

ROCHESTER CITY COUNCIL

REGULAR MEETING

April 13, 2021

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, Meléndez, 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:

- *Christopher Arilotta
- *David Itterman
- *Robert Jones
- *Anthony Madau

ECD

- *Lori Berrios

NBD

- *Robert Grana
- *James McAveney

RFD

- *Roberto Cabrera
- *Thomas McMahan

RPD:

- *John Briggs
- *Janet King

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting on March 16, 2021 and the minutes of the Special Meeting on March 29, 2021 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

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

The Council submits Disclosure of Interest Forms from **Councilmember Harris** on Int. No. 147 and **Councilmember Meléndez** on Int. No. 123.

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

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on April 8, 2021 on the following matters:

Local Improvement Ordinance - establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement Int. No. 120

No Comments

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District Int. No. 122

No Comments

Local Improvement Ordinance – establishing the cost of special services for the East Avenue/Alexander Street Entertainment District Int. No. 124

No Comments

Local Improvement Ordinance – care and embellishment of street malls for 2021-22 Int. No. 128

No Comments

Authorizing changes in traffic flow for the Priority Bicycle Boulevard Implementation Project Int. No. 135

No Comments

Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts for 2021-22 Int. No. 137

No Comments

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements for 2021-22 Int. No. 142

No Comments

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District Int. No. 143

No Comments

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
April 13, 2021

To the Council:

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

- Int. No. 117 Appropriating Firefighters' Insurance Funds
- Int. No. 118 Resolution approving a reappointment to the Rochester Civil Service Commission
- Int. No. 150 Authorizing an amendatory agreement with Morrison & Foerster LLP for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283
- Int. No. 151 Authorizing an amendatory agreement with Nixon Peabody LLP for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283

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

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-103

Re: Firefighters' Insurance Fund

Transmitted herewith for your approval is legislation authorizing expenditures from the Firefighters' Insurance Fund ("Two Percent Fund") as per the Settlement Agreement between the Rochester Firefighters, Inc., Local 1071, IAFF, AFL-CIO and the City of Rochester dated August 7, 2012. The legislation will:

1. Appropriate a total of \$72,000 from the Firefighters Insurance Fund at the request of the Rochester Firefighters Two Percent Committee ("TPC") to benefit City firefighters.

The firefighters' Insurance Fund is the City Fund established to collect and distribute monies received from the State pursuant to Sections 9104 and 9105 of the Insurance Law, and is under the custody of the City Treasurer.

Ordinance No. 2012-313 authorized the settlement agreement resulting from litigation brought by Rochester Firefighters Local 1071. These funds must be used in a manner that is consistent with the Court Order and with the provisions of Insurance Law Sections 9104 and 9105. Fund expenditures must be for the benefit of firefighters as provided in statutory law, case law, administrative rules and regulations, and the New York State Comptroller's Opinions.

In accordance with the Settlement Agreement the firefighters have formed a not-for-profit corporation named the Rochester Firefighters Two Percent Committee ("TPC") to be the firefighters' representative for purposes of the Fund. Items to be paid from the Fund may be nominated by the firefighters or by the City.

The proposed appropriation will allow the TPC to purchase work boots for uniform members using a prior year allocation of Two Percent Funds for the benefit of City firefighters.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-103
(Int. No. 117)

Appropriating Firefighters' Insurance Funds

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

Section 1. The amount of \$72,000 is hereby appropriated from the Firefighters' Insurance Fund ("Two Percent Fund") upon the request of the Rochester Firefighters Two Percent Committee, Inc. in accordance with the terms of the settlement agreement with Rochester Firefighters Local 1071 that was authorized in Ordinance No. 2012-313 to purchase work boots for uniform members of the Rochester Fire Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2021-12
Re Reappointment – Civil Service
Commission

Council Priority: Jobs and Economic Development
Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation confirming the reappointment of Fernàn R. Cepero, 109 Linden Street, Rochester, New York, 14620, to the Civil Service Commission for the City of Rochester.

Mr. Cepero has served one term on the Commission, he was originally appointed in June 2015. Of the 72 regular meetings held during his term, Mr. Cepero attended 62 or 86%. Mr. Cepero is a Republican whose current term expires on May 31, 2021.

Mr. Cepero's term will extend to May 31, 2027. A copy of his resume is available for review in the Office of the City Clerk.

A summary description of the Civil Service Commission and its current membership is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2021-12
(Int. No. 118)

Resolution approving a reappointment to the Rochester Civil Service Commission

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

Section 1. The Council hereby approves the reappointment of Fernàn R. Cepero, 109 Linden Street, Rochester, NY 14620, to the Rochester Civil Service Commission for a term which shall expire on May 31, 2027.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-104

Re: Amendatory Agreement With Morrison &
Foerster to provide Outside Conflict Counsel
In Relation to the Independent Investigation
Authorized by Ordinance 2020-283

Transmitted herewith for your approval is legislation authorizing a second amendatory agreement with Morrison & Foerster, New York, NY (partner: Carrie Cohen) for provision of conflict counsel in the context of the independent investigation being conducted by Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP (“Emery Celli”) pursuant to Ordinance 2020-283 (“Celli Investigation”). The amendment would increase the maximum compensation payable by \$15,000, which will be funded from the 2020-2021 Budget of Undistributed Expenses.

The Celli Investigation focused on the City’s communications, processes, and procedures that took place related to the death of Daniel Prude in police custody. Typically, pursuant to Article 9 of the City Charter, the Corporation Counsel attends to all the legal business of the City, and would, through the Law Department, work in concert with Emery, Celli to represent the City and its employees in the context of the independent investigation. Here, however, the Corporation Counsel has determined that a conflict exists due to the fact that the Law Department is defending the City against a lawsuit brought by the Prude Estate, and because of the Corporation Counsel’s role under the City Code as FOIL Appeals Officer.

The Law Department, therefore, retained Morrison & Foerster to act as outside conflict counsel in relation to the Celli Investigation. The Law Department’s initial PSA with Morrison & Foerster was limited to \$10,000 and engaged the firm for the limited purposes of negotiating with Emery, Celli concerning the scope of the investigation, the procedures to be employed during the investigation, and the manner in which testimony would be taken. The PSA was thereafter amended to incorporate a second phase of representation which included document review and production and representation of witnesses during depositions. To compensate Morrison & Foerster for this additional Phase II work, the fee payable was increased by \$75,000 in October of 2020 by Ord. No. 2020-307.

The Law Department now seeks to amend the PSA a second time, to increase the fee by a final \$15,000 as compensation for a third phase of representation which involved negotiations with Emery Celli related to privilege issues and negotiations concerning the final report of the Celli Investigation and any response thereto.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-104
(Int. No. 150)

Authorizing an amendatory agreement with Morrison & Foerster LLP for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283

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 Morrison & Foerster LLP to provide legal services as outside conflict counsel with regard to the independent investigation conducted pursuant to Ordinance No. 2020-283 (the Investigation). The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2020-307 to increase the maximum compensation by \$15,000 to a new total of \$100,000. The amendatory compensation shall be funded from the 2020-21 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-105

Re: Amendatory Agreement with Nixon Peabody
LLP to provide Outside Conflict Counsel In
Relation to the Independent Investigation
Authorized by Ordinance 2020-283

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Nixon Peabody, Albany, NY (partner: Tina Sciocchetti) for conflict counsel provided to Council President Scott and Councilmember Lupien in the context of the independent investigation being conducted by Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP (“Emery Celli”) pursuant to Ordinance 2020-283 (“Celli Investigation”). The amendment would increase the maximum compensation payable by \$10,000, which will be funded from the 2020-2021 Budget of Undistributed Expenses.

The Celli Investigation focused on the City’s communications, processes, and procedures that took place related to the death of Daniel Prude in police custody. Typically, pursuant to Article 9 of the City Charter, the Corporation Counsel attends to all the legal business of the City, and would, through the Law Department, work in concert with Emery, Celli to represent the City and its employees in the context of the independent investigation. Here, however, the Corporation Counsel has determined that a conflict exists due to the fact that the Law Department is defending the City against a lawsuit brought by the Prude Estate, and because of the Corporation Counsel’s role under the City Code as FOIL Appeals Officer.

The Law Department, therefore, retained Nixon Peabody to act as outside conflict counsel for President Scott and Councilmember Lupien in relation to the Celli Investigation. The Law Department’s initial PSA with Nixon Peabody was limited to \$10,000. Due to an unexpected volume of documents that were subject to legal review during the investigation, Nixon Peabody is seeking additional compensation for the additional work performed. Accordingly, the Law

Department seeks to increase the fee payable to Nixon Peabody from \$10,000 to \$20,000. Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-105
(Int. No. 151)

Authorizing an amendatory agreement with Nixon Peabody LLP for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283

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 Nixon Peabody LLP to provide legal services as outside conflict counsel with regard to the independent investigation conducted pursuant to Ordinance No. 2020-283 (the Investigation). The amendatory agreement shall amend the existing agreement to increase the maximum compensation by \$10,000 to a new total of \$20,000. The amendatory compensation shall be funded from the 2020-21 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
April 13, 2021

To the Council:

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

- Int. No. 119 Authorizing the sale of real estate
- Int. No. 121 Approving appointments to the Rochester Preservation Board
- Int. No. 123 Authorizing agreements relating to Emergency Rent Assistance under the American Rescue Plan Act of 2021
- Int. No. 125 Authorizing services and funding agreements for economic development advisory services relating to the Bull's Head Revitalization project

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

- Int. No. 120 Local Improvement Ordinance - establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement
- Int. No. 122 Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District
- Int. No. 124 Local Improvement Ordinance – establishing the cost of special services for the East Avenue/Alexander Street Entertainment District

Respectfully submitted,
Michael A. Patterson
Mary Lupien (*Absent on Int. No. 119-122*)
Miguel Meléndez (*Abstained Int. No. 123*)
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-106
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 three properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first and second properties, 492-498 Lyell Avenue and 490-490.5 Lyell Avenue, are listed on the attached spreadsheet under the heading, I. Request for Proposal – Improved Property. This multiuse structure and its parking lot were offered online via request for proposal. The structure will serve as offices for the purchaser’s property management company and the apartments will be renovated and leased. The parking lot will serve both the business and the residences.

The final property, 623-625 North Street, is listed on the attached spreadsheet under the heading, II. Negotiated Sale - Unbuildable Vacant Land. It is being sold for \$1.00 (as per City policy). The lot is being sold to an adjoining owner in order to resolve a title issue caused by its driveway encroaching on to the City lot and will be combined with the primary parcel owned by the identified adjoining owner.

