

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 14, 2021

Due to the current high transmission rate of the Delta variant of the Covid-19 coronavirus in Monroe County under CDC guidelines and in accordance with the new State law enacted on September 2 (Chapter 417), the meeting was conducted remotely 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:

Norman Jones
Joseph Ladelfa
Thomas Ritz
John Wise III

ECD:

Zena Grigley

DRHS:

Douglas Hazard

MAYOR

Tracey Miller

NBD

Lana Dawley-Mediak

RPL

Alla Levi

RPD:

Karen Frederico
Laura Beth Grande

APPROVAL OF THE MINUTES

By Councilmember Evans

RESOLVED, that the minutes of the Regular Meeting on November 9, 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 Council submits Disclosure of Interest Forms from **Councilmember Gruber** on Int. No. 443 and Int. No. 452, **Councilmember Harris** on Int. No. 430 and Int. No. 448 and **Councilmember Lupien** on Int. No. 460

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.
PUBLIC HEARINGS.

NO PUBLIC HEARINGS

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
December 14, 2021

To the Council:

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

- | | |
|--------------|---|
| Int. No. 420 | Appropriating Firefighters' Insurance Funds |
| Int. No. 421 | Authorizing an agreement for the provision of lease accounting software |
| Int. No. 422 | Amending the 2021-22 Budget to fund MWBE staff and public works contractor hiring incentives |
| Int. No. 423 | Appropriating American Rescue Plan Act funds to the Parking Fund |
| Int. No. 424 | Authorizing an agreement and amending the 2021-22 Budget relating to the Financial Empowerment Centers initiative |
| Int. No. 425 | Authorizing an agreement for Freedom of Information Law records request tracking software services |
| Int. No. 455 | Local Law amending the City Charter with respect to the salary of the Mayor |
| Int. No. 456 | Local Law amending the City Charter with respect to the salary of members of the City Council |

- Int. No. 460 Approving appointments to the New American Advisory Council
- Int. No. 461 Authorizing a Memorandum of Understanding and appropriating American Rescue Plan Act and State funds for the Joseph A. Floreano Rochester Riverside Convention Center Expansion Project
- Int. No. 464 Authorizing an amendatory agreement for the operation of the South Avenue Garage
- Int. No. 466 Authorizing an agreement for recruitment and selection of a Chief of Police
- Int. No. 467 Appropriating American Rescue Plan Act funds for the City Employee COVID-19 Vaccination Incentive Program
- Int. No. 414 Resolution approving the establishment of a Fifteen Dollar minimum wage for all City employees

The **FINANCE COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee

- Int. No. 462 Appropriating American Rescue Plan Act Funds and amending the 2021-22 Budget for the Buy the Block Program
- Int. No. 463 Appropriating American Rescue Plan Act funds, amending the 2021-22 Budget and authorizing agreements for the Guaranteed Basic Income pilot program

Respectfully submitted,
 Malik Evans (*Abstained against Int. No. 455*)
 LaShay D. Harris
 Michael A. Patterson
 Willie J. Lightfoot
 Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

Introductory No.414 was introduced November 9, 2021 and appears in its original form with its transmittal letter on page __ of the current Council Proceedings.

Resolution Mo. 2021-27
(Int. No. 414)

Resolution approving the establishment of a Fifteen Dollar minimum wage for all City employees

WHEREAS, in January 2021 the City raised the minimum wage to \$15.00 per hour for all full-time and permanent employees;

WHEREAS, in the salary schedules set forth in the present 2021-22 Budget of the City of Rochester adopted in Ordinance No. 2021-174 (Budget), the hourly wage rate remains below \$15.00 per hour for several part-time and seasonal job categories;

WHEREAS, the Mayor proposes to modify the Budget's salary schedules effective on January 1, 2022, to extend the \$15 minimum wage to all City employees, including those who are part-time and seasonal; and

WHEREAS, the policy principles of equity and shared prosperity set forth in the *Rochester 2034* Comprehensive Plan that justify the \$15 minimum wage for the City's full-time permanent employees are no less imperative for the City's part-time and seasonal employees, who may not be able to find permanent full-time employment and/or may be working multiple jobs; and

WHEREAS, the Commission on Racial and Structural Equity (RASE) endorses this measure as one of the ways to establish self-sufficient wages for every job in Monroe County and to reduce inequities in the current workforce compensation structure, especially for older Black Americans and other adults of color, arising from generations of underemployment and lower rates of intergenerational wealth due in part to redlining and occupational discrimination.

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

Section 1. The City Council shares the Mayor's commitment to applying the \$15 minimum wage to all City employees as a matter public policy.

Section 2. The City Council hereby approves of the Mayor's plan to extend the \$15 minimum wage to all City employees, including those who are part-time or seasonal.

Section 3. This resolution shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Meléndez, Patterson, Peo— 9.

Nays – None – 0.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-378
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 \$461,380 from the Firefighters Insurance Fund at the request of the Rochester Firefighters Two Percent Committee ("TPC") to benefit City firefighters.
2. Appropriate a total of \$199,552.87 from the Firefighters' Insurance Fund for uses nominated by the City 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 following are firefighter nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance Fund:

1. Fire house items set forth in Section 1G of the original agreement (\$120,000).
2. Legal and Accounting expenses (\$47,000).
3. Fire house cable and internet expenses (\$55,000).
4. RFBA Firefighters Ball (\$15,000).
5. Building Expenses (\$130,000).
6. Demand Account expenses (\$77,000)
7. Carpet and Tile repair (\$15,000)

8. Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,380).

The following are City nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance fund:

1. Snow plow services for apparatus bay driveways at firehouses (\$50,310).
2. Linen and laundry expense (\$80,000).
3. Small equipment and minor firehouse renovations (\$38,222.87).
4. Turn out gear storage bags (\$30,000)
5. Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$1,020).

The City of Rochester has engaged Freed Maxick to conduct an audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee ("TPC"). The cost of the audit is estimated at \$3,400, of which the City will pay 30% and the Two Percent Committee ("TPC") will pay 70% of the auditing fee, as per Section 1J of the agreement. The cost of the audit will be funded from the respective Two Percent Fund accounts controlled by the City of Rochester.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-207

Ordinance No. 2021-378
(Int. No. 420)

Appropriating Firefighters' Insurance Funds

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

Section 1. The following funds are hereby appropriated from the Firefighters' Insurance Fund ("Two Percent Fund") for the following purposes to benefit the firefighters of the City in accordance with the terms of the settlement agreement with Rochester Firefighters Local 1071 dated August 7, 2012 ("Agreement") that was authorized in Ordinance No. 2012-313:

A. Firefighter Nominated Items. A total of \$461,380 at the request of the Rochester Firefighters Two Percent Committee as follows:

- 1) Firehouse items set forth in Section 1G of the Agreement (\$120,000);
- 2) Legal and accounting expenses (\$47,000);
- 3) Firehouse cable and internet expenses (\$55,000);

- 4) Rochester Firefighters' Benevolent Association Firefighters Ball (\$15,000);
- 5) Building Expenses (\$130,000);
- 6) Demand Account expenses (\$77,000);
- 7) Carpet and Tile repair (\$15,000); and
- 8) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,380).

B. City Nominated Items. A total of \$199,552.87 for uses nominated by the City of Rochester as follows:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310);
- 2) Linen and laundry expense (\$80,000);
- 3) Small equipment and minor firehouse renovations (\$38,222.87);
- 4) Turn-out gear storage bags (\$30,000); and
- 5) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$1,020).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-379
Re Agreement – Visual Lease, LLC
GASB 87 Lease Accounting Software

Transmitted herewith for your approval is legislation establishing \$59,500 as maximum compensation for an agreement with Visual Lease, LLC for Lease Accounting Software that meets the requirements of GASB 87 (Governmental Accounting Standards Board). Visual Lease, LLC founded in 1966 is located at 1000 Woodbridge Center Dr, Woodbridge, NJ. Their product is developed by industry lease professionals and CPA's. and is currently serving over 900 clients worldwide. Visual Lease software is a lease optimization software for managing, analyzing, streamlining and reporting on lease portfolios. This software is fully compliant with the GASB 87 requirements.

