representation services for the Sager Drive Improvement Project. The maximum compensation for the agreement shall be \$275,000, which shall be funded in the amount of \$230,559 from the proceeds of project bonds authorized in Ordinance No. 2020-143 and \$44,441 from the proceeds of water bonds authorized in Ordinance No. 2020-144. The term of the agreement shall continue until 3 months after completion of the 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.

By Vice-President Lightfoot
May 12, 2020

To the Council:

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

Int. No. 169 Appropriating funds for the use of GrayKey technology

May 12, 2020

- Int. No. 170 Appropriating funds and amending the 2019-20 Budget for the operations of the Greater Rochester Area Narcotics Enforcement Team program
- Int. No. 171 Authorizing an intermunicipal agreement with the Monroe County Crime Lab
- Int. No. 172 Authorizing a grant agreement with the County of Monroe for the Tobacco Sales Compliance Grant Program
- Int. No. 173 Authorizing an agreement for the Cities Connecting Children to Nature initiative
- Int. No. 174 Appropriating funds and authorizing agreements for the Sexual Risk Avoidance Education Grant program
- Int. No. 175 Authorizing an intermunicipal agreement with the School District for traffic and crowd control services

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

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-146
Re: Appropriation of Forfeiture Funds –
 GrayKey Technology

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$19,000 from federal forfeited funds generated by the Police Department, and amending the 2019-20 Budget of the Police Department to reflect this amount.

These funds will be used to purchase a one-year license for GrayKey technology from Grayshift, LLC (Principal: David Miles). This technology is the best technology currently on the market that assists investigators with gaining access, with a warrant signed by a judge, into locked iPhones during an investigation. Information contained within iPhones has proven vital by providing direct evidence that helps Investigators solve murders and other violent crimes. This technology will allow RPD to obtain this vital information quickly, which can lead to arrests and prevent further violence from occurring in the City.

May 12, 2020

The appropriations requested this month will result in a balance of approximately \$772,300 in the federal forfeiture Justice fund. Funding for future annual GrayKey Technology licenses will be included in the future Budgets of the Police Department upon approval and providing federal forfeiture funds are available.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-146
(Int. No. 169)

Appropriating funds for the use of GrayKey technology

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$19,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the purchase of a license to use GrayKey technology for police investigations.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-147
Re: Appropriation of Forfeiture Funds
GRANET Operations

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$50,000 from federal forfeited funds generated by the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2019-20 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations by paying for electronic wire taps for long term investigations. The purpose of which is to disrupt the illegal drug trade in Rochester and surrounding towns and as a result have an impact on violent crime, to include homicides, through Rochester and Monroe County.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund after this transfer is estimated at \$352,300.

May 12, 2020

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-147
(Int. No. 170)

Appropriating funds and amending the 2019-20 Budget for the operations of the Greater Rochester Area Narcotics Enforcement Team program

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$50,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-148
Re: Inter-municipal Agreement –
Monroe County, Crime Lab

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the Rochester Police Department's (RPD's) access to the National Integrated Ballistics Information Network at no cost. The term of the agreement is April 1, 2020 through March 31, 2021 and can be renewed upon the prior written consent of the parties.

Monroe County Crime Lab is a participating agency in the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) National Integrated Ballistics Information Network (NIBIN). Upon successful completion of the ATF training on the procedures and techniques for entering ballistic imaging data into the NIBIN database, the County will grant two RPD Police Evidence Technicians access to the NIBIN acquisition room for the purpose of entering cartridge casing evidence into the NIBIN database.

This is the first time for this agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

May 12, 2020

Ordinance No. 2020-148
(Int. No. 171)

Authorizing an intermunicipal agreement with the Monroe County Crime Lab

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 Monroe County Crime Lab for access to the National Integrated Ballistics Information Network at no cost. The term of the agreement shall be April 1, 2020 through March 31, 2021, and may be extended for one or more additional periods of 1 year each upon the written consent of the parties.

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. 2020-149
Re: Agreement – Monroe County,
Tobacco Sales Compliance Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$41,000 for a Tobacco Sales Compliance grant. The term of the agreement is April 1, 2020 through March 31, 2021.

Monroe County will reimburse costs of up to \$41,000 in overtime and fringe benefits (\$31,200 of overtime; \$9,800 fringe) for compliance checks conducted during the contract term. This agreement continues the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the City. These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products. Police Officers accompanying the purchasers will record and report any illegal underage sales, and will inspect sellers' premises for compliance with restrictions on product placement, and the possession of proper documents and certificates.

The \$31,200 for overtime will be included in the 2020-21 Budget of the Police Department and \$9,800 for fringe will be included in the 2020-21 Budget of Undistributed Expenses, contingent upon approval of the budget. RPD has received this grant for over 10 years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-149
(Int. No. 172)

Authorizing a grant agreement with the County of Monroe for the Tobacco Sales Compliance Grant Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for the receipt and use of up to \$41,000 of funding for the Tobacco Sales Compliance Grant Program to be implemented on April 1, 2020 through March 31, 2021.