The first year projected tax revenue for these three properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,676.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-49

Ordinance No. 2021-106
(Int. No. 119)

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 with proposal of the following parcels of improved property and land improved with a parking lot for \$50,000:

Address	SBL#	Lot Size	Use	Purchaser
492-498 Lyell Ave	105.65-1-81.001	101 x 168	Multi Use	492 Lyell LLC
490-490.5 Lyell Ave	105.65-1-82	50 x 90	Parking Lot	492 Lyell LLC

Section 2. The Council hereby approves the negotiated sale of the following vacant unbuildable parcel of land for \$1:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
623-625 North St	106.49-3-16	39 x 75	2,630	Kevin Lee Martin

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1775
Re: High Falls Business Improvement District

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the High Falls Business Improvement District (BID) established via Local Law No.1 in December 2004. This legislation will:

1. Approve the 2021-2022 Budget totaling \$25,000 submitted by the High Falls BID Board.
2. Establish \$25,000 as the 2021-2022 assessment for the district and authorize the apportionment of the cost among the subject properties.
3. Authorize an agreement with the High Falls Business Improvement District Management Association, Inc. (Board Chair: Lisa Baron) for implementation of the services outlined in the BID plan.

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

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

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-50

Local Improvement Ordinance No. 1775
(Int. No. 120)

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

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

Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2021-22 Budget for the High Falls Business Improvement District (District) is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No. 1 of 2003.

Section 2. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. to provide the services outlined in the District Plan.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2021-13
Re: Appointments – Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of one full-time members and one alternate to the Preservation Board. Mr. Matthews has expressed interest in serving as an alternate. In response, Mr. Bracher will move from the position of alternate to full-time member. The terms of the appointed members will expire on May 31, 2022.

New full-time member:

<u>Name</u>	<u>Affiliation</u>
Isaac Bracher	Architect

<u>Alternates:</u>	<u>Affiliation</u>
David Matthews	Architect

Resumes for all individuals are on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2021-13
(Int. No. 121)

Approving appointments to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following person as a regular member, for a term which shall expire on May 31, 2022:

Name	Affiliation
Isaac Bracher	Architect

Section 2. The Council hereby approves the appointment to the Rochester Preservation Board of the following person as an alternate member, for a term which shall expire on May 31, 2022:

Name	Affiliation
David Matthews	Architect

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1776
Re: South Avenue/Alexander Street
Open Space District LIO No. 1740

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

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

Transmitted herewith for your approval is legislation establishing the amount of \$8,900 for maintenance of the South Avenue/Alexander Street Open Space District and authorizing an agreement with South Wedge Area Neighborhood Council, Inc. (SWANC) of 540 South Avenue, Rochester, New York for \$8,900 to perform the 2021-22 maintenance. Local Improvement Ordinance No. 1740 re-established the District in 2018 for a term of ten years.

The annual charges for maintenance of the open space will be apportioned among these properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). Parcels in the Outer Tier of the district shall be charged at half the rate as the Inner Tier parcels. The boundaries of the tiers will remain as follows:

- o The Inner Tier of the district shall consist of properties fronting on South Avenue from Comfort Street to Hamilton Street and properties fronting on Alexander Street between South Clinton Avenue and Kirley Alley/Stebbins Street, but excluding the corner parcels at South Clinton Avenue.

- The Outer Tier of the district shall consist of the remaining properties in the area bounded by Mt. Hope Avenue, Byron Street, South Clinton Avenue, and Hamilton Street, including the parcels on the south side of Hamilton Street and the parcels fronting on South Avenue between Hamilton Street and Averill Avenue.

This assessment provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost for these services is based on estimates provided by the South Wedge Area Neighborhood Council (SWANC).

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-51

Local Improvement Ordinance No. 1776
(Int. No. 122)

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

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

Section 1. The cost of special work and services for the 2021-22 fiscal year for the South Avenue/Alexander Street Open Space District reestablished by Local Improvement Ordinance No. 1740 is established at \$8,900, which amount shall be assessed and billed on the 2021-22 tax bill as follows: apportioned among the properties based upon their assessed values (without reduction for exemptions) and in relation to their proximity to the open space. Parcels in the Outer Tier of the district shall be charged at half the rate of the Inner Tier parcels. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

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

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

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-107
Re: Agreements- US Treasury Emergency
Rent Assistance Funding

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

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the receipt and use of funding from the United States Department of the Treasury for Emergency Rent Assistance for tenants negatively impacted by the COVID-19 pandemic. This legislation will:

1. Authorize an agreement with the US Department of the Treasury for the receipt and use of up to \$6,000,000 in grant funding for an Emergency Rent Assistance program for tenants. The term of the agreement will extend through September 30, 2027 when the funding expires and must be returned to the Treasury, but will have an option to extend for an additional year in the event Congress extends the expiration date of the funding.
2. Authorize \$6,000,000 as maximum compensation for an inter-municipal agreement with Monroe County for the operation of a joint-funded Emergency Rent Assistance program. The term of the agreement will extend through September 30, 2027, but will have an option to extend for an additional year in the event Congress extends the expiration date of the funding.

The American Rescue Plan Act of 2021, signed into law March 11, 2021, allocated an additional \$19.1 billion for the Emergency Rent Assistance Program to be administered by states and local governments to serve households facing housing insecurity due to the pandemic. Previously, the Consolidated Appropriations Act of 2021 allocated \$25 billion for this same use. In February 2021, City Council approved the receipt and use of \$6.1 million of those first round of funds via Ordinance No. 2021-39, which also authorized an Inter-Municipal Agreement with Monroe County. This legislation is intended to mirror the February legislation. Monroe County would prefer two separate IMA's due to differences in timing for the funding expiration for the two installments and other minor regulatory differences.

This process and funding mechanism is entirely separate from the City's typical funding streams through The Department of Housing and Urban Development (HUD). The Treasury funds will provide additional flexibility compared to the CARES Act HUD funding, allowing Landlords to apply on behalf of a tenant with their consent. The funding can cover up to 12 months' rent and utilities arrears, and up to 3 months future rent and utilities where ongoing housing stability is at risk. Eligible households must attest to financial impacts due to COVID and document monthly income at or below 80% AMI, and the funds must be prioritized for households at or below 50% AMI and/or unemployed for at least 90 days.

Monroe County received \$15.9 million in funding from the Treasury for this same purpose in the first round, and at least \$13.7 million in the second round. The City and County have agreed to a joint-funded program to ensure that the funding is spent most efficiently and that citizens wouldn't have multiple Emergency Rent Assistance programs in parallel. In total to

program is expected to have at least \$42 million with both rounds of funding. City staff from NBD helped draft and review a Request for Proposals solicitation, and was part of the selection committee to select 14 contracted non-profit agencies. The structure of the program is similar to the Eviction Prevention Pilot Initiative (EPPI) that administered CARES Act rent relief funding, but the new program will incorporate lessons learned from the first phase of EPPI. The program is also expected to incorporate a new self-serve online application form that will help streamline program operations by reducing the number of calls for intake. The ability for Landlords to initiate the process will also enable increased efficiency, given they are required to confirm rent arrears and supply their bank information for direct payment.

Approximately 25% of rental units in the city were behind on rent as of the end of February according to a survey of small landlords conducted by the Ash Center at Harvard University. While the New York State eviction moratorium has been extended through the end of April, the Treasury funding will help reduce the risk of eviction for tenants and foreclosures for vulnerable landlords. The program will be heavily promoted through various mechanisms and community networks. NBD will provide updates on this program to City Council as part of the current CARES act monthly reports.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-52

Ordinance No. 2021-107
(Int. No. 123)

Authorizing agreements relating to Emergency Rent Assistance under the American Rescue Plan Act of 2021

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Treasury Department (Treasury) for the receipt and use of up to \$6,000,000 to fund an Emergency Rent Assistance program (Program) utilizing funds authorized under the American Rescue Plan Act of 2021. The term of the agreement shall continue through September 30, 2027, with the option to extend for one additional year in the event that the Federal Government extends the expiration date for using Program assistance.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe (County) for the joint operation and joint funding of the Program. The maximum compensation contributed by the City for the agreement shall be \$6,000,000, which shall be funded by the Treasury in accordance with the agreement authorized in Section 1 herein and which is hereby appropriated to effectuate the intermunicipal agreement. The term of the agreement shall continue through September 30, 2027, with the option to extend for one additional year in the event that the Federal Government extends the expiration date for using Program assistance.

Section 3. The Mayor is hereby further authorized to provide any such information that may be required by the Treasury or the County and to execute any grant agreement, program

sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Program agreements authorized herein.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Patterson, Peo – 8.

Nays – None – 0.

Councilmember Meléndez abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1777
Re: East Avenue / Alexander Street
Entertainment District Local Improvement
Ordinance

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation reauthorizing the Local Improvement Ordinance for the district and establishing the amount of \$21,200 for special assessments for the East Avenue/Alexander Street Entertainment District.

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

In 2021-22 the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and property owners in the district. The total annual charge estimate determined by the Department of Environmental Services.

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

<u>Code</u>	<u>Use</u>	<u>Annual Charge</u>
1	Parking lot under 2500 Sq Ft	\$197
2	Parking Lot 2500-4999 Sq Ft	\$394
3	Parking Lot 5000-9999 Sq Ft	\$590
4	Parking Lot 10000 Sq Ft or more	\$801
5	Small Sit down Restaurant	\$197
6	Take out Restaurant/Smaller Bar	\$394
7	Large Bar/Sit Down Restaurant	\$925

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

A public hearing is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1777
 (Int. No. 124)

Local Improvement Ordinance – establishing the cost of special services for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2021-22 budget for upgraded street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$21,200 and the charge per code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments as set forth below and shall be assessed and levied on the 2021-22 tax bill in accordance with Local Improvement Ordinance No. 1666.

Code	Use	Annual Charge
1	Parking lot under 2500 Sq. Ft	\$197
2	Parking lot 2500-4999 Sq. Ft	\$394
3	Parking lot 5000-9999 Sq. Ft	\$590
4	Parking lot 10000 Sq. Ft or more	\$801
5	Small Sit Down Restaurant	\$197
6	Take Out Restaurant/Smaller Bar	\$394
7	Large Bar/Sit Down Restaurant	\$925

Section 2. This ordinance shall take effect on July 1, 2021.

Passed unanimously

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-108

Re: Agreement – Urban Land Institute

Council Priorities: Jobs and Economic
Development Rebuilding and Strengthening
Neighborhood Housing

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

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for a professional services agreement with the Urban Land Institute (ULI), 2001 L Street, NW, Suite 200 Washington, DC (Chairman: Owen Thomas, CEO: Edward Walter) to provide economic development advisory services related to the Bull's Head Revitalization project. The cost of the agreement will be funded by 2015-16 Cash Capital. The legislation also authorizes the Mayor to enter into an agreement with the ULI Foundation if necessary to effectuate the Foundation's contribution of \$60,000 toward the compensation for ULI's services. The term for each agreement will be one year.