The cost of this agreement will be funded from the 2021-22, 2022-23, and 2023-24 Budgets of the Finance Department contingent upon approval. The term of this agreement will be for 3 years with the option of 2 one year renewals not exceeding the maximum of the agreement. The cost for Year 1

will be \$14,300.00 and includes onboarding, Year 2 cost will be 11,300.00, and Year 3 cost will be \$11,300.00. The total cost of this agreement with the optional 2 year renewals will not exceed the maximum amount of \$59,500.00.

Visual Lease, LLC was selected through a request for quotation process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-208

Ordinance No. 2021-379
(Int. No. 421)

Authorizing an agreement for the provision of lease accounting software

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 Visual Lease, LLC for the provision of Lease Accounting Software that meets the requirements of Governmental Accounting Standards Board (GASB 87). The term of the agreement shall be three years with two optional extensions of one year each. For each year of the agreement, the maximum annual compensation, and the fiscal year Budget of the Department of Finance (Finance) that will be the source of that compensation, shall be as follows:

Year 1	\$14,300	2021-22 Finance
Year 2	\$11,300	2022-23 Finance
Year 3	\$11,300	2023-24 Finance
Year 4	\$11,300	2024-25 Finance
Year 5	\$11,300	2025-26 Finance
Total	\$59,500	

which amounts and sources are contingent upon the approval of future years' Budgets and upon the parties' election to extend for the fourth and fifth years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-380
Re Budget Amendment – RASE funds –
MWBE Analyst, Compliance Consultant,

Construction Hiring Incentive

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative
Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the use of the City's designated RASE implementation funding. This legislation will:

1. Transfer a total of \$62,400 from Undistributed to Finance to fund two new full time positions through June 2022.
2. Appropriate \$50,000 from the 2021-22 Budget of Undistributed to the Job Development Fund for use in construction hiring incentives.

An MWBE Analyst will be hired for a full-time position in the Purchasing Bureau to provide direct training and outreach events to MWBE businesses on topics such as OSHA 10 training, bidding, insurance and bonding training, and RFP and grant workshops. This position will plan events, oversee advertising/ communications, work with the City's MWBE Officer, and ensure that entities moving through the small business development program are prepped and ready to submit applications to NYS. In addition this role will maintain the data analytics for quarterly and annual reporting of MWBE performance.

A Compliance Analyst will be hired for a full-time position in the Purchasing Bureau to manage an apprenticeship/work development program and to conduct compliance field investigation work that is required on all State and Federal contracts. In addition this role will train on OSHA 10 and LCP Tracker/B2Gnow payment tracking systems for public work projects.

Council initially authorized the creation of the Job Development Fund via Ord. 2001-213 which provided funds for new approaches to job opportunities for City residents. It was modified in Ord. 2014-308 to include specific guidelines for incentive bonus payments to contractors on public works projects who employ individuals from economically distressed zip codes. However the program has proven difficult to implement because it was targeted to large prime contractors. This new approach will target small and midsized companies who could actually benefit from a payroll incentive and who at times have difficulty meeting staffing and payroll.

The additional funds will provide 25% payroll refunds to contractors who hire 25% of their workforce from within the zip code area and maintain them throughout completion of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-209

Ordinance No. 2021-380
(Int. No. 422)

Amending the 2021-22 Budget to fund MWBE staff and public works contractor hiring incentives

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

Section 1. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by reducing the Budget of Undistributed Expenses by \$62,400, by increasing the Budget of the Department of Finance by \$62,400 to fund the hiring of a Minority and Women-owned Business Enterprise (MWBE) analyst and a MWBE compliance analyst, and by appropriating \$50,000 from the Budget of Undistributed Expenses to the Job Development to provide incentives to public works contractors to hire residents of economically distressed zip codes in the city.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-381
Re Appropriation American Rescue
Plan Act, Parking Fund

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation appropriating the receipt and use of \$5,000,000 in American Rescue Plan Act (ARPA) funds to the Parking Fund to offset the provision of government services that have occurred since March 3, 2021 and will continue through June 30, 2022.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). Financial support to the Parking Fund was included in the City of Rochester's Strategic Equity and Recovery Plan that was shared with City Council on September 29, 2021. The provision of government services in the Parking Fund to the extent of the reduction in revenue is an eligible use of ARPA funding per the Treasury Interim Guidelines Expenditure Category 6.1 Provision of Government Services.

On March 1, 2020, a national state of emergency was declared by the Federal government in regards to COVID-19 which ultimately resulted in states of emergency being declared at the state and local levels. The outbreak impacted commerce and financial markets globally and locally including the shuttering of businesses and the need for employers to develop plans for their employees to work remotely. As a result, many downtown businesses and individuals canceled their monthly parking arrangements as well as fewer transient parkers were coming to downtown parking garages. Parking meter revenue was also impacted negatively in addition

to fewer parking violations being issued. This shutdown resulted in an approximate loss of revenue to the Parking Fund in one year of approximately \$5.6 million.

This \$5,000,000 being appropriated to the Parking Fund will continue to allow vital services to occur in the Parking operation, including day to day maintenance of infrastructure, staffing, utilities, and security.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-381
(Int. No. 423)

Appropriating American Rescue Plan Act funds to the Parking Fund

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

Section 1. The Council hereby authorizes the receipt and use of \$5,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 and appropriates that amount to the City Parking Fund to offset the losses of parking fee revenues from the City's provision of public parking garages that have occurred since March 3, 2021 and will continue through June 30, 2022. The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund and carry out the purposes authorized in herein. Any agreements and documents authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays – Councilmember Lupien – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-382
Re: Financial Empowerment Center
Grant Acceptance

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Financial Empowerment Centers (FEC) program. This legislation will:

- 1) Authorize an agreement with United Way of Greater Rochester and the Finger Lakes for receipt and use of a grant totaling \$20,000.
- 2) Amend the 2021-22 Budget of the Office of the Mayor by \$20,000

Day to day operations of the FEC and the program's financial counselors are performed by the Consumer Credit Counseling Service of Rochester, Inc. (CCCSR) under a professional services agreement with the City of Rochester authorized in Ordinance No. 2019-248. The United Way grant funding will be used to offset the cost of the current agreement with CCCSR.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-382
(Int. No. 424)

Authorizing an agreement and amending the 2021-22 Budget relating to the Financial Empowerment Centers initiative

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United Way of Greater Rochester and the Finger Lakes for the receipt and use of a grant in the amount of \$20,000 to partially fund the Financial Empowerment Centers initiative. The term of the agreement shall extend through December 31, 2022.

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

Section 3. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$20,000 to reflect the receipt of the funds authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-383
Re: Agreement – JustFOIA, Inc., FOIL
public records request-tracking
platform subscription

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing a professional services agreement with JustFOIA, Inc. (Tallahassee, Florida; President and CEO Donny Barstow) to provide a new Freedom of Information Law (FOIL) public records request tracking software platform for a term of two years, with the option of three one-year renewals. The maximum compensation for the agreement will be \$34,000 for the initial term, plus \$57,600 if the parties elect to extend for all three optional years. The compensation will be funded from the 2021-22 and future years' Budgets of the Law Department (Law) as follows contingent upon the approval of future years' Budgets and the parties' election to extend for the third, fourth and fifth years:

Year 1: \$16,600 from 2021-22 Law
Year 2: \$17,400 from 2022-23 Law
Year 3: \$18,300 from 2023-24 Law
Year 4: \$19,200 from 2024-25 Law
Year 5: \$20,100 from 2025-26 Law.

Over the past several years, the number of FOIL requests has sharply increased. In 2020, the City of Rochester received approximately 7,000 requests. Our current FOIL public records request-tracking platform is unable to handle the volume of requests the City receives and processes. The FOIL solution provided by JustFOIA, Inc. will allow the City to meet the growing demands of FOIL requests in a more effective and efficient manner. Although JustFOIA is not an MWBE, it will be assigning a team of four to work with the City to implement the system, of whom two members are minorities and two are women.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-210

Ordinance No. 2021-383
(Int. No. 425)

Authorizing an agreement for Freedom of Information Law records request tracking software 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 JustFOIA, Inc. to provide a software platform for the City to track requests and responses to Freedom of Information Law (FOIL) requests for public records. The term of the agreement shall be two years, with the option to extend for up to three additional periods of 1 year each. The maximum compensation for the agreement shall be \$34,000 for the initial term, plus \$57,600 if the parties elect to extend for all three optional years. The compensation shall be funded from the 2021-22 and future years' Budgets of the Law Department (Law) as follows contingent upon the approval of future years' Budgets and the parties' election to extend for the third, fourth and fifth years:

Year 1: \$16,600 from 2021-22 Law
Year 2: \$17,400 from 2022-23 Law
Year 3: \$18,300 from 2023-24 Law
Year 4: \$19,200 from 2024-25 Law
Year 5: \$20,100 from 2025-26 Law.