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. 2020-150
Re: Grant Agreement – National League of Cities,
Cities Connecting Children to Nature

Council Priority: Creating and sustaining a culture of vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the National League of Cities (Clarence Anthony, CEO & Executive Director, Washington, DC) for the receipt and use of a \$25,000 Catalytic Assistance grant to support the City of Rochester’s “Cities Connecting Children to Nature” (CCCN) initiative. This funding will be anticipated and included in the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS), contingent upon approval. The term of the grant will not exceed one-year.

Funding from the CCCN Catalytic Assistance grant will enable DRYS to further expand the City’s existing environmental programming portfolio by establishing a full-time CCCN Environmental Program Coordinator position. This position will oversee the expansion of existing environmental education collaborations and create new partnerships within the community; and innovate and improve the City’s environmental education programs to better serve youth and families that utilize City R-Centers and public libraries. The remaining expenses for the full-time position are funded by the proposed 2020-21 Community Development Block Grant allocation, contingent upon approval.

Since 2018, the National League of Cities and the Children & Nature Network has provided technical assistance to the City’s efforts to develop an urban Nature Center, to increase community access to nature and nature programming, and to provide Rochester youth with environmental stewardship work experiences. The Catalytic Assistance grant is the first financial grant received by the City for the CCCN initiative.

May 12, 2020

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-87

Ordinance No. 2020-150
(Int. No. 173)

Authorizing an agreement for the Cities Connecting Children to Nature initiative

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 National League of Cities for the receipt and use of \$25,000 in Catalytic Assistance grant funding to support the Cities Connecting Children to Nature initiative. The term of the agreement shall not exceed 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. 2020-151
Re: Agreements – New York State Department of
Health, Sexual Risk Avoidance Education Grant

Council Priority: Support the Creation of Effective
Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State Department of Health (NYSDOH) Sexual Risk Avoidance Education (SRAE) Grant program to address unintended teen pregnancy. This legislation will:

1. Authorize an agreement with NYSDOH for the receipt and use of \$275,000 SRAE grant for the July 1, 2020 through June 30, 2021 program period. The NYSDOH SRAE Grant program is in year two of the five-year grant period of July 1, 2019 through June 30, 2024.
2. Authorize an agreement with Baden Street Settlement of Rochester, Inc. / Metro Council for Teen Potential for \$134,750 maximum compensation funded from the grant authorized herein. The term of the agreement will be for one year.

May 12, 2020

Grant funding of \$106,341 will be anticipated and included in the 2020-21 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses, contingent upon approval, for staff costs associated with the City's role as lead agency, including one full-time employee, one part-time employee, and a portion of a supervisor's time. The remaining \$33,909 in grant funding will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, and office supplies, as well as indirect expenses.

The goal of the SRAE initiative is to enhance and/or expand prevention programs aimed at delaying the onset of adolescent sexual activity, decreasing the incidence of adolescent pregnancy, and promoting the optimal transition of youth ages 10-13 living in priority communities from middle childhood to adolescence fostering a transition to a healthy, productive, connected young adulthood. The SRAE initiative will support and enhance children and adolescents' social-emotional development and relationships, reduce racial, ethnic, economic and geographic health disparities while promoting health equity within the selected populations and communities. The program serves a total of 300 unduplicated youth and their caregivers each year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-151
(Int. No. 174)

Appropriating funds and authorizing agreements for the Sexual Risk Avoidance Education Grant program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with New York State Department of Health for the receipt and use of \$275,000 in grant funding for the operation of the Sexual Risk Avoidance Education Grant program (Program) for the July 1, 2020 through June 30, 2021 Program period.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Baden Street Settlement of Rochester, Inc. to provide services for the Program. The maximum compensation for the agreement shall be \$134,750, which shall be funded from the grant authorized in Section 1 herein. The term of the agreement shall be one year.

Section 3. Funds from the grant agreement in the amount of \$33,909 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

May 12, 2020

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-152
Re: Agreement – Rochester City School District,
Traffic and Crowd Control Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong neighborhoods

Transmitted herewith for your approval is legislation authorizing an Inter-municipal Agreement with the Rochester City School District (RCSD) for the receipt and use of \$50,000 for reimbursement of the cost of traffic and crowd control services provided by the Rochester Police Department.

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or an events sponsored in part or in full by RCSD, such as football games, basketball games, graduation ceremonies, proms, and school dances. The agreement will provide for reimbursement by RCSD of the cost of these services, up to a maximum of \$50,000 during fiscal year 2020-21.

The term of the agreement is July 1, 2020 through June 30, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-152
(Int. No. 175)

Authorizing an intermunicipal agreement with the School District for traffic and crowd control services

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (“RCSD”) in the maximum amount of \$50,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from July 1, 2020 through June 30, 2021. The anticipated reimbursements from the RCSD under the agreement are hereby appropriated for the costs of providing such traffic and crowd control services.

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.

May 12, 2020

The meeting was adjourned at 8:14 p.m.

HAZEL L. WASHINGTON
City Clerk