Through its Advisory Services Program (the Program), ULI provides expert advice to communities on a broad range of land use, neighborhood revitalization, and redevelopment topics. In 2020, the City and the Rochester Economic Development Corporation (REDCO) contacted the ULI and Chicago-based Transforming Retail Economics of Neighborhood Development (TREND), a strategic partner of the ULI focused on identifying urban neighborhood retail opportunities, to inquire how ULI's Program could benefit local efforts to strengthen targeted commercial corridors. In August 2020, ULI with TREND's assistance hosted a virtual scoping session with the City and REDCO to understand the challenges and opportunities associated with the City's ongoing commercial corridor revitalization efforts. Bull's Head was identified as an appropriate fit for the Program because of the extensive community-based revitalization planning conducted to date along with the area being poised for transformative redevelopment.

The Program for Bull's Head will consist of evaluating the land economics of the study area, reviewing background material provided by the City, interviewing important community stakeholders, holding a three-day virtual advisory panel discussion with the City, and providing recommendations to strengthen economic development in the Bull's Head area in a way that benefits its existing community.

Deliverables include a digital copy of the final presentation materials, a video recording of the virtual panel discussions and presentations, and an executive summary report synthesizing the panel's findings. The total cost of the Program is \$80,000, with \$60,000 coming from the ULI Foundation, and \$20,000 from the City. The Program is expected to be completed in spring 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No, AU-53

Ordinance No. 2021-108
(Int. No. 125)

Authorizing services and funding agreements for economic development advisory services relating to the Bull's Head Revitalization 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 the Urban Land Institute to provide economic development advisory services relating to the Bull's Head Revitalization project. The maximum City compensation shall be \$20,000, which shall be funded from 2015-16 Cash Capital. The term of the agreement shall be one year.

Section 2. The Mayor is hereby authorized to enter into an agreement with the ULI Foundation to enable the it to provide up to \$60,000 to the Urban Land Institute as additional compensation for the services authorized in Section 1 herein. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
April 13, 2021

To the Council:

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

- | | |
|--------------|--|
| Int. No. 126 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$634,000 Bonds of said City to finance the 2021 Annual Street Maintenance Project |
| Int. No. 127 | Authorizing an agreement for public art and performance and play spaces |
| Int. No. 129 | Authorizing an agreement for non-hazardous special solid waste disposal services |

- Int. No. 130 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$300,000 Bonds of said City to finance the Milling & Resurfacing Project on Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line)
- Int. No. 131 Authorizing an agreement for the Milling & Resurfacing Project on Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line)
- Int. No. 132 Authorizing agreements for material and environmental testing and exploratory drilling services
- Int. No. 133 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,792,000 Bonds of said City to finance the Priority Bicycle Boulevard Implementation Project
- Int. No. 134 Authorizing an agreement for the Priority Bicycle Boulevard Implementation Project
- Int. No. 136 Authorizing an appropriation for the Pedestrian Safety Action Plan – Phase III
- Int. No. 138 Authorizing funding and an agreement for the Waring Road Improvement Project
- Int. No. 139 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,385,000 Bonds of said City to finance the costs of the Waring Road Improvement Project
- Int. No. 140 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,578,000 Bonds of said City to finance water main and water service improvements associated with the Waring Road Improvement Project
- Int. No. 141 Resolution authorizing the implementation and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor relating to the Waring Road from Culver Road to Norton Street improvement project

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

- Int. No. 128 Local Improvement Ordinance – care and embellishment of street malls for 2021-22
- Int. No. 135 Authorizing changes in traffic flow for the Priority Bicycle Boulevard Implementation Project

- Int. No. 137 Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts for 2021-22
- Int. No. 142 Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements for 2021-22
- Int. No. 143 Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

Received filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2021-109
 Re: 2021 Annual Street Maintenance Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
 Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$634,000 and the appropriation of the proceeds thereof, to finance the cost of the 2021 Annual Street Maintenance Project.

The project includes chip sealing and milling and resurfacing projects as outlined in the following charts:

Chip Seal locations:

SECTION	STREET	FROM	TO	AREA (SF)
4A	FLOWER CITY PARK	LAKE AVE	MAPLEWOOD DR	30,766
4A	GORSLINE ST	LAKE AVE	MAPLEWOOD DR	33,350
4A	MAPLEWOOD AVE	SOUTH END	RIVERSIDE ST	67,960
4A	PARK VIEW ST	SENECA PKY	RIVERSIDE ST	17,422
4A	PARKDALE TER	LAKE AVE	RAMP RT-104	46,108
4A	ROSE ST	LAKE AVE	EAST END	15,521
4A	W RIDGE RD SOD	LAKE AVE	MAPLEWOOD DR	18,282

4A	MAPLEWOOD DR	W RIDGE RD SOD	PARKDALE TER	5,639
4B	ARBOR DR	MEADOWBROOK RD	LANEY RD	15,590
4B	AZALEA RD	ELMWOOD AVE	HIGHLAND AVE	36,242
4B	BRIGHTON PK	MT HOPE AVE	E HENRIETTA RD	20,650
4B	CASTLEMAN RD	CASTLEMAN RD	CRITTENDEN BLVD	65,906
4B	CIMARRON DR	MT HOPE AVE	END	24,045
4B	COOK ST	MT HOPE AVE	ELMWOOD AVE	17,868
4B	EASTMORELAND DR	WESTMORELAND DR	LATTIMORE RD	35,848
4B	EDGEMONT RD	CASTLEMAN RD	MT HOPE AVE	36,568
4B	ELMERSTON RD	CASTLEMAN RD	WHITEFORD RD	37,931
4B	FORT HILL TER	MT HOPE AVE	SOUTH AVE	22,717
4B	FURMAN CRES	MT HOPE AVE	HIGHLAND AVE	16,994
4B	GOLD ST	MT HOPE AVE	SOUTH AVE	19,575
4B	GREEN KNOLLS DR	WESTFALL RD	WESTFALL RD	55,214
4B	IRVINGTON RD	CASTLEMAN RD	MT HOPE AVE	39,103
4B	LANEY ROAD	ELMWOOD AVE	HIGHLAND AVE	45,064
4B	LANGSLOW ST	MT HOPE AVE	SOUTH AVE	19,134
4B	LATTIMORE RD	MT HOPE AVE	KENDRICK ROAD	60,075
4B	MAY ST	MT HOPE AVE	SOUTH AVE	21,299
4B	MEADOWBROOK RD	ELMWOOD AVE	HIGHLAND AVE	38,877
4B	NORFOLK ST	SHELBOURNE RD	CRITTENDEN BLVD	40,797
4B	RALEIGH ST	CASTLEMAN RD	MT HOPE AVE	38,945
4B	ROSEMOUNT ST	E HENRIETTA RD	SOUTH AVE	17,181
4B	ROSSITER RD	CASTLEMAN RD	MT HOPE AVE	39,841
4B	SCIENCE PKY	SOUTH AVE	END	77,603
4B	SHELBOURNE RD	CASTLEMAN RD	REDFERN DR	39,111
4B	SOUTHVIEW TER	FORT HILL TER	ELMWOOD AVE	29,437
4B	STANFORD RD	CASTLEMAN RD	EASTMORELAND DR	15,005
4B	STEWART ST	MT HOPE AVE	SOUTH AVE	27,238
4B	WALL ST	MAY ST	SOUTH AVE	13,084
4B	WARREN ST	E HENRIETTA RD	SOUTH AVE	12,949
4B	WESTVIEW TER	FORT HILL TER	ELMWOOD AVE	30,553
4B	WHITEFORD RD	WHITEFORD RD	SOUTH AVE	29,490
4D	AVENUE E	ST PAUL ST	CONKEY AVE	34,342
4D	BEACH ST	ST PAUL ST	JEWEL ST	9,164
4D	CARTHAGE ST	HOOKER ST	CONKEY AVE	9,050
4D	CARTHAGE ST	JEWEL ST	CONKEY AVE	13,733
4D	CUTLER ST	JEWEL ST	CONKEY AVE	15,654
4D	DORBETH RD	ST PAUL ST	CONKEY AVE	33,579
4D	HOOKER ST	CARTHAGE ST	CONKEY AVE	15,588
4D	JEWEL ST	SARANAC ST	NORTON ST	30,624
4D	MALLING DR	ST PAUL ST	CONKEY AVE	32,101
4D	NORTHVIEW TER	ST PAUL ST	CONKEY AVE	26,408
4D	SARANAC ST	ST PAUL ST	JEWEL ST	11,003
4D	SARANAC ST	JEWEL ST	CONKEY AVE	19,847
5D	ARVINE HGTS	GENESEE ST	ARVINE HTS	20,577

5D	ARVINE PARK	GENESEE ST	END	9,045
5D	BROOKDALE AVE	THURSTON RD	BROOKS AVE	28,744
5D	CONGRESS AVE	THURSTON RD	GENESEE ST	94,244
5D	CUSTER ST	GENESEE PARK BLVD	CONGRESS AVE	22,361
5D	DEVON RD	KINGSBORO RD	PIONEER ST	25,714
5D	FAIRVIEW AVE	GENESEE PARK BLVD	BROOKS AVE	40,240
5D	GENESEE ST	VIXETTE ST	ELMWOOD AVE	29,641
5D	GILLETTE ST	GENESEE PARK BLVD	STANFIELD TER	39,120
5D	GRANDVIEW TER	GENESEE ST	END	6,923
5D	KINGSBORO RD	GENESEE PARK BLVD	SCOTTSVILLE RD	42,940
5D	MINEOLA ST	GENESEE ST	PIONEER ST	11,500
5D	OAK HILL VIEW	GENESEE ST	END	13,420
5D	PIONEER ST	DEVON RD	CHANDLER ST	55,111
5D	POST AVE	GENESEE PARK BLVD	BROOKS AVE	40,760
5D	SATURA AVE	END	VIXETTE ST	7,208
5D	SPRUCE AVE	WOODBINE AVE	GENESEE ST	49,208
5D	TERRACE PARK	WOODBINE AVE	GENESEE ST	53,597
5D	VIRGINIA AVE	KINGSBORO RD	BURLINGTON AVE	61,577
5D	VIXETTE ST	GENESEE ST	SCOTTSVILLE RD	13,135
5D	WELDON ST	WOODBINE AVE	CUSTER ST	27,217
5D	WINBOURNE RD	WINBOURNE RD	SCOTTSVILLE RD	51,881
5D	WOODBINE AVE	GENESEE PARK BLVD	BROOKS AVE	31,217
			TOTAL SQ FT	2,301,455
			TOTAL SQ YD	255,717

Milling and resurfacing locations:

STREET	FROM	TO	AREA (SF)
WOODBINE AVE	TERRACE PK	BROOKS AVE	7,173
WELDON ST	CUSTER ST	GENESEE ST	12,267
AVENUE D	NORTH ST	CARTER ST	24,613
		TOTAL SQ FT	44,053
		TOTAL SQ YD	4,895

The total cost of the project is \$634,000, and will be funded by the bonds authorized herein.