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 Law #15
Local Law #16
Re: Salary Adjustments

Transmitted herewith for your approval is legislation involving the salaries of the Mayor and City Council. As you are aware, Section 2-12 of the City Charter requires that the City Council establish the salary of the Mayor.

Since 1989, the City Council has used the approach of setting a salary level of the Mayor in the first year of each term and stipulating annual cost of living adjustments (COLAs), with a specific cap on such increases. It has been the intent of this approach that the COLAs would generally protect the salary from erosion by inflation, while the cap would protect the taxpayer from any spikes that might occur in the Consumer Price Index (CPI).

The Mayor's salary will be increased per the annual cost of living adjustment as of January 1, 2022. In past years, the Mayor's salary remained frozen at the prior year's rate for the first calendar year of their term, and was then adjusted each subsequent year to reflect any changes in the CPI-Urban during the previous year, with an annual cap of 3% on such adjustments. Due to compression issues in pay rates, it is recommended that this practice be suspended for this term, and that the Mayor's salary be increased by 2% beginning January 2022.

The second piece of legislation freezes the Council salary in 2022 and then re-establishes the same long-standing cost of living formula for the Council.

Legislation was adopted in 2009 allowing for the Mayor or any Councilmember to decline any scheduled salary increase.

Respectfully submitted,
Loretta C. Scott
President

Local Law # 15
(Int. No. 455)

Local Law amending the City Charter with respect to the salary of the Mayor

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, (hereinafter, the City Charter) is hereby further amended by amending Subsections A and C of Section 3-3.1, Salary of the Mayor, to read in their entirety as follows:

- A. Commencing on January 1, 2022, the annual salary of the Mayor is \$157,019.
- C. On January 1 of 2023, 2024, and 2025, the annual salary of the Mayor shall be increased by the same percentage, if any, that the Consumer Price Index - Urban has increased during the most recent twelve-month period prior to January 1 for which such Index has been published, except that no such annual increase shall exceed 3%.

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

Passed by the following vote:

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

Nays – None – 0.

Councilmember Evans abstained due to a professional relationship.

Local Law # 16
(Int. No. 456)

Local Law amending the City Charter with respect to the salary of members of the City Council

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 5-2 thereof, relating to members of the Council, by amending the third to last and second to last sentences of said Section to read in their entirety as follows:

The annual salary of each member of Council is \$36,939. On January 1 of 2023, 2024, and 2025, such annual salary shall be increased by the same percentage, if any, that the Consumer Price Index - Urban has increased during the most recent twelve-month period prior to January 1 for which such Index has been published, except that no such increase shall exceed an annual rate of three percent (3%).

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

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Patterson— 6.

Nays – Councilmembers Lupien, Meléndez, Peo – 3.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2021-28
Re Appointments – New Americans
Advisory Board

Transmitted herewith for your approval is legislation confirming the appointment to the New Americans Advisory Board.

Members:

Representing:

Name

Bijaya Khadka
Mary Andrecolich-Montesano Diaz
Mohamed Abdullahi
Diana Pryntz
Kothor Djifa
Christina Engels Vattana
Isse Abukar
Sea Sigal
Getachew Beshir
Haji Quli Yuldash
Hkadin Lee
Dinesh Rai
Keila Puella
Vanessa Martell
Mary Lupien

New Americans, Chair
Rochester International School
Somali Community/St. Mary's Place
Deaf Refugee Advocacy
Rochester Refugee Resettlement Services
Community Advocate
Masjid Tawfeeq of Rochester
Office of New Americans/ABC
Catholic Family Center
Afghanistan
Burmese/Karen/Myanmar
Napali/Bhutanese
Latino
Maplewood YMCA
Rochester City Council

The Equity & Recovery Agenda was created to reverse historical inequities and lay the foundation for a new era of prosperity in Rochester. In doing so, the Agenda calls for the establishment of a New Americans Advisory Council to build on existing efforts to support New Americans in our community and to ensure their voice is represented within City government.

The New Americans Advisory Council will improve communication among the traditional and emerging leadership of New American communities, the service providers that assist the communities, and City Hall.

All of the members start new, two year terms that will expire on November 30, 2023.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2021-28
(Int. No. 460)

Approving appointments to the New American Advisory Council

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

Section 1. Pursuant to Ordinance No. 2021-229 establishing the New American Advisory Council (Advisory Council) and pursuant to Section 12-31 of the City Charter which provides that the Mayor may appoint members to advisory boards with the approval of City Council, the City Council hereby approves the appointment to the Advisory Council of the following person as Chairperson:

Bijaya Khadka

and of the following persons as regular members:

Mary Andrecolich-Montesano Diaz
Mohamed Abdullahi
Diana Pryntz
Kothor Djifa
Christina Engels Vattana
Isse Abukar
Sea Sigal
Getachew Beshir
Haji Quli Yuldash
Hkadin Lee
Dinesh Rai
Keila Puello
Vanessa Martell
Mary Lupien

each for a term which shall expire on November 30, 2023.

Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

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

Nays – None– 0.

Councilmember Lupien abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-384
Re Grant Authorization – Joseph A.
Floreano Rochester Riverside
Convention Center Expansion Project

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

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Joseph A. Floreano Rochester Riverside Convention Center Expansion Project (the Project). This legislation will:

1. Authorize the execution and delivery of a Public-Private Partnership Memorandum of Understanding (the MOU) among the City, the Rochester Convention Center Management Corporation, a New York not-for-profit corporation (the Convention Center), and 120 Main Hotel LLC, a New York limited liability company, Angelo Ingrassia, Managing Member (Hotel LLC), defining the respective obligations of the parties contributing towards the redevelopment of the Riverside Hotel into a multi-faceted hotel, residential and Convention Center expansion space (the Project) constituting a portion of the City's Roc the Riverway development.
2. Appropriate \$13,000,000 from the American Rescue Plan Act (ARPA) to finance the renovation and equipping of the public portion of the Convention Center expansion project. This funding will be utilized to renovate the approximately 51,000 sq. ft. second floor of the Riverside Hotel into state-of-the-art meeting, banquet and kitchen space for use by the Convention Center.
3. Authorize the Mayor to submit grant applications and execute agreements for grant funds from the State of New York from sources including but not limited to the Upstate Revitalization Initiative, the Downtown Revitalization Initiative, the 2022 Executive Budget and the State Consolidated Funding Application (the State Funds) and appropriate said amount to fund a portion of the redevelopment of approximately 51,000 square feet of the second floor of the Riverside Hotel located at 120 East Main Street to provide new meeting, banquet and kitchen space for the Joseph A. Floreano Rochester Riverside Convention Center as well as for arrangements to provide or develop skyway, parking, common area, new lodging facilities and new residential facilities in support of the expanded Convention Center and to promote the City's ROC the Riverway initiative.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project was included in the City of Rochester's Strategic Equity and Recovery Plan that was shared with City Council on September 29, 2021. The Convention Center expansion is an eligible use of ARPA funding per the Treasury Interim Guidelines Expenditure Category 2.11 Aid to Tourism, Travel, or Hospitality.

The Joseph A. Floreano Rochester Riverside Convention Center Expansion Project is an integral part of the City's efforts to expand and update the Convention Center facilities, provide lodging for Convention Center guests and further the City's Roc the Riverway initiative. In addition to the Convention Center expansion space renovation, Hotel LLC, or an affiliated limited liability company, will undertake to renovate an existing portion of the Riverside Hotel into an approximately 123 room commercial hotel flagged by a nationally recognized hotel management company. Hotel LLC, or an affiliated limited liability company (Residential LLC) also will renovate another existing portion of the Riverside Hotel into an approximately 171 unit residential facility (Apartments).

The Hotel and the Apartments will be exclusively funded through private financing raised respectively by Hotel LLC and Residential LLC. Common areas on the first floor of the Riverside Hotel, the building façade and the public parking garage will be renovated with funds jointly provided by the respective parties. The MOU will define construction parameters and specified contributions of the parties towards development of the Project, as outlined on the attached "Sources and Uses" list and will provide reciprocal completion guaranties of the respective parties.

Upon completion of the expansion, the Convention Center will operate the second floor banquet, meeting and kitchen space and share the common areas and the skyway connection to the Convention Center pursuant to a twenty (20) year Lease Agreement with Hotel LLC, or its affiliate.

The Project, with its central location on Main Street and adjoining the Genesee River, is perhaps the most visible asset in our Roc the Riverway revitalization effort.

Respectfully submitted,
Lovely A. Warren
Mayor

Malik A. Evans
Mayor-Elect

Attachment No. AU-211

Ordinance No. 2021-384
(Int. No. 461)

Authorizing a Memorandum of Understanding and appropriating American Rescue Plan Act and State funds for the Joseph A. Floreano Rochester Riverside Convention Center Expansion 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 Public-Private Partnership Memorandum of Understanding (MOU) among the City, the Rochester Convention Center Management Corporation, and 120 Main Hotel LLC setting forth the respective obligations of the parties contributing toward the redevelopment of the Riverside Hotel located at 120 East Main Street into a multi-faceted hotel, residential and Convention Center expansion space (the Project).

Section 2. The Council hereby authorizes the receipt and use of \$13,000,000 provided to the City by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount to fund a share of the public portion of the Project that will renovate approximately 51,000 square feet of the second floor of the Riverside Hotel into state-of-the-art meeting, banquet and kitchen space for use by the Joseph A. Floreano Rochester Riverside Convention Center (Convention Center Expansion).

Section 3. The Council hereby authorizes the Mayor to submit grant applications and to execute agreements and other documentation to obtain grant funds from the State of New York from sources including but not limited to the Upstate Revitalization Initiative, the Downtown Revitalization Initiative, the 2022 Executive Budget and the State Consolidated Funding Application (collectively, the State Funds) and hereby appropriates said amount to fund a portion of the Convention Center Expansion as well as for arrangements to provide or develop skyway, parking, common area, new lodging facilities and new residential facilities in support of the Project and to promote the City's ROC the Riverway initiative.

Section 4. The Mayor is hereby authorized to execute any grant applications and agreements or to provide such other documentation as may be necessary to obtain the State and ARPA funds appropriated herein to support and carry out the Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Evans motioned to discharge Int. No. 462 from committee.

Councilmember Patterson seconded the motion.

Motion passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-385
Re 2021-22 American Rescue Plan Act
Funding- Buy the Block Program

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the receipt and use of American Rescue Plan Act (ARPA) funding to create owner-occupied single-family homes through the Buy the Block Program. This legislation will:

1. Appropriate \$13,329,862 from the American Rescue Plan Act allocation to operate the Buy the Block Program.

2. Amend the 2021-22 Budget of the Department of Neighborhood and Business Development (NBD) by \$184,100 and the Budget of Undistributed by \$16,600 to reflect the addition of ARPA funding for site work, environmental due diligence, architectural services, and the addition of one (1) staff position for the remainder of the fiscal year. The remainder of the appropriated funds will be anticipated and included in the 2022-23 and future budgets of NBD, contingent upon approval.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This program was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This program is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 3.12 Housing Support: Other Housing Assistance.

The program will subsidize the creation of up to 100 single-family homes to be sold to income-eligible first-time homeowners, prioritizing households earning at or below 60% of Median Family Income (MFI). The homes will primarily be built in previously red-lined areas on vacant City-owned property. The first phase of the program is planned for the Northeast quadrant, to complement significant ongoing and planned investment, including the Pueblo Nuevo and First Genesis housing developments, Business Corridor support, school expansion by True North Charter School, and others. In addition, this program will coordinate with existing housing rehabilitation programs to incorporate assistance to existing properties in the neighborhood, resulting in an overall revitalization and 'lifting up' of a neighborhood. A total of about \$13 million will be made available in development subsidies.

At this time an RFP is development for the design and development of the homes, and will aim to provide options for a variety of households. The RFP will be issued by the end of 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-212

Ordinance No. 2021-385
(Int. No. 462)

Appropriating American Rescue Plan Act funds and amending the 2021-22 Budget for the Buy the Block Program

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

Section 1. The Council hereby authorizes the receipt and use of \$13,329,862 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the Buy the Block Program to create affordable owner-occupied homes for low income, first-time homeowners (Program).

Section 2. The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund and carry out the Program. The agreements and documents authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Neighborhood and Business Development by \$184,100 and to the Budget of Undistributed Expenses by \$16,600 to reflect the receipt of a portion of the ARPA funds appropriated herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Evans motioned to discharge Int. No. 463 from committee.

Councilmember Patterson seconded the motion.

Motion passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-386
Re Appropriation and Budget Amendment
American Rescue Plan Act, Guaranteed
Basic Income Pilot

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the receipt and use of American Rescue Plan Act (ARPA) funding to establish a Guaranteed Basic Income (GBI) pilot program targeting historically disenfranchised City of Rochester residents, proposed at the request of the Racial and Structural Equity (RASE) Report and Reparations and Universal Basic Income (RUBI) Committee. This legislation will:

1. Appropriate \$2,200,000 of ARPA funds to establish a Guaranteed Basic Income (GBI) pilot program.
2. Amend the 2021-22 Budget of the Mayor's Office by \$312,500 to reflect the addition of the ARPA funding for anticipated program expenses for the balance of the fiscal year. The remainder of the appropriated funds will be anticipated and included in the 2022-23 Budget of the Mayor's Office and future budgets, contingent upon approval.
3. Authorize a professional services agreement with The Black Community Focus Fund, Inc. (Rev. Myra Brown) in the amount of \$50,000 to administer the program for a term of one year, with an option to renew for an additional year at the same rate.
4. Establish an on-going role for the RUBI committee and its affiliates to monitor implementation and progress of the pilot program for up to two years, assisting in

finalizing criteria for pilot program access and confirmed alignment of RASE and RUBI Committee foci and priorities.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This program was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This program is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 2.3 Household Assistance: Cash Transfers.

The GBI program will provide \$500 per month for one year to 175 individuals (limit one per household) in households with income at or below 200% of the federal poverty level. The second year of the program will provide the same monthly amount to a different group of 175 individuals. Eligible recipients must be 18 years or older or emancipated adults, and must be a current resident of the city of Rochester with at least one year of established residency in the city.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-213

Ordinance No. 2021-386
(Int. No. 463)

Appropriating American Rescue Plan Act funds, amending the 2021-22 Budget and authorizing agreements for the Guaranteed Basic Income pilot program

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

Section 1. The Council hereby authorizes the receipt and use of \$2,200,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the Guaranteed Basic Income pilot program (Program). The Mayor is hereby further authorized to execute any grant agreements or to provide such other documentation as may be necessary to fund and carry out the Program.

Section 2. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor (Mayor's Budget) by \$312,500 to reflect the receipt of a portion of the ARPA funds appropriated herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with The Black Community Focus Fund, Inc. to administer the Program. The term of the agreement shall be one year with the option to extend for one additional year. The maximum annual compensation for the agreement shall be \$50,000, which shall be funded from the 2021-22 Mayor's Budget for the first year and from the 2022-23 Mayor's Budget for the optional second year, contingent upon approval of the latter budget.

Section 4. The Mayor shall enter into an agreement with the Reparations and Universal Basic Income Committee to consult on finalizing the criteria for selecting Program recipients and to monitor the implementation of the Program. The agreement shall have a term of up to two years.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-387
Re: Amendatory Agreement – Rochester
Convention Center Management
Corporation, South Avenue Parking Garage

Council Priority: Deficit Reduction and
Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Rochester Convention Center Management Corporation (“RCCMC”) for operation of the South Avenue Parking Garage. The agreement was initially authorized by Ordinance No. 2011-371 and has been extended bi-annually with the most recent extension authorized in April 2019 by Ordinance No. 2019-377. This legislation will extend the term of the agreement for an additional two years from December 31, 2021 to December 31, 2023.

All terms and conditions authorized in the most recent extension will remain the same, including the distribution of 15% of the gross revenue from the garage to the City and the City payment of utilities with subsequent reimbursement from RCCMC. RCCMC will continue to be responsible for all other expenses related to the operation of the garage including, but not limited to, security, customer service, cleaning, and repairs costing \$5,000 or less. Repairs in excess of \$5,000 must first be approved in writing by City staff.