Construction is anticipated to begin in spring 2021 with substantial completion in fall 2021. The project will result in the creation and/or retention of the equivalent of 6.9 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$634,000 Bonds of said City to finance the 2021 Annual Street Maintenance 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 chip sealing and the milling and resurfacing of pavement along the street segments noted on the attached Project Street List annexed hereto as Exhibit A, which comprise the 2021 Annual Street Maintenance 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 \$634,000. The plan of financing includes the issuance of \$634,000 bonds of the City, which amount is hereby appropriated for the Project, 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 \$634,000 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 \$634,000. 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.

Exhibit A

Project Street List

Chip Seal

STREET	FROM	TO
FLOWER CITY PARK	LAKE AVE	MAPLEWOOD DR
GORSLINE ST	LAKE AVE	MAPLEWOOD DR
MAPLEWOOD AVE	SOUTH END	RIVERSIDE ST
PARK VIEW ST	SENECA PKY	RIVERSIDE ST
PARKDALE TER	LAKE AVE	RAMP RT-104
ROSE ST	LAKE AVE	EAST END
W RIDGE RD SOD	LAKE AVE	MAPLEWOOD DR
MAPLEWOOD DR	W RIDGE RD SOD	PARKDALE TER
ARBOR DR	MEADOWBROOK RD	LANEY RD
AZALEA RD	ELMWOOD AVE	HIGHLAND AVE
BRIGHTON PK	MT HOPE AVE	E HENRIETTA RD

CASTLEMAN RD	CASTLEMAN RD	CRITTENDEN BLVD
CIMARRON DR	MT HOPE AVE	END
COOK ST	MT HOPE AVE	ELMWOOD AVE
EASTMORELAND DR	WESTMORELAND DR	LATTIMORE RD
EDGEMONT RD	CASTLEMAN RD	MT HOPE AVE
ELMERSTON RD	CASTLEMAN RD	WHITEFORD RD
FORT HILL TER	MT HOPE AVE	SOUTH AVE
FURMAN CRES	MT HOPE AVE	HIGHLAND AVE
GOLD ST	MT HOPE AVE	SOUTH AVE
GREEN KNOLLS DR	WESTFALL RD	WESTFALL RD
IRVINGTON RD	CASTLEMAN RD	MT HOPE AVE
LANEY ROAD	ELMWOOD AVE	HIGHLAND AVE
LANGSLOW ST	MT HOPE AVE	SOUTH AVE
LATTIMORE RD	MT HOPE AVE	KENDRICK ROAD
MAY ST	MT HOPE AVE	SOUTH AVE
MEADOWBROOK RD	ELMWOOD AVE	HIGHLAND AVE
NORFOLK ST	SHELBOURNE RD	CRITTENDEN BLVD

STREET	FROM	TO
ROSEMOUNT ST	E HENRIETTA RD	SOUTH AVE
ROSSITER RD	CASTLEMAN RD	MT HOPE AVE
SCIENCE PKY	SOUTH AVE	END
SHELBOURNE RD	CASTLEMAN RD	REDFERN DR
SOUTHVIEW TER	FORT HILL TER	ELMWOOD AVE
STANFORD RD	CASTLEMAN RD	EASTMORELAND DR
STEWART ST	MT HOPE AVE	SOUTH AVE
WALL ST	MAY ST	SOUTH AVE
WARREN ST	E HENRIETTA RD	SOUTH AVE
WESTVIEW TER	FORT HILL TER	ELMWOOD AVE

WHITEFORD RD	WHITEFORD RD	SOUTH AVE
AVENUE E	ST PAUL ST	CONKEY AVE
BEACH ST	ST PAUL ST	JEWEL ST
CARTHAGE ST	HOOKER ST	CONKEY AVE
CARTHAGE ST	JEWEL ST	CONKEY AVE
CUTLER ST	JEWEL ST	CONKEY AVE
DORBETH RD	ST PAUL ST	CONKEY AVE
HOOKER ST	CARTHAGE ST	CONKEY AVE
JEWEL ST	SARANAC ST	NORTON ST
MALLING DR	ST PAUL ST	CONKEY AVE
NORTHVIEW TER	ST PAUL ST	CONKEY AVE
SARANAC ST	ST PAUL ST	JEWEL ST
SARANAC ST	JEWEL ST	CONKEY AVE
ARVINE HGTS	GENESEE ST	ARVINE HTS
ARVINE PARK	GENESEE ST	END
BROOKDALE AVE	THURSTON RD	BROOKS AVE
CONGRESS AVE	THURSTON RD	GENESEE ST
CUSTER ST	GENESEE PARK BLVD	CONGRESS AVE
DEVON RD	KINGSBORO RD	PIONEER ST
FAIRVIEW AVE	GENESEE PARK BLVD	BROOKS AVE
STREET	FROM	TO
GILLETTE ST	GENESEE PARK BLVD	STANFIELD TER
GRANDVIEW TER	GENESEE ST	END
KINGSBORO RD	GENESEE PARK BLVD	SCOTTSVILLE RD
MINEOLA ST	GENESEE ST	PIONEER ST
OAK HILL VIEW	GENESEE ST	END
PIONEER ST	DEVON RD	CHANDLER ST

POST AVE	GENESEE PARK BLVD	BROOKS AVE
SATURA AVE	END	VIXETTE ST
SPRUCE AVE	WOODBINE AVE	GENESEE ST
TERRACE PARK	WOODBINE AVE	GENESEE ST
VIRGINIA AVE	KINGSBORO RD	BURLINGTON AVE
VIXETTE ST	GENESEE ST	SCOTTSVILLE RD
WELDON ST	WOODBINE AVE	CUSTER ST
WINBOURNE RD	WINBOURNE RD	SCOTTSVILLE RD
WOODBINE AVE	GENESEE PARK BLVD	BROOKS AVE

Milling and Resurfacing

STREET	FROM	TO
WOODBINE AVE	TERRACE PK	BROOKS AVE
WELDON ST	CUSTER ST	GENESEE ST
AVENUE D	NORTH ST	CARTER ST

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-110

Re: Agreement – Art Outreach

Council Priority: Creating and Sustaining a
Culture of Vibrancy

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

Transmitted herewith for your approval is legislation to authorize the Mayor to enter into a professional services agreement with Avenue Blackbox Theatre Inc. (Reenalda Golden, CEO, 5 Trafalgar Street, Rochester, NY) in the amount of \$75,000 for the development and installation of public art and performance and play spaces with the help of youth artists. The agreement will be funded with Prior Years Cash Capital.

The Project will develop and implement a variety of art installations on City owned lots at the corner of Joseph Avenue and Berlin Street. The strategic locations and various art forms will connect neighborhoods as a part of the City's Boulev Art initiative. Art features will also include complementing installations at the Wilkins Street pedestrian crossings. Performance and play activity space will be developed at the following locations:

1. 792-794 Joseph Avenue
2. 798-800 Joseph Avenue
3. 804 Joseph Avenue
4. 20 Berlin Street

The design and development phase is anticipated to be completed in spring 2021 with implementation anticipated to begin in summer 2021.

A No RFP Justification statement for this agreement is attached.

The agreement shall have a term of six (6) months after final completion of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-55

Ordinance No. 2021-110
(Int. No. 127)

Authorizing an agreement for public art and performance and play spaces

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 Avenue Blackbox Theatre Inc. for the development and installation of public art and performance and play spaces with the help of youth artists. The maximum compensation shall be \$75,000, which shall be funded from Prior Years' Cash Capital. The term of the agreement shall continue until six months after completion 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.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1778
 Re: Care and Embellishment of Street
 Malls

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

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2021-22 and the assessment of the associated costs of \$36,115 among the benefitted properties.

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

The malls and associated budgets are summarized below:

Street Mall	Budget 2021-2022	LIO 1765 2020-21	Variance	Reason for Variance
Arnold Park	\$2,865	\$3,960	-\$1,095	Variance due to a reduction in costs associated with the maintenance of the street mall
Hazelwood Terrace	\$600	\$600	0	Budgeted amounts are the same
Hillside Avenue	\$6,000	\$6,000	0	Budgeted amounts are the same
Huntington Park	\$4,000	\$4,000	0	Budgeted amounts are the same
Lafayette Park	\$3,200	\$3,200	0	Budgeted amounts are the same
Nunda Boulevard	\$7,830	\$5,635	\$2,195	The cost for spring & fall cleanup is evenly split and mowing is 13 cuts @ \$185/cut
Oxford Street	\$9,326	\$8,437	\$889	Budgeted amounts are the same. Using funds from prior year. <i>Note: performs own mowing, trimming, tree care, leaf pickup</i>
Sibley Place	\$2,294	\$2,325	-\$31	Budgeted amounts are the same; used surplus last year

The Department of Environmental Services Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted (see Nunda and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care & Embellishment Fund.

A public hearing on these assessments is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1778
(Int. No. 128)

Local Improvement Ordinance – care and embellishment of street malls for 2021-22

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

Section 1. It is hereby determined that for the fiscal year 2021-22 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Street Mall	Budget
	2021-22
Arnold Park	\$ 2,865
Hazelwood Terrace	600
Hillside Avenue	6,000
Huntington Park	4,000
Lafayette Park	3,200
Nunda Boulevard	7,830
Oxford Street	9,326
Sibley Place	2,294
Total	\$36,115

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

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2021.

Section 4. The total cost of such improvements and work, estimated at \$36,115, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect July 1, 2021.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-111
Re: Professional Services Agreement –
Waste Management of New York,
L.L.C.

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing a professional services agreement with Waste Management of New York, L.L.C. (WM of NY) for non-hazardous special solid waste disposal services.

Non-hazardous special solid waste streams to be managed under this agreement include wastes such as petroleum contaminated soil, cinders, ash, foundry sands, railroad ties, and soil mixed with such wastes that are routinely generated at City of Rochester construction and environmental cleanup projects. Disposal of these special wastes are not included under the terms and conditions of the City's agreement with Monroe County for management and disposal of solid waste. The agreement with WM of NY previously approved in 2017 by Council Ordinance 2017-139 to provide these special waste disposal services is expiring. The City has worked with WM of NY for these services since 2012 (Council Ordinance No. 2012-464)

The need for non-hazardous special solid waste disposal services will be determined by the Department of Environmental Services, Division of Environmental Quality. The costs of such disposal services will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects.