The South Avenue Garage provides essential parking resources for the Joseph A. Floreano Rochester Riverside Convention Center and Hyatt Hotel. The requested agreement extension would continue the established rights and responsibilities of all parties.

The estimated annual revenue, net of utility reimbursement, to the Parking Enterprise Fund from this agreement is \$124,500. Annual utility expenses are approximately \$112,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-387
(Int. No. 464)

Authorizing an amendatory agreement for the operation of the South Avenue Garage

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester Convention Center Management Corporation (RCCMC) to extend the agreement for operation of the South Avenue Garage originally authorized by Ordinance No. 2013-219 and extended by Ordinance No. 2017-321 and Ordinance No. 2019-77 by an additional two years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-388
Re: Agreement – Public Sector Search &
Consulting, Inc., Executive Search
Services – Chief of Police

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$42,500 as maximum compensation for an agreement with Public Sector Search & Consulting, Inc. (Gary Peterson, President & CEO) of Rocklin, California, for executive search services for the position of Chief of Police. The cost of this agreement will be funded from the 2021-22 Budget of Undistributed Expenses.

Public Sector Search & Consulting, Inc. is a national search firm that focuses exclusively on recruiting police executives. Their recruiters are former police chiefs who have extensive knowledge and expertise in both contemporary policing and recruiting. This executive search firm has successfully conducted more than 40 police executive searches across the country, which have included several recent national searches for major and mid-sized cities.

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

Respectfully submitted,
James P. Smith
Mayor

Attachment No. AU-214

Authorizing an agreement for recruitment and selection of a Chief of Police

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 Public Sector Search & Consulting, Inc. to conduct a nationwide search for qualified candidates and to assist with the selection of a Chief of Police. The term of the agreement shall continue until a qualified candidate's acceptance of the City's offer of employment as Chief of Police. The maximum compensation for the agreement shall be \$42,500, which shall be funded from the 2021-22 Budget of Undistributed Expense.

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. 2021-389
Re Establishing COVID-19 Vaccination
Incentives for City Employees

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Public Health & Safety

Transmitted herewith for your approval is legislation that appropriates \$350,000 in American Rescue Plan Act of 2021 (ARPA) funding to incentivize City employees to receive the COVID-19 vaccination and/or booster shot (the Program). The legislation also amends the 2021-22 Budget of Undistributed Expenses by the same amount to reflect the appropriation of the ARPA funds.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by ARPA. This project is an eligible use of ARPA funding pursuant to 31 CFR 35.6(b)(1)(i) as a COVID-19 response and prevention measure fitting into the following ARPA expenditure category: 1.1 COVID-19 Vaccination.

The incentive will have two components: (1) one-time direct payment of \$200 to any employee who becomes vaccinated or receives a booster shot from the date of adoption of the ordinance through June 30, 2022, and (2) will incentivize all city employees to work towards a collective vaccination goal of 75%.

If the City achieves a staff-wide vaccination rate (vaccination defined as two shots of the Pfizer or Moderna vaccine or one shot of the Johnson and Johnson vaccine) of 75% or more by January 31, 2022, all employees who have reported their vaccinated status to the Administration will be entered into a drawing for 20 additional incentives of prizes of \$500 each.

Under the direct-pay incentive, all employees will be eligible to receive a one-time only payment of \$200 if they complete their vaccination or receive a booster shot during a period commencing on the date of adoption of the ordinance and extending through June 30, 2022.

The Program is intended to promote herd immunity among City employees, which will protect the health of the employees' families, friends, and neighbors as well as city residents who visit City Hall and other City workplaces. The Program is also intended to cut down on absences from work due to sickness or suspected exposure to the COVID-19 virus.

Respectfully submitted,
James P. Smith
Mayor

Ordinance No. 2021-389
(Int. No. 467)

Appropriating American Rescue Plan Act funds for the City Employee COVID-19 Vaccination Incentive Program

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

Section 1. The Council hereby appropriates the sum of \$350,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 to fund the City Employee COVID-19 Vaccination Incentive Program (Program). The Program shall consist of two parts:

- a. a Lottery wherein each City employee who documents that they have been fully vaccinated against the COVID-19 virus by or before January 31, 2022, shall be given one chance in a drawing for 20 awards of \$500 apiece, provided that at least 75% of all City employees have documented that they are fully vaccinated by the January 31 deadline; and
- b. Direct Payments of \$200 to each City employee who completes the COVID-19 vaccination process or receives a booster shot at any time during a period extending from the date of adoption of this ordinance to and through June 30, 2022.

Section 2. The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to implement the Project. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Undistributed Expense by \$350,000 to reflect the receipt of the funds appropriated to the Program in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays – Councilmember Peo – 1.

By Councilmember Patterson
December 14, 2021

To the Council:

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

- | | |
|--------------|---|
| Int. No. 426 | Authorizing the sale of real estate and amending Ordinance No. 2021-137 |
| Int. No. 427 | Authorizing the sale of real estate and maintenance agreement relating to 40 and 42 Commercial Street, <u>as amended</u> |
| Int. No. 428 | Authorizing a lease agreement for 61 North Chestnut Street |
| Int. No. 429 | Authorizing a sublease agreement for portions of 300 Exchange Boulevard |
| Int. No. 430 | Appropriating American Rescue Plan Act funds and authorizing an agreement for the Land Bank Acquisition/Rehab Program |
| Int. No. 431 | Authorizing an amendatory agreement relating to the Aging in Place Home Food Distribution Program |
| Int. No. 432 | Authorizing an agreement for development services for the Bull's Head Revitalization Project |
| Int. No. 433 | Approving the commitment of funds for a Housing Trust Fund |
| Int. No. 434 | Authorizing a payment in lieu of taxes agreement for the Canal Street Apartments Project |
| Int. No. 457 | Authorizing amendatory agreements for the Zombie and Vacant Property Remediation and Prevention Initiative – Round II |
| Int. No. 459 | Resolution approving appointment to the Zoning Board of Appeals |

Respectfully submitted,
Michael A. Patterson
Mary Lupien (*Voted against Int. No. 427*)
Miguel A. Meléndez Jr.

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

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2021-390
Sale of Real Estate and Amending
Ordinance No. 2021-137

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 the 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 three properties – 253-257 Central Park, 259-263 Central Park and 71 First Street, are listed on the attached spreadsheet under the heading I. Auction – Vacant Land. The parcels were auctioned subject to an approved development proposal. The purchaser, Truth III, LLC, (Nicholas Fitts, Officer, 249 Central Park, Rochester, NY) has proposed construction of a unisex salon and barber shop, a health food store and a restaurant.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,057.

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 property free of City tax liens and other charges, or these charges have been included in the purchase price.

Ordinance No. 2021-137

This ordinance authorized the sale of the east portion of 64 Aebersold Street to Joseph Woods. The amendment will authorize the sale of the west portion of the property instead of the east portion.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-215

Ordinance No. 2021-390
(Int. No. 426)

Authorizing the sale of real estate and amending Ordinance No. 2021-137

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

Section 1. The Council hereby approves the auctioned sale with proposal of the following parcels of vacant land to Truth III, LLC for \$6,000:

Address	SBL#	Lot Size	Sq.Ft.
253-257 Central Pk	106.59-1-4	40 x 120	4,800
259-263 Central Pk	106.59-1-5	40 x 120	4,800
71 First St	106.59-1-43	40 x 120	4,800

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

Section 3. Section 3 of Ordinance No. 2021-137 is hereby amended to read in its entirety as follows:

Section 3. The Council hereby approves the negotiated sale of the following vacant unbuildable parcels of land for \$1:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
East West Portion of 64 Aebersold St	Portion of 106.35-1- 93.001	20 x 70	1,400	Joseph Woods Stick Fram
157-161 Avenue B	106.21-1-18	52 x 40	2,094	Corp

Section 4. This ordinance shall take effect immediately.

Underlining indicates new text, strikeout indicates removed text.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-391
Re: Sale of Real Estate- 40-42
Commercial Street

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale by negotiation of the parking lot portions of 40 Commercial St and 42 Commercial Street to Metro Falls Development, LLC, (Ben Kendig, Owner, 60 Browns Race, Rochester, NY) (the "Property" and the "Purchaser") and a maintenance agreement for remaining City-owned portions of 40 and 42 Commercial Street, which includes the High Falls Overlook. The Purchaser is currently leasing the Property from the City, through a related entity, and has for more than 20 years. The Purchaser also owns the adjacent Gorsline Building through a related entity. The Property will be sold at the appraised value of \$385,000. The appraisal was obtained from Midland Appraisal Associates in March of 2020.

The maintenance agreement for the remaining City-owned portions of 40 and 42 Commercial Street (the "Overlook") will obligate the Purchaser to provide certain maintenance and cleaning services at the Overlook for a period of 5 years for a total cost of \$50,000, which will be paid to the Purchaser as a credit against the purchase price for the Property.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-216

Ordinance No. 2021-391
(Int. No. 427, as amended)

Authorizing the sale of real estate and maintenance agreement relating to 40 and 42 Commercial Street

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

Section 1. The Council hereby approves the negotiated sale of the following parking lot parcels with proposal for ~~\$385,000~~ \$377,000 to Metro Falls Development, LLC (Metro Falls):

Address	S.B.L. No.	Lot Size
Portion of 40 Commercial St	106.70-1-8.012	0.634
Portion of 42 Commercial St	106.70-1-32	0.251 <u>0.231</u>

LEGAL DESCRIPTION OF LANDS TO BE CONVEYED

PART OF #40 COMMERCIAL STREET

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 48, Township 13, Range 7 and being more particularly bounded and described as follows: Beginning at the southwest corner of Lot R-1 of Municipal Subdivision No. 1-01, as filed in the Monroe County Clerk's Office in Liber 313 of Maps, Page 94, said corner being the Point or Place of Beginning; thence

- 1) N 27° 13' 45" W, along the west line of said Lot R-1, a distance of 152.06 feet to a point; thence
- 2) N 63° 47' 20" E, a distance of 22.24 feet to a point; thence
- 3) N 26° 12' 40" W, a distance of 17.72 feet to a point; thence
- 4) N 63° 47' 20" E, a distance of 90.49 feet to a point; thence
- 5) S 26° 12' 40" E, a distance of 17.72 feet to a point; thence
- 6) N 63° 47' 20" E, a distance of 52.23 feet to a point on the east line of said Lot R-1 and the west line of Lot R-2; thence
- 7) S 19° 30' 30" E, along said east line of Lot R-1 and the west line of Lot R-2, a distance of 91.74 feet to a point; thence
- 8) S 70° 30' 04" W, a distance of 1.68 feet to a point; thence
- 9) S 19° 29' 56" E, continuing along said east and west line, a distance of 20.70 feet to the southwest corner of said Lot R-2; thence
- 10) N 63° 34' 38" E, along the south line of said Lot R-2, a distance of 31.65 feet to a point; thence
- 11) N 19° 29' 56" W, continuing along said south line, a distance of 12.62 feet to a point; thence
- 12) N 62° 46' 15" E, continuing along said south line, a distance of 31.42 feet to the southeast corner of said Lot R-2; thence
- 13) S 20° 00' 25" E, along the east line of said Lot R-1, a distance of 50.40 feet to the southeast corner thereof; thence
- 14) S 62° 46' 15" W, along the south line of said Lot R-1, a distance of 206.58 feet to the southwest corner thereof, being the Point or Place of Beginning.

Hereby intending to describe Parcel B, containing 0.634 acres, all as shown on a map entitled, "Land To Be Conveyed", dated November 28, 2018, prepared by John D Metzger, L.S., City Surveyor.

Being a portion of the property conveyed to the City of Rochester by a deed June 27, 1991, filed in Liber 8096 of Deeds, Page 427; a deed dated January 31, 1997, filed in Liber 8834 of Deeds, Page 426; a deed dated November 5, 1998, filed in Liber 9083 of Deeds, Page 678; a deed dated July 3, 2001, filed in Liber 9480 of Deeds, Page 488.

PART OF #42 COMMERCIAL STREET

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 48, Township 13, Range 7 and being more particularly bounded and described as follows: ~~Beginning at the southwest corner of former Commercial Street, as abandoned by Ordinance No. 2003-146, said corner being the Point of Place of Beginning; thence~~

- ~~1) N 27° 13' 45" W, along the west line of said abandonment, a distance of 71.83 feet to a point; thence~~
- ~~2) N 23° 03' 49" E, a distance of 67.25 feet to a point; thence~~

- ~~3) N 64° 10' 08" E, a distance of 77.11 feet to the east line of said abandonment; thence~~
- ~~4) S 27° 13' 45" E, along said east line, a distance of 87.91 feet to a point; thence~~
- ~~5) S 62° 46' 15" W, a distance of 106.14 feet to a point; thence~~
- ~~6) S 27° 13' 45" E, a distance of 25.00 feet to the south line of said abandonment; thence~~
- ~~7) S 62° 46' 15" W, along said south line, a distance of 22.68 feet to the southwest corner of said abandonment, being the Point or Place of Beginning.~~

Commencing at the southwest corner of former Commercial Street, as abandoned by Ordinance No. 2003-146, said corner being the Point or Place of Commencing; thence

- A) N 27° 13' 45" W, along the west line of said abandonment, a distance of 41.63 feet to the Point or Place of Beginning; thence
- 1) N 27° 13' 45" W, continuing along the west line of said abandonment, a distance of 30.19 feet to a point; thence
- 2) N 23° 03' 49" E, a distance of 67.25 feet to a point; thence
- 3) N 64° 10' 08" E, a distance of 77.11 feet to the east line of said abandonment; thence
- 4) S 27° 13' 45" E, along said east line, a distance of 87.91 feet to a point; thence
- 5) S 62° 46' 15" W, a distance of 106.14 feet to a point; thence
- 6) N 27° 13' 45" W, a distance of 8.63 feet to a point; thence
- 7) N 89° 37' 33" W, a distance of 17.73 feet to a point; thence
- 8) S 61° 09' 08" W, a distance of 6.99 feet to the said west line of the Commercial Street abandonment, being the Point or Place of Beginning.

Hereby intending to describe Parcel A, containing ~~0.251~~ 0.231 acres, all as shown on a map entitled "Land To Be Conveyed", dated November 28, 2018, last revised December 8, 2021, prepared by John D Metzger, L.S., City Surveyor.

Being a portion of former Commercial Street abandoned by Ordinance No. 2003-146.

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

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Metro Falls to provide maintenance and cleaning services at the High Falls Overlook and the other portions of 40 and 42 Commercial Street not conveyed to Metro Falls by Section 1 herein. The term of the agreement shall be five years and the maximum compensation shall be \$50,000, which shall be paid in the form of credits against the purchase price that Metro Falls is obligated to pay under Section 1 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-392
Re: Lease Agreement- 61 North
Chestnut St

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City of Rochester and 328 EAST MAIN LLC (Vinod K. Luthra, Managing Member, 3375 Brighton Henrietta Townline Road, Rochester, NY). The tenant will lease from the City, a paved lot at 61 North Chestnut Street, SBL No. 106.80-2-28.1, for use as a parking lot for the tenants of the building at 316-350 East Main Street. The initial term will be 54 months starting January 1, 2022 and ending June 30, 2026 (to align the lease with the City budget year). The annual cost for the lease for the initial year, as established by an appraisal prepared in April, 2021, by Bruckner, Tillet, Rossi, Cahill & Associates, will be \$16,500.00 payable in monthly installments of \$1,375. The prior monthly lease amount was \$1,250. Annual increases will be the lesser of the change in CPI-U for the Mid-Atlantic Region or 2%. There are three (3) optional one (1) year renewals. The tenant will receive a credit of up to \$11,750, applicable as a monthly rent reduction of up to \$217.60 per month for the first 54-month term in exchange for repaving and repair of the lot in accordance with zoning/permitting requirements with costs exceeding \$23,500. The City's Bureau of Architecture and Engineering reviewed the proposed scope of repair work submitted by the tenants paving contractor and agrees with the figures.