Under the proposed agreement, WM of NY will provide non-hazardous special solid waste disposal for City-generated wastes. Wastes to be managed under this agreement must be acceptable into the WM of NY Mill Seat Landfill located within Monroe County. For each individual waste stream, the City will submit a completed WM of NY Generator's Non-Hazardous Waste Profile Sheet and submit it to WM of NY for review. The profile will include analytical testing data for the particular waste stream requiring disposal. If the waste stream is acceptable, WM of NY will provide a waste approval to the City, including a unit rate price specific to the approved waste stream, a maximum quantity of waste approved, waste scheduling information and profile expiration date. The wastes covered under this agreement will be exclusive of those that are explicitly covered by the multi-year agreement for solid waste management between the City and Monroe County.

WM of NY was selected to provide disposal services because it operates the only permitted solid waste disposal facilities in Monroe County that can accept non-hazardous special solid waste.

A justification statement for the award of this agreement without a request for proposal has been provided.

The term of the proposed agreement with WM of NY will be two (2) years with two (2) additional optional one-year extensions based on written mutual consent.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-56

Ordinance No. 2021-111
(Int. No. 129)

Authorizing an agreement for non-hazardous special solid waste disposal services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Waste Management of New York, L.L.C. for the disposal of non-hazardous special solid waste at the Mill Seat Landfill. The term of the agreement shall be two years with two one-year renewal options upon mutual agreement.

Section 2. The agreement shall obligate the City to pay unit rates specific to each type of approved waste stream. The costs of the agreement shall be funded from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction, or redevelopment projects that generate waste.

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. 2021-112
Ordinance No. 2021-113
Re: Agreement – Bergmann Associates,
Architects, Engineers, Landscape
Architects & Surveyors, D.P.C.
Engineering Design and Construction
Administration Services, Milling &
Resurfacing Project Chestnut Street

(East Broad Street to East Main Street),
 East Avenue (East Main Street to Alexander Street),
 North Goodman Street
 (Peck Street to Bay Street and Clifford Avenue to City Line)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
 Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Milling and Resurfacing Project, which includes segments of Chestnut Street, East Avenue and North Goodman Street as described above. The legislation will:

1. Authorize the issuance of bonds totaling \$300,000 and the appropriation of the proceeds thereof to finance a portion of the design of the project; and,
2. Establish \$355,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C (Pietro V. Giovenco, C.E.O, 280 East Broad Street, Rochester, New York) for engineering design and construction administration services related to the project. The agreement will be funded per the chart below.

The project includes milling and resurfacing of the pavement, spot curb replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings and replacement of lead/galvanized water services. The addition of on-street bicycle facilities will be evaluated during preliminary design. These improvements will enhance the surface drainage and riding quality of the roadway, improve ADA accessibility, and expand the useful life of the pavement structure.

The cost of the project will be financed as follows:

Source of Funds	Design	Estimated Construction and RPR	Total
Bonds to be authorized herein	300,000	0	\$300,000
2019-20 Cash Capital	55,000	0	\$55,000
2021-22 Cash Capital	0	6,000	\$6,000
Bonds to be authorized in future legislation	0	3,038,000	\$3,038,000
Pure Waters Reimbursement to be appropriated	0	385,000	\$385,000
Total:	\$355,000	\$3,429,000	\$3,784,000

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C was selected to provide the engineering design and construction administration services through a request for proposal process, which is described in the attached summary.

Design services are anticipated to begin in April 2021. Construction is anticipated to begin in spring 2022. The design phase of the project will result in the creation and/or retention of the equivalent of 3.9 full-time jobs.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-57

Ordinance No. 2021-112
(Int. No. 130)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$300,000 Bonds of said City to finance the Milling & Resurfacing Project on Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line)

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 cost of a Milling & Resurfacing Project that consists of pavement milling and resurfacing, spot curb replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings and replacement of lead or galvanized water services along Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line) (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 \$3,784,000. The plan of financing includes the issuance of \$300,000 bonds of the City, which amount is hereby appropriated for the Project, \$55,000 from 2019-20 Cash Capital, \$6,000 from future General Cash Capital allocated to Milling & Resurfacing for future fiscal years in the 2020-21 to 2024-25 Capital Improvement Program ("CIP"), \$3,038,000 from future bonds to be authorized pursuant to General Debt allocated to Milling & Resurfacing for future fiscal years in the CIP, \$385,000 in Monroe County Pure Waters in reimbursements for sewer work associated with street improvement projects anticipated to be appropriated from Monroe County Traffic funds allocated to Milling & Resurfacing for future fiscal years in the CIP, 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 \$300,000 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 \$300,000. 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.

Ordinance No. 2021-113
(Int. No. 131)

Authorizing an agreement for the Milling & Resurfacing Project on Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line)

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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for engineering design and construction administration services related to the Milling & Resurfacing Project for Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line) (the Project). The maximum compensation shall be \$355,000, which shall be funded in the amounts of \$300,000 from the proceeds of bonds appropriated for the Project in a concurrent ordinance and \$55,000 in 2019-20 Cash Capital. The term of the agreement shall extend 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.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-114

Re: Material & Environmental Testing
and Geotechnical Services Professional
Term Service Agreements

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 agreements with the following companies for the provision of various services related to the collection, testing and analysis of various construction materials, and geotechnical services such as exploratory drilling. This legislation will authorize six (6) separate Professional Term Service Agreements with the following companies:

1. CME Associates Inc. (Elizabeth Casatelli, President, 491 Elmgrove Road, Suite 600, Rochester, NY)
2. Terracon Consultants - NY, Inc. (Gayle Packer, C.E.O., 1 East Avenue, Rochester, NY)
3. Atlantic Testing Laboratories, Limited (Marijean B. Remington, C.E.O, 3495 Winton Place, Building B, Suite 4A, Rochester, NY)
4. LaBella Associates, D.P.C. (Steven Metzger, C.E.O., 300 State Street, Rochester, NY)
5. Paradigm Environmental Services, Inc. (James A. Magee, C.E.O., 179 Lake Avenue, Rochester, NY)

6. Lozier Environmental Consulting, Inc. (Amy Pusateri, C.F.O., 2011 E. Main Street, Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreement.

The companies listed above were selected through a request for qualifications (RFQ) process described in the attached summary. Engagement of each company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

Attachment No. AU-58

Ordinance No. 2021-114
(Int. No. 132)

Authorizing agreements for material and environmental testing and exploratory drilling services

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

Section 1. The Mayor is hereby authorized to enter into professional service agreements with the following companies for the collection, testing, and analysis of various construction materials and geotechnical services such as exploratory drilling as required by the City:

Company	Address
CME Associates Inc.	Rochester, NY 14606
Terracon Consultants – NY, Inc.	Rochester, NY 14604
Atlantic Testing Laboratories, Limited	Rochester, NY 14623
LaBella Associates, D.P.C.	Rochester, NY 14614
Paradigm Environmental Services, Inc.	Rochester, NY 14608
Lozier Environmental Consulting, Inc.	Rochester, NY 14609

Section 2. Each agreement shall have a term of three years with the option to renew for one additional two-year period. Each agreement shall provide for services to be completed on an as needed basis and shall establish pre-specified billing rates. The costs of said agreements shall be funded from the annual budgets of the Department of Environmental Services or from capital funds appropriated for specific projects.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-115

Ordinance No. 2021-116

Ordinance No. 2021-117

Re: Priority Bicycle Boulevard
Implementation Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Priority Bicycle Boulevard Implementation Project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,792,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
2. Establish \$400,000 as maximum compensation for a professional services agreement with Greenman-Pedersen, Inc. (Thomas Wolanski, Vice President, 400 Andrews Street, Rochester, NY) for Resident Project Representation (RPR) services for the project; and,
3. Authorize changes in the direction of traffic flow on the following streets: Wilkins Street (Remington Street to Joseph Avenue) from one-way eastbound to two-way and Bernard Street (Carter Street to Portland Avenue) from one-way westbound to two-way.

The project includes the installation of approximately twenty centerline miles of neighborhood Bicycle Boulevard routes throughout the City. This investment will enable the City to accelerate implementation of the Bicycle Boulevard Master Plan. Bicycle Boulevards are local, residential streets that are optimized for bicycle travel through the use of pavement markings, directional signage, and traffic calming features.

The project also includes the rehabilitation of Pierpont Street (Driving Park Avenue to Lexington Avenue), including milling and resurfacing of the pavement, new curb, sidewalk, driveway aprons, curb ramps, pavement markings, signage, and adjustment and repair of manholes, catch basins and water valve castings. Additional enhancements include a counterflow bicycle lane from Mason Street to Driving Park Avenue to accommodate two way bicycle traffic on this priority Bicycle Boulevard route.

Pavement milling and resurfacing will occur on Averill Avenue (Mount Hope Avenue to South Avenue and South Clinton Avenue to Broadway), Aberdeen Street (Post Avenue to Woodbine Avenue) and Tryon Park (Winton Road to NY-590 bridge), including spot curb and hazardous sidewalk replacement, curb ramp upgrades, pavement markings, signage and adjustment and repair of manholes, catch basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility for all users, and expand the useful life of the pavement structure.

The project was designed by T.Y. Lin International Engineering & Architecture, P.C. as authorized by Ordinance No. 2019-339 and amended by Ordinance No. 2020-366.

Greenman-Pederson, Inc. was selected for RPR services through a Request for Proposal process, which is described in the attached summary.

Bids for construction were received on March 2, 2021. The low bid of \$2,157,143.25 was submitted by Ramsey Constructors, Inc (Christopher Ramsey, President, 5711 Gateway Park, Lakeville NY).

The project will be funded as follows:

Source of Funds	Design	Construction	RPR	Contingency	Total
Bonds Authorized herein	0	1,310,066.15	392,912.57	89,021.28	\$1,792,000
NYSDEC funds Appropriated Ordinance No. 2017-334	22,000	128,000	0	0	\$150,000
NYSDEC funds Appropriated Ordinance No. 2019-339	37,000	213,000	0	0	\$250,000
2014-15 Cash Capital	75,000	0	0	0	\$75,000
2017-18 Cash Capital	23,000	0	0	0	\$23,000
2018-19 Cash Capital	0	128,000	0	0	\$128,000
2019-20 Cash Capital	120,075	5,927.14	0	3,807.57	\$129,809.71
2020-21 Cash Capital	2,925	250,400	7,087.43	0	\$260,412.43
Pure Waters Reimbursement authorized Ordinance No. 2021-85	0	0	0	12,175	\$12,175
Pure Waters Reimbursement authorized Ordinance No. 2019-190	0	76,749.96	0	0	\$76,749.96
Pure Waters Reimbursement authorized Ordinance No. 2020-108	0	12,000	0	0	\$12,000
Pure Waters Reimbursement authorized Ordinance No. 2020-360	0	33,000	0	0	\$33,000
Total	\$280,000.00	\$2,157,143.25	\$400,000.00	\$105,003.85	\$2,942,147.10

Construction is anticipated to begin in spring 2021 with substantial completion in fall 2021.