The tenant has leased this parcel since January of 2015 on short term leases of 1 year each, and a longer term 5-year lease was approved in January 2017 via Ordinance No. 2017-3.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-217

Ordinance No. 2021-392
(Int. No. 428)

Authorizing a lease agreement for 61 North Chestnut Street

WHEREAS, the City of Rochester has received from 328 East Main LLC a proposal for the lease of a parking lot located at 61 North Chestnut Street (the Property);

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease;

WHEREAS, an independent appraisal of the value of the lease prepared by Bruckner, Tillet, Rossi, Cahill & Associates has determined that \$1,375 is the appropriate monthly market rental amount for the Property;

WHEREAS, the Council affirmatively finds that the proposed lease authorized herein is in the public interest because it will allow for parking of vehicles of the commercial tenants or patrons of the building located at 316-350 East Main Street that is owned by 328 East Main LLC; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is 54 months with three 1-year renewal options, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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 lease agreement with 328 East Main LLC for the lease of an approximately 10,255 square feet parcel containing a parking lot located at 61 North Chestnut Street (S.B.L. #106.80-2-28.001). The agreement shall extend for a term of 54 months, with three options to renew for an additional term of 1 year each.

Section 2. The lease agreement shall obligate the lessee to pay monthly rent to the City in the amount of \$1,375 for the first year with an annual increase for each subsequent year that shall be the lesser of the change in the Consumer Price Index for All Urban Consumers (CPI-U) in the Mid-Atlantic Region or 2%. The tenant shall receive a credit of up to \$11,750, applicable as a monthly rent reduction of up to \$217.60 per month for the first 54-month term, in exchange for repaving and repair of the lot in accordance with the City's zoning/permitting requirements. The amount of the credit shall be calculated based on 50% of the tenant's approved costs up to a maximum of \$23,500.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-393
Re: Sub-Lease Agreement- 300 Exchange
Blvd, Harbor Master Facility

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a sub-lease agreement between the City of Rochester and The Corn Hill Waterfront & Navigation Foundation (aka "CHN"), (Bruce Van Hise, Executive Director, P.O. Box 373, Pittsford, NY). The tenant will lease from

the City, a 1,283 square foot interior space and a 900 square foot patio space at 300 Exchange Blvd SBL No. 121.39-1-8.004, being the same space leased by the City from Corn Hill Landing, LLC via lease agreement approved via Ordinance no. 2021-204. The tenant shall operate the space as a Harbor Master including office space, ticket booth, Visitor Center, small watercraft operations, shower and bathroom facilities for boaters, and operation of a Leisure/Tour Boat. The facility will also work with the City School district on a curriculum on the River's history, ecology and environmental stewardship.

The initial term will commence March 1, 2022 and end December 31, 2041. There shall be two optional 5 year renewals available. The tenant shall pay a graduated lease amount, starting at \$0 monthly for months 0-6 during buildout and startup, \$500 per month for months 7-18, \$1,000 per month for the period of 19 months through month 178, and \$1,200 per month for the final 60 months and renewal periods (the sum of graduated payments over the first term will average \$1,000 per month).

CHN's operation as a Harbor Master at this location will fulfill the City's obligation to run a Harbor Master facility with two full time employees as required in the City's lease of the land for Corn Hill River Walk from New York State Canal Corp approved via ordinances 1999-392 and 1999-393 which commenced May 20, 2002 and will end May 19, 2022 with an optional 20-year extension until May 19, 2042.

The rental amount charged to CHN is below the City's rent obligation for the 280 Exchange Boulevard location, but the differential will be offset by the City's savings of not having to employ staff to run a Harbor Master office. The value of services provided by CHN shall be in excess of the City's differential in rent obligation.

CHN's lease and operation of the Harbor Master will replace a prior agreement with Corn Hill Landing, LLC who can no longer fulfill the duties required in a satisfactory manner. There will be a minimum of two staff hired by CHN for this location. CHN is experienced in running operations on the Erie Canal and Genesee River as they run the Sam Patch in its Pittsford location, and formerly ran a tour boat called the Mary Jemison on the Genesee River which was docked in Corn Hill until 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-218

Ordinance No. 2021-393
(Int. No. 429)

Authorizing a sublease agreement for portions of 300 Exchange Boulevard

WHEREAS, the City of Rochester currently leases from the owner Corn Hill Landing, L.L.C. portions of 300 Exchange Boulevard (S.B.L. No. 121.39-1-8.004) consisting of approximately 1,283 square feet of building interior space and approximately 900 square feet of exterior patio space adjacent to the Genesee River (the Leased Premises) for use as facilities for a harbor master, a tour boat ticket office and other purposes consistent with the ROC the Riverway initiative in accordance with Ordinance No. 2021-204 (the Lease);

WHEREAS, the City of Rochester has received from The Corn Hill Waterfront & Navigation Foundation a proposal to sublease the Leased Premises for purposes of providing facilities for a harbor master, tour boat ticket office and docking, a visitor center, and boaters' bathrooms and showers (the Sublease);

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed Sublease;

WHEREAS, the fact the rental payments proposed for the Sublease would be substantially less than what the City pays for the Lease is justified by the public benefits of the Sublease as summarized herein;

WHEREAS, the Council affirmatively finds that the proposed sublease is in the public interest because it will support the establishment and operation of facilities for a harbor master, a tour boat service, and amenities for visiting boaters, all of which are consistent with the City and State's cooperative ROC the Riverway initiative; and

WHEREAS, the Council affirmatively finds that the term of the proposed Sublease, consisting of an initial term that commences on March 1, 2022 and extends to December 31, 2041, with the option to extend for up to two optional 5-year periods, is reasonable and necessary because it will match up with the initial term and options for the Lease, will advance the intended purposes of the Sublease described above, and will advance the public interest throughout the term.

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 sublease agreement with The Corn Hill Waterfront & Navigation Foundation (CHN) for the sublease of portions of 300 Exchange Boulevard (S.B.L. No. 121.39-1-8.004) consisting of approximately 1,283 square feet of building interior space and approximately 900 square feet of exterior patio space that the City is leasing from the owner Corn Hill Landing, L.L.C (the Subleased Premises). The agreement shall require CHN to establish and operate a harbor master facility on the Subleased Premises and shall be contingent on CHN setting up and operating a tour boat service on the Genesee River adjacent to the Subleased Premises. The agreement shall commence on March 1, 2022 and continue for an initial term that ends on December 31, 2041, with the option to extend for up to two 5-year periods.

Section 2. The sublease agreement shall obligate CHN to pay graduated monthly rental amounts to the City starting at \$0 for months 0-6, \$500 for months 7 through 18, \$1,000 for months 19 through 178, and \$1,200 for the final 60 months of the initial term as well as for any optional extension period.

Section 3. The sublease 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. 2021-394
Re: 2021-22 American Rescue Plan Act
Funding – Land Bank Acquisition/
Rehab Program

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan Area: Fostering
Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the receipt and use of American Rescue Plan Act (ARPA) funding to assist the Rochester Land Bank Corporation (RLBC) in the acquisition and subsequent rehabilitation efforts for properties acquired by the RLBC. This legislation will:

1. Appropriate \$2,400,000 in ARPA funding for the Land Bank Acquisition/Rehab Program
2. Authorize \$2,400,000 as maximum compensation for an agreement with the Rochester Land Bank Corporation to implement the Land Bank Acquisition/Rehab Program. The term of the agreement will be for one year with the option to extend for two additional periods of one year each.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The RLBC acquisition and rehab program was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This program is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 3.10 Affordable Housing.

Funds will be used exclusively for real estate development grant subsidies to support an existing RLBC initiative focused on the creation of home-ownership for low-moderate income residents. The program focuses on medium to large scale development partners acquiring & rehabbing multiple vacant tax foreclosed structures in challenged neighborhoods and/or targeted neighborhoods where other development is taking place. The program will focus on sustainability and energy efficiency in rehabilitation efforts and coordinate locations with scattered site, Home Expo and other homeownership programs for a holistic neighborhood redevelopment approach. Up to \$80,000 in grant subsidy per structure will be provided for a minimum of 30 properties that will be sold to income eligible purchasers.

Each year of disbursement is anticipated to address the rehabilitation of 10 homes. Following the completion of 3 years of funding, a minimum of 30 homes will be addressed. These monies will substantially reduce the amount of capital investment for these homeowners while contributing to long-term affordability.