Construction will result in the creation and/or retention of the equivalent of 28.9 full-time jobs.

A public meeting was held on November 18, 2020. A copy of the meeting minutes is attached. The changes in the direction of traffic flow were endorsed by the Traffic Control Board at the January 20, 2021 meeting.

The agreement shall have a term of three (3) months after completion of the two-year guarantee inspection of the project.

A public hearing on the change in the direction of traffic flow is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-59

Ordinance No. 2021-115
(Int. No. 133)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,792,000 Bonds of said City to finance the Priority Bicycle Boulevard Implementation 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 cost of installing neighborhood bicycle boulevard routes optimized for bicycle travel through the use of pavement markings, directional signage and traffic calming features and, in some locations, milling and resurfacing of pavement, installing new lanes, curbs, sidewalks, driveway aprons, curb ramps, and adjusting and repairing manholes, catch basins and water valve castings along the street segments noted on the attached Project Street List annexed hereto as Exhibit A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,942,147. The plan of financing includes the issuance of \$1,792,000 bonds of the City, which amount is hereby appropriated for the Project, \$150,000 in New York State Department of Environmental Conservation ("NYSDEC") funds appropriated in Ordinance No. 2017-334, \$250,000 in NYSDEC funds appropriated in Ordinance No. 2019-339, \$75,000 from 2014-15 Cash Capital, \$23,000 from 2017-18 Cash Capital, \$128,000 from 2018-19 Cash Capital, \$129,810 from 2019-20 Cash Capital, \$260,412 from 2020-21 Cash Capital, \$12,175 in Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects ("MCPW Reimbursements") appropriated in Ordinance No 2021-85, \$76,750 in MCPW Reimbursements appropriated in Ordinance No. 2019-190, \$12,000 in MCPW Reimbursements appropriated in Ordinance No. 2020-108, \$33,000 in MCPW Reimbursements appropriated in Ordinance No. 2020-360, 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 \$1,792,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this

Ordinance, in the amount of \$1,792,000. 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.

Exhibit A

Project Street List

Bicycle Blvd Route	Street Name	From	To
7a, 7b, & 7c	Glenwood Avenue	Clarkson St	Fulton Ave
	Fulton Avenue	Glenwood Ave	Bloss St
	Bloss Street	Fulton Ave	Plymouth Ave
	Plymouth Avenue	Bloss St	Smith St
	Smith Street	Plymouth Ave	Oak St
	Ambrose Street	Plymouth Ave	Cliff St
	Jones Avenue	Plymouth Ave	Lake Ave
8b	Murray Street	120 ft north of Breyer St	Masseth St
	Masseth Street	Murray St	Colvin St
	Colvin Street	Masseth St	Campbell St
10a & 10b	Frost Avenue	Rugby Ave	Woodbine Ave
	Woodbine Avenue	Frost Avenue	Aberdeen St
	Aberdeen Street North	Woodbine Ave	Post Ave
	Aberdeen Street South	Woodbine Ave	Post Ave
	Post Avenue	Aberdeen St North	Ravenwood Ave
	Ravenwood Avenue	Post Avenue	Westfield St
14 & 15c	Averill Avenue	Mt Hope Ave	Pearl St
	Pearl Street	Averill Ave	Meigs St
	Meigs Street	Pearl St	Harvard St
16c & 16d	Harvard Street	Meigs St	Edgerton St
17b & 17c	Dartmouth Street	Monroe Ave	Park Ave
	Park Avenue	Dartmouth St	Vick Park B
	Vick Park B	Park Ave	East Ave
	Portsmouth Terrace	East Ave	University Ave
	University Avenue	Portsmouth Terrace	Elton St
	Elton Street	University Ave	Atlantic Ave
	Crouch Street	Atlantic Ave	Leighton Ave
	Leighton Avenue	Crouch St	Herkimer St
	Herkimer Street	Leighton Ave	E. Main St
	Quincy Street	E. Main St	Garson Ave
	Denver Street	Garson Ave	Parkside Ave
	Parkside Avenue	Denver St	Iroquois St
	Iroquois Street	Parkside Ave	Bay St
19b, 20a, & 21c	Garson Avenue	Culver Rd	Peck St
	Peck Street	Garson Ave	Public Market Gate
	Public Market	Peck St gate	1 st St
	1 st Street	Public Market	Hempel St
	Hempel Street	1 st St	6 th St
	6 th Street	Hempel St	Clifford Ave
	Ferncliffe Drive	Clifford Ave	Fernwood Ave

Bicycle Blvd Route	Street Name	From	To
6	Lakeview Park	Lake Ave	Archer St
	Pierpont Street	Lakeview Park	Lexington Ave
	Archer Street	Lakeview Park	Driving Park
	Driving Park	Archer St	Oriole St
	Oriole Street	Driving Park	Glendale Pk
	Glendale Park	Oriole St	Fulton Ave
	Mason Street	Pierpont St	Tacoma St
	Tacoma Street	Mason St	Glendale Pk
13b	Linden Street	Meigs St	Howard St
	Howard Street	Meigs St	Raymond St
	Raymond Street	Howard St	S. Clinton Ave
	Fountain Street	S. Clinton Ave	Sycamore St
	Sycamore Street	Fountain St	Field St
	Field Street	Sycamore St	Pinnacle Rd
	Pinnacle Road	Field St	Rosedale St
	Rosedale Street	Pinnacle Rd	Hinsdale St
	Hinsdale Street	Rosedale St	Culver Rd
15b	Meigs Street	Linden St	Harvard St
15d	Meigs Street	Harvard St	East Ave
	East Avenue	Meigs St	Prince St
	Prince Street	East Ave	Champeney Ter
	Champeney Terrace	Prince St	N. Union St
	N. Union Street	Champeney Ter	Trinidad St
19c	Garson Street	Culver Rd	Wisconsin St
	Wisconsin Street	Garson Street	Merchants Rd
	Wyand Crescent	Merchants Rd	Farmington Rd
	Farmington Road	Wyand Cres	Winton Rd
	Winton Road	Farmington Rd	Tryon Park
	Tryon Park	Winton Rd	NY-590 Overpass
	Loudissa Dr	Tryon Park	Dead end at parking lot
21b, 21e, & 22a	Fernwood Avenue	Ferncliffe Dr	Portland Ave
	Portland Avenue	Fernwood Ave	Bernard St
	Bernard Street	Portland Ave	Maria St
	Maria Street	Bernard St	Wilkins St
	Wilkins Street	Maria St	Remington St
	Remington Street	Wilkins St	Ave A
	Avenue A	Remington St	St Paul St

Passed unanimously.

Ordinance No. 2021-116
(Int. No. 134)

Authorizing an agreement for the Priority Bicycle Boulevard Implementation 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 Greenman-Pedersen, Inc. to provide resident project representation services for the Priority Bicycle Boulevard Implementation Project (the Project). The maximum compensation shall be \$400,000, which shall be funded in the amounts of \$392,912.57 from the proceeds of bonds appropriated for the Project in a concurrent ordinance and \$7,087.43 in 2020-21 Cash Capital. 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.

Ordinance No. 2021-117
(Int. No. 135)

Authorizing changes in traffic flow for the Priority Bicycle Boulevard Implementation Project

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Wilkins Street between Remington Street and Joseph Avenue from one-way eastbound to two-way.

Section 2. The Council hereby approves a change in the direction of the traffic flow on Bernard Street between Carter Street and Portland Avenue from one-way westbound to two-way.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-118
Re: Pedestrian Safety Action Plan –
Phase III

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

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

1. Appropriate \$2,530,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance the construction and Resident Project Representation (RPR) services for the project; and,
2. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This project entails installation of pedestrian safety treatments at about 90 signalized intersections and 80 midblock crosswalks throughout the city. Treatments include, but are not limited to, upgraded pavement markings, improved signage, traffic signal modifications, curb extensions, raised crosswalks, and pedestrian-activated rectangular rapid flashing beacons.

The project is being designed by C & S Engineers, Inc. (John Trimble, P.E., CEO, 150 State Street, Suite 120, Rochester, NY), as authorized in February 2020 (Ordinance No. 2020-12).

Bids for construction are anticipated to be received in spring 2021.

Construction is anticipated to begin in summer 2021 with substantial completion by the end of 2021. The construction of the project will result in the creation and/or retention of the equivalent of 27.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-60

Ordinance No. 2021-118
(Int. No. 136)

Authorizing an appropriation for the Pedestrian Safety Action Plan – Phase III

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

Section 1. The Council hereby appropriates \$2,530,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the construction and resident project representation services for the Pedestrian Safety Action Plan – Phase III (the Project).

Section 2. The Mayor is hereby authorized to enter into all necessary agreements, certifications or reimbursement requests for FHWA funding with the New York State Department of Transportation in connection with the advancement of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1779
 Re: Local Improvement Ordinance –Street
 Lighting Enhancement Special Assessment
 Districts

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

Transmitted herewith for your approval is legislation establishing the 2021-22 budgets for Street Lighting Enhancement Special Assessment Districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2021-22	2020-21	Variance	Capital/Operating	Type
1374/ 1724	Wilson Boulevard	\$493.76	\$555.63	(\$61.87)	Operating	Street lighting
1413/ 1672	Monroe I	\$1,154.37	\$1,213.41	(\$59.04)	Operating	Street lighting
1412/ 1671	Monroe II	\$560.71	\$620.14	(\$59.43)	Operating	Street lighting
1429/ 1727	Cascade Historic	\$1,516.14	\$1,557.38	(\$41.24)	Operating	Street lighting
1422/ 1753	Norton Street URD	\$1,258.96	\$1,363.84	(\$104.88)	Operating	Street lighting
1472/ 1697	Lake Avenue	\$3,658.96	\$4,022.56	(\$363.60)	Operating	Street lighting
1552/ 1696	St. Paul Street	\$468.29	\$521.99	(\$53.70)	Operating	Street lighting
1658/ NA	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$-0-	Capital	Street lighting
1677/ NA	Cobbs Hill/Nunda Neighborhood	\$8,449.38	\$8,449.38	\$-0-	Capital	Street lighting

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

A public hearing on the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-61

Local Improvement Ordinance No. 1779
(Int. No. 137)

Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts for 2021-22

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LIOs) for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2021-22 fiscal year:

District	2021-22 Budget	LIO No.	Renewed LIO No.
Wilson Boulevard	\$ 493.76	1374	1724
Monroe I	\$1,154.37	1413	*1672
Monroe II	\$ 560.71	1412	1671
Cascade Historic	\$1,516.14	1429	1727
Norton Street URD	\$1,258.96	1422	1753
Lake Avenue	\$3,658.96	1472	1697
St. Paul Street	\$ 468.29	1552	1696
Browncroft Neighborhood	\$9,508.99	*1658	NA
Cobbs Hill/Nunda Neighborhood	\$8,449.38	1677	NA

* As amended by LIO No. 1752.

** As amended by Ordinance No. 2015-75 and LIO No. 1712.

Section 2. This ordinance shall take effect on July 1, 2021.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-119

Ordinance No. 2021-120

Ordinance No. 2021-121

Resolution No. 2021-14

Re: Waring Road Improvement Project
(Culver Road to Norton Street)

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

1. Appropriate \$4,964,585 in anticipated reimbursements from New York State Department of Transportation (NYSDOT) to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Authorize the issuance of bonds totaling \$1,385,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
3. Authorize the issuance of water bonds totaling \$1,578,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project; and,
4. Establish \$1,300,000 as maximum compensation for a professional services agreement with Ravi Engineering and Land Surveying, P.C. (Nagappa Ravindra, C.E.O, Rochester, New York) for RPR services. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
5. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

Street improvements include pavement reconstruction, pavement width changes, realignment of intersecting streets, new curb and bump-outs at Northland Avenue and Culver Road, curb ramps, sidewalks, driveway aprons, new water main, water services, hydrants, catch basins, manhole adjustments/replacements, stormwater bioretention features, traffic signal upgrades, telecommunication conduit, pavement markings, designated bicycle lanes, signage and tree plantings.

The project was designed by CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. as authorized by Ordinance No. 2011-282, Ordinance No. 2019-313 and as amended by Ordinance No. 2020-263 and Ordinance No. 2020-361.

Ravi Engineering and Land Surveying, P.C. was selected for RPR Services through a Request for Proposal process, which is described in the attached summary.

Bids for construction were received on February 16, 2021. The apparent low bid of \$6,874,906.15 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, C.E.O., Lakeville, New York).

The project will be funded as follows:

Source of Funds	Design & ROW	Construction	Street Lighting	RPR	Contingency	Total
Federal Aid appropriated Ordinance No. 2010-258	393,000	0	0	0	0	\$393,000
Marchiselli Aid appropriated Ordinance No. 2011-282	73,650	0	0	0	0	\$73,650
New York State Funds appropriated Ordinance No. 2019-313	125,415	0	0	0	0	\$125,415
New York State Funds appropriated herein	0	4,175,100.65	0	789,484.35	0	\$4,964,585
Bonds authorized herein	0	1,038,455.24	27,106.10	256,819.21	62,619.45	\$1,385,000
Water Bonds authorized herein	0	1,262,342.11	0	238,700.68	76,957.21	\$1,578,000
Pure Waters Reimbursement appropriated March 2021 Council	0	319,704.73	0	0	15,466.92	\$335,171.65
Prior Years Cash Capital	9,883	0	0	0	0	\$9,883
Prior Years Cash Capital	164,664.29	0	0	0	0	\$164,664.29
2014-15 Cash Capital	24,901	0	0	0	0	\$24,901
2016-17 Cash Capital	116,301	0	0	0	0	\$116,301
2019-20 Cash Capital	0	79,303.42	0	14,995.76	0	\$94,299.18
Total	\$907,814.29	\$6,874,906.15	\$27,106.10	\$1,300,000	\$155,043.58	\$9,264,870.12

Construction is anticipated to begin in spring 2021 with substantial completion in fall 2022. The construction of the project will result in the creation and/or retention of the equivalent of 90.8 full-time jobs.

The agreement shall have a term of six (6) months after final completion of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AU-62

Ordinance No. 2021-119
(Int. No. 138)

Authorizing funding and an agreement for the Waring Road Improvement Project

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

Section 1. The Council hereby appropriates \$4,964,585 in anticipated reimbursements from the New York State Department of Transportation (NYSDOT) to fund the construction and resident project representation (RPR) services for the Waring Road Improvement Project (the Project).

Section 2. The Mayor is hereby authorized to enter into all necessary agreements, certifications or reimbursement requests for funding with NYSDOT in connection with the advancement of the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Ravi Engineering and Land Surveying, P.C. to provide RPR services for the Project. The maximum compensation for the agreement shall be \$1,300,000, which shall be funded in the in the amounts of \$789,484.35 from NYSDOT funds appropriated in Section 1 hereof, \$256,819.21 from the proceeds of street bonds of the City appropriated in a concurrent ordinance, \$238,700.68 from the proceeds of water bonds of the City appropriated in a concurrent ordinance, and \$14,995.76 from 2019-20 Cash Capital. The term of the agreement shall continue until 6 months after final acceptance of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2021-120
(Int. No. 139)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,385,000 Bonds of said City to finance the costs of the Waring Road 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 of the Waring Road Improvement

Project from Culver Road to Norton Street, including pavement reconstruction, pavement width changes, realignment of intersecting streets, new curbs and bump-outs, curb ramps, sidewalks, driveway aprons, catch basins, manhole adjustments/replacements, stormwater bioretention features, traffic signal upgrades, telecommunication conduit, pavement markings, designated bicycle lanes, signage and tree plantings (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 \$7,686,870. The plan of financing includes the issuance of \$1,385,000 in bonds of the City, which amount is hereby appropriated therefor, \$393,000 in reimbursements from the Federal Highway Administration appropriated in Ordinance No. 2010-258, \$73,650 in Marchiselli Aid appropriated in Ordinance No. 2011-282, \$125,415 in New York State Department of Transportation ("NYSDOT") funds appropriated in Ordinance No. 2019-313 as amended by Ordinance No. 2020-263, \$4,964,585 in NYSDOT funds appropriated in a concurrent ordinance, \$335,172 from Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects appropriated in Ordinance No 2021-85, \$174,547 from Prior Years' Cash Capital, \$24,901 from 2014-15 Cash Capital, \$116,301 from 2016-17 Cash Capital, \$94,299 from 2019-20 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 \$1,385,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,385,000. 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 Section 11.00 a. 20 of the Law, is fifteen (15) years.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2021-121
(Int. No. 140)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,578,000 Bonds of said City to finance water main and water service improvements associated with the Waring Road 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 main and water service improvements related to the Waring Road Improvement Project extending from Culver Road to Norton Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,578,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,578,000 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 \$1,578,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,578,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed unanimously.

Resolution No. 2021-14
(Int. No. 141)

Resolution authorizing the implementation and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor relating to the Waring Road from Culver Road to Norton Street improvement project

WHEREAS, a Project for Waring Road from Culver Road to Norton Street, P.I.N. 4750.40 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of engineering planning, design, right-of-way incidentals, right-of-way acquisition, construction and construction inspection services.

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

THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of engineering planning, design, right-of-way incidentals, right-of-way acquisition, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$9,264,870.12 appropriated pursuant to Ordinance No. 2010-258 (\$393,000), Ordinance No. 2011-282 (\$238,314.29), Ordinance No. 2014-143 (\$1,500), Ordinance No. 2020-361 (\$275,000), Ordinance No. 2021-119 (\$4,964,585), Ordinance No. 2021-120 (\$1,814,470.83) and Ordinance No. 2021-121 (\$1,578,000) are made available to cover the cost of participation in the above described phases of the Project;

THAT, in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to consider appropriating said excess amount immediately upon the notification by the City Engineer thereof;

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

THAT a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1780
Re: Local Improvement Ordinance –
Streetscapes

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2021-22 and the assessment of the associated costs of \$40,815 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2020-21	2021-22	Variance	Type
1430/1729	Cascade Historic	\$8,000	\$8,000	0	Capital and Operating
1421/1766	Norton Street Urban Renewal District	\$2,815	\$2,815	0	Capital and Operating
1652/NA	Mt. Hope	\$30,000	\$30,000	0	Capital and Operating

A public hearing on the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1780
(Int. No. 142)

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements for 2021-22

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefitted properties in accordance with the applicable local improvement ordinances (LIO's) for the operation and maintenance of special assessment districts for streetscape enhancements during 2021-22:

Streetscape District	2021-22 Assessment	Original/Reenacted LIO
Cascade Historic District	\$ 8,000	1430/1729
Norton Street Urban Renewal District	\$ 2,815	1421/1766
Mt. Hope	\$30,000	1652/NA

Section 2. This ordinance shall take effect on July 1, 2021.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1781
Re: Local Improvement Ordinance –
Downtown Enhancement District,
2021-22 Budget

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2021-22 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, enters its 32nd year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

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

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

The maximum permissible assessment for 2021-22 based upon the 32nd year cumulative increase in the CPI (102.4%) is \$844,400. The recommended assessment is \$664,200, an increase of 3,700 (0.6%).

Category of Expense	2020-21	2021-22	Variance
Personnel Total	\$685,600	645,200	(\$40,400)
Salary and Wages	\$467,800	\$444,600	(\$23,200)
Employee Benefits	\$218,000	\$200,600	(\$17,400)
Operational Expenses	\$84,900	\$79,000	(\$5,900)
Materials and Supplies	\$66,400	\$60,300	(\$6,100)
Contractual Services	\$18,500	\$18,700	(\$200)
Less: Operating Revenues	-\$55,000	-\$55,000	(\$0)

Less: Delinquent Tax Collected	\$0	-\$5,000	(\$5,000)
Net Expenses	\$715,500	\$664,200	(\$51,300)
Less: Use of Fund Balance	-\$55,000	\$0	(\$55,000)
Required Assessment	\$660,500	\$664,200	(\$3,700)

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 19, 2021 by a unanimous vote of 5 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1781
 (Int. No. 143)

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

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

Section 1. The cost of the special work and services for the 2021-22 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, 1715, 1730, 1744 and 1756 is established at \$664,200, except that Zone 2 shall continue to include those properties which have been within the District as a result of their previously having enclosed walkway access to Main Street. Said amount, or so much thereof as may be necessary, is hereby appropriated to fund the Downtown Enhancement District for the 2021-22 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2021.

Passed unanimously.

By Vice President Lightfoot
April 13, 2021

To the Council:

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

- | | |
|--------------|---|
| Int. No. 144 | Authorizing an agreement for emergency telephone notification system services |
| Int. No. 145 | Amending the 2020-21 Budget and appropriating federal forfeiture funds for evidence storage |
| Int. No. 146 | Authorizing an amendatory agreement for Conflict Counsel services |
| Int. No. 147 | Authorizing a license agreement for ATTAIN Lab at the Jackson R-Center |
| Int. No. 148 | Resolution adopting the Rochester Children's Outdoor Bill of Rights |

Respectfully submitted,
Willie Lightfoot
Mitch Gruber
Lashay D. Harris (*Abstained Int. No. 147*)
Jose Peo
Loretta C. Scott
PUBLIC SAFETY, RECREATION & HUMAN SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-122
Re: Agreement - Sam Asher
Computing Services, Inc. d/b/a Asher
Group, Emergency Telephone Notification
System Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$31,900 as maximum annual compensation for an agreement with Sam Asher Computing Services, Inc. d/b/a Asher Group for emergency telephone notification system services. The cost of this agreement will be funded from the 2020-2021 Budget of the Emergency Communications Department (ECD), and the term will

be for one year, with the option of three, one-year renewals. Subsequent costs will be funded from the annual budgets of ECD, contingent upon approval of said budgets.

The emergency telephone notification system service enables ECD to assist law enforcement, fire, and emergency medical service agencies by quickly providing warnings and emergency instructions via telephone to large groups of people in the immediate area of a critical incident. The system will make up to three attempts to reach each telephone number within the selected group, and will leave messages on answering machines. Calling campaigns will include both listed and unlisted telephone numbers, and both residential and business telephone numbers.

The cost of this agreement will be reimbursed by Monroe County under the 9-1-1 Operating Agreement.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-63

Ordinance No. 2021-122
(Int. No. 144)

Authorizing an agreement for emergency telephone notification system services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Sam Asher Computing Services, Inc. to provide emergency telephone notification system services to the Emergency Communications Department (ECD). The term of the agreement shall be one year, with the option for up to three extensions of one year each. The maximum annual compensation for the agreement shall be \$31,900, which shall be funded from the 2020-21 Budget of ECD for the first year and from a subsequent Budget of ECD for any subsequent year, contingent upon the approval of the subsequent budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-123
Re: Appropriation of Forfeiture Funds –
Storage for Evidence

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$5,000 from federal forfeited funds generated by the Police Department, and amending the 2020-21 Budget of the Police Department to reflect this amount.

These funds will be used to continue to rent three storage containers to store evidence. In November 2019 RPD collected a large seizure of evidence that could not be stored in the Property Clerk Office due to limited space. These containers will be used to continue to store that evidence in temporary storage.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-123
(Int. No. 145)

Amending the 2020-21 Budget and appropriating federal forfeiture funds for evidence storage

BE IT ORDAINED, by the Rochester Urban Renewal Agency as follows:

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$5,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to fund the rental of three evidence storage containers.

Section 2. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Meléndez, Patterson,
Peo -8.

Nays – Councilmember Lupien – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-124
Re: Amendatory Agreement – Law Offices
of Pullano & Farrow PLLC, Conflict
Counsel

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Law Offices of Pullano & Farrow PLLC, (Managing Partner: Brett Farrow) located at 69 Cascade Drive, Rochester, 14614 to extend the agreement for one year, with the option to renew for one additional year. The maximum compensation shall be \$82,500 which shall be funded from the unspent portion of the funds that were authorized in Ordinance No. 2018-142, and future budgets contingent upon approval.

The Law Offices of Pullano & Farrow PLLC represent the Rochester Police Department in employee disciplinary hearings conducted pursuant to New York Civil Service Law Section 75 and the City's collective bargaining agreement with the police union, where the Chief of Police has sustained allegations of misconduct against a police officer or other Rochester Police Department employee, and where the City Law Department has a conflict of interest.

Pullano & Farrow was selected through a request for proposal process in 2018 and was approved by City Council in Ordinance No. 2018-142.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-124
(Int. No. 146)

Authorizing an amendatory agreement for Conflict Counsel services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Law Offices of Pullano & Farrow PLLC to provide legal services as Conflict Counsel for Rochester Police Department disciplinary hearings. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2018-142 to extend the term of the agreement by one year, with the option to renew for one additional year, and to establish \$82,500 as maximum annual compensation. The first year shall be funded by unspent funds authorized in Ordinance No. 2018-142. The compensation for the renewal period, if exercised, shall be funded by future Budgets of the Police Department, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-125
Re: Agreement - The State University of
New York and Rochester Educational
Opportunity Center Utilization of Jackson
R-Center ATTAIN Lab

Council Priority: Support the Creation
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the State University of New York and Rochester Educational Opportunity Center for the operation of an Advanced Technology Training and Information Networking (ATTAIN) Lab at the Pamela and Trenton Jackson R-Center at 485 N Clinton Ave, Rochester, NY 14605. The term of this agreement will be for the remainder of the 2021 calendar year with the option to renew for three, one-year periods. There are no funds associated with this agreement.

Advanced Technology Training and Information Networking (ATTAIN), is a network of technology laboratories located across New York States' most economically challenged urban and rural communities. Using state-of-the-art technology, ATTAIN labs offer occupational, academic, and self-development courses free of charge.

The ATTAIN Lab will be an asset to the Pamela and Trenton Jackson R-Center by helping residents enhance their employability and academic skills. The lab will provide adults in the community access to personalized pre-employment and job readiness training, high quality vocational, customer service and life management software, and ESL, and computer literacy sessions. R-Center and ATTAIN staff will work cohesively to promote the lab as it pertains to recruitment, program engagement and outcomes. Through the ATTAIN Lab residents will be able to learn how to navigate and best utilize modern technology as they work toward achieving academic, employment, and self-development goals.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-125
(Int. No. 147)

Authorizing a license agreement for ATTAIN Lab at the Jackson R-Center

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

WHEREAS, the City of Rochester has received a proposal from the State University of New York's Rochester Educational Opportunity Center (REOC) to operate an Advanced Technology Training and Information Networking (ATTAIN) Lab at the Pamela and Trenton Jackson R-Center at 485 North Clinton Avenue by means of a use license that would continue to December 31, 2021 with the option to extend for up to 3 additional periods of one year each (License Proposal);

WHEREAS, the ATTAIN Lab will be part of a network of technology laboratories located in New York State's most economically challenged urban and rural communities that use state-of-the-art technology to offer occupational, academic and self-development courses to the community free of charge; and

WHEREAS, the term of the use provided for in the License Proposal is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the use.

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with REOC for the use of a portion of the premises in the Pamela and Trenton Jackson R-Center to operate an ATTAIN Lab without payment of a license fee. The term of the license agreement shall continue to December 31, 2021 with the option to extend for up to 3 additional periods of one year each.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Meléndez, Patterson, Peo -8.

Nays – None -0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2021-15

Re: The Children's Outdoor Bill of Rights

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 a resolution adopting the Children's Outdoor Bill of Rights as an extension of the City's commitment to providing equitable access to city parks & natural spaces for all residents.

Increasingly sedentary lifestyles and lack of access to nature experiences have created pressing child development issues including higher rates of emotional and physical health issues. Scientific research demonstrates that time spent playing and learning in nature enhances children's physical and mental health, promotes their short and long-term cognitive ability, augments their social emotional skills, and improves their academic outcomes.

In 2017, Mayor Warren signed onto the Trust for Public Land's 10 Minute Walk to Parks pledge and made investments in park infrastructure and programming to help address barriers to nature access in the City's lowest income neighborhoods. In 2018, the City was selected as one of only 18 cities nationwide to join the National League of Cities - Cities Connecting Children to Nature initiative (CCCN). Over the past three years Rochester's CCCN work has focused on increasing out of school time environmental programming, pursuing the creation of the first urban nature center in the City of Rochester, and developing a Children's Outdoor Bill of Rights to guide policy, investments and programming into the future. In adopting a Children's Outdoor Bill of Rights, Rochester is joining cities from across the county including Austin, San Francisco, Salt Lake City and Baltimore in embracing the importance that nature access plays in the health and well-being of its youngest residents.

In 2019, the Rochester 2034 Comprehensive Plan was adopted by City Council. The Comprehensive Plan includes several key takeaways that highlight the importance of equitable nature access.

The proposed Children's Outdoor Bill of Rights was developed through collaborative efforts by the Mayor's Youth Advisory Council, Youth Voice One Vision (YVOV) and with support from the Cities Connecting Children to Nature initiative. The proposed bill defines a list of outdoor activities that all children should have the right to experience, and serves as a tool to help guide priorities and decision making regarding City programming and initiatives that address access to nature and nature programming.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-64

Resolution adopting the Rochester Children’s Outdoor Bill of Rights

WHEREAS, increasingly sedentary lifestyles and lack of access to nature experiences have created pressing child development issues, including higher rates of emotional and physical health challenges;

WHEREAS, time spent playing and learning outside promotes curiosity and short- and long-term cognitive development; increases engagement and enthusiasm for learning; improves physical and mental health, social emotional skills, and academic outcomes; helps build lifelong healthy habits; and inspires environmental stewardship;

WHEREAS, addressing current environmental issues requires an active population, and the single biggest factor affecting an individual’s attitude toward conservation is their experiences in nature as a child;

WHEREAS, the City of Rochester is committed to providing equitable access to city parks and natural spaces for children and people of all ages;

WHEREAS, Rochester’s river gorge, waterfronts and waterfalls, park system, and historic neighborhoods make it a uniquely beautiful city that all residents should have access to, no matter where they live in the city;

WHEREAS, in 2017, Mayor Warren signed onto the Trust for Public Land’s 10 Minute Walk to Parks pledge and made investments in park infrastructure and programming to help address barriers to nature access in the city’s lowest income neighborhoods;

WHEREAS, in 2018, Rochester was selected to participate in the National League of Cities’ Cities Connecting Children to Nature initiative to create and support opportunities that encourage children to engage with and experience the outdoors; and

WHEREAS, in collaboration with Youth Voice One Vision, the Mayor’s Youth Advisory Council, and the Seneca Park Zoo Society’s Urban Ecologists program, and with input from hundreds of community stakeholders, the City has developed a Rochester Children’s Outdoor Bill of Rights to raise awareness of the value of outdoor experiences for children in order to facilitate lifelong connections with nature.

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

Section 1. The Mayor and City Council are committed to ensuring all children in Rochester have access to nature and experience the benefits of spending time outside.

Section 2. The City Council hereby adopts the Rochester Children’s Outdoor Bill of Rights, which establishes that every child in Rochester shall have the opportunity to:

- Learn to Take Care of Our Planet
- Learn to Swim
- Play in Clean Rivers and Lakes
- Grow and Harvest Food to Eat

Explore Nature in Neighborhoods

Listen to the Sounds of Nature

Observe a Starry Sky

Go Camping

Follow a Hiking Trail

Play in the Snow

Learn to Ride a Bike

Discover Wildlife

Section 3. The Rochester Children's Outdoor Bill of Rights shall serve as a tool to guide policy, investments, and decision making regarding City efforts that address access to nature and nature programming.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 8:06 p.m.

HAZEL L. WASHINGTON
City Clerk