Respectfully submitted,
Lovely A. Warren
Mayor

Appropriating American Rescue Plan Act funds and authorizing an agreement for the Land Bank Acquisition/Rehab Program

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

Section 1. The Council hereby authorizes the receipt and use of \$2,400,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount for the Land Bank Acquisition/Rehab Program (the Program). The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund and implement the Program.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester Land Bank Corporation (RLBC) to implement the Program. The term of the agreement shall be one year with the option to extend for up to two additional periods of one year each. The maximum compensation shall be \$2,400,000, which shall be funded from the ARPA funds appropriated by Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers 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:

Ordinance No. 2021-395
Re: Amendatory Agreement-Lifespan of
Greater Rochester, Inc.-Aging in Place
Home Food Distribution Program-
CDBG CV3 CARES Act

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Council Priority: Rebuilding and strengthening
neighborhood housing - Stable, decent and
Affordable housing.

Transmitted herewith for your approval is legislation related to the Aging in Place Home Food Distribution Program, and the related contract with Lifespan of Greater Rochester, Inc. (Anne Marie Cook, President/CEO, 1900 S. Clinton Avenue, Brighton). This legislation will authorize an amendatory agreement to extend the term of the existing agreement through June 30, 2022. All other terms will remain the same.

The original agreement was previously authorized in Ordinance No. 2020-351 in December 2020 and approved \$50,000 as maximum compensation to be funded by CARES Act Community Development Block Grant-Coronavirus (CDBG-CV3) funds for a term of 6 months. The funding will continue to be used to assist the elderly with food insecurities due to the ongoing COVID 19 crisis. This extension will allow the funds to be more appropriately sourced throughout the next several months as opposed to going underutilized. All funds will be spent by June 30, 2022. So far, this program has assisted 807 households.

The program supports food purchase and delivery in order to help provide a safe and comfortable environment for the elderly amid COVID 19 concerns throughout the harshest portion of winter and the holiday season. As food prices are increasing, this becomes increasingly more critical to ensure elderly citizens have resources to assist with food needs. Elderly city homeowners are eligible to participate in the program if they earn 80% or less than the median area income, as established and updated by HUD.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-395
(Int. No. 431)

Authorizing an amendatory agreement relating to the Aging in Place Home Food Distribution Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Lifespan of Greater Rochester, Inc. relating to the Aging in Place Home Food Distribution Program (Program). The amendatory agreement shall extend to June 30, 2022, the term of the agreement that was authorized by Ordinance No. 2020-351.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-396
Re: Professional Services Agreement –
The Dawson Company, LLC, Bull's
Head Development Services

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

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

Transmitted herewith for your approval is legislation establishing \$75,000 as maximum compensation for a professional services agreement with an entity to be formed by The Dawson Company, LLC (Harold A. Dawson Jr., President and CEO, 223 West Gregory Street, Pensacola, Florida) for services relating to the Bull's Head Revitalization Project. The cost of the agreement will be funded from related allocations in the 2015-16 Budget of Cash Capital.

The Dawson Company, LLC (The Dawson Company), a minority-owned development firm, was selected to enter into exclusive negotiations with the City for the Bull's Head redevelopment project. In July 2020, the City issued a developer Request for Qualifications to enter into exclusive negotiations for redevelopment at Bull's Head. After the RFQ respondents were shortlisted and interviewed, The Dawson Company development team was selected. A Memorandum of Understanding for exclusive negotiations between the City and The Dawson Company has been executed.

Prior to the RFQ process, the City undertook an extensive community-based planning project for the revitalization of Bull's Head. Pursuant to the land assembly stage of the Bull's Head Urban Renewal Plan approved by City Council by Ordinances No. 2018-230 and 2018-320, the City assembled over 12 acres to be sold and redeveloped with mixed-use commercial and residential development. As part of the Bull's Head planning process, a concept redevelopment vision was prepared and subsequently used in the RFQ as a basis for soliciting development interest.

In order to advance redevelopment plans for Bull's Head, the City requires the assistance and development expertise of The Dawson Company to complete preliminary redevelopment plan drawings, cost estimates, and associated phasing plan to be presented to the community for input. Presentation of these materials to the community is anticipated to happen in summer 2022. The agreement will have a term of up to one year. A justification sheet for not using an RFP is attached.

A State Environmental Quality Review Act (SEQRA) Review was completed, and the Project was determined to be a Type 2 activity.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-219

Ordinance No. 2021-396
(Int. No. 432)

Authorizing an agreement for development services for 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 Dawson Company, LLC or an entity to be formed by that company to prepare preliminary development plan drawings, cost estimates and a phasing plan to effectuate the conceptual plan for the Bull’s Head Revitalization Project. The maximum compensation for the agreement shall be \$75,000, which shall be funded from 2015-16 Cash Capital. The term of the agreement shall be up to one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-397
Re: Commitment of Funds for Housing
Trust Fund

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation committing a portion of the grant funds appropriated in Ord. No. 2021-8 to the General Fund for the purpose of establishing a housing trust fund (HTF). Of the \$1,000,000 awarded from Enterprise Community Partners, Inc. (Priscilla Almodovar, Chief Executive Officer, 1 Whitehall St. 11th Floor, New York, NY), \$450,000 will be committed for use in establishing the HTF. This formal funding commitment is being requested by Enterprise, and is in preparation for a future City Council request to authorize an agreement with an agency that will ultimately administer the HTF.

In 2020, the NYS Attorney General’s Office and Enterprise launched the Anti-Displacement Learning Network (ADLN) program to support the efforts of municipalities in New York State to reduce or prevent the housing displacement of low-income communities through peer learning and

funding of targeted strategies. The award from Enterprise Community Partners was \$1,000,000, which has been used so far to combat COVID-19-related displacement and for a consultant (HR&A Advisors, Inc., Phillip Kash, 99 Hudson Street 3rd Floor, New York, NY), to provide research and recommendations on a framework for a local housing trust fund specific to Rochester's needs. The team particularly focused on a HTF as an innovative and flexible vehicle dedicated to promoting engagement as well as housing opportunity and stability for people at risk of displacement in Rochester.

HTFs are distinct funds with renewable and revolving sources established by city, county or state governments to support the preservation and production of affordable housing and increase opportunities for families and individuals to access decent affordable housing units. Creation of a HTF is intended to help develop innovative approaches to housing stability and the opportunity to be inclusive of and responsive to the diverse needs and interests of at-risk households, while leveraging existing programs for greater impact. Locally generated funds are subject to stronger community control and allow for more flexibility in use of funds than many existing state and federal funds.

This request is also a step in implementing the recommendation from the City's Consolidated Plan, *Rochester 2034*, in Section HSG-5g: "Explore the feasibility and value of a housing trust fund to raise additional resources to help invest in housing and community development goals". There is continuing due diligence to determine the governance and administration structure of the HTF. HR&A Advisors, Inc. has provided a needs assessment as well as recommendations on administration, governance, and potential revenue sources. Stakeholder and resident input sessions have been held throughout 2021 to gather supporting information, and further sessions are scheduled to review the findings and finalize support for decisions on administration, governance, and process. Additional related requests to City Council will be forthcoming, such as authorization of agreement for an entity to administer the HTF and approval of the Advisory Board requirements.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-220

Ordinance No. 2021-397
(Int. No. 433)

Approving the commitment of funds for a Housing Trust Fund

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

Section 1. The Council hereby authorizes the commitment of \$450,000 in grant funds to be received from Enterprise Community Partners, Inc. (ECP) for the purpose of establishing a Housing Trust Fund (Trust Fund). The grant funds, which shall be designated by ECP and the City for the Trust Fund from a portion of the Anti-Displacement Learning Network program grant authorized and allocated in accordance with Ordinance No. 2021-8, shall be deposited in the General Fund until such time as they can be appropriated to a Trust Fund approved by this Council.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-398

Re: Payment-In-Lieu Of Taxes Agreement-
Canal Street Apartments Project

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Council Priority: Rebuilding and strengthening
neighborhood housing - Stable, decent and
Affordable housing.

Transmitted herewith for your approval is legislation related to the Canal Street Apartments project, being developed by East House Corporation (Kimberly Brumber, President/CEO, 259 Monroe Avenue, Suite 200, Rochester) to provide a Payment-In-Lieu Of Taxes (PILOT). This legislation will authorize property tax exemptions and a payment-in-lieu of taxes agreement with East House Corporation, East House Canal Street LLC, or an affiliated partnership or housing development fund corporation to be formed by East House Corporation for the Canal Street Apartments project, located at 67-89 Canal Street (SBL#: 120.36-2-1.002). The PILOT will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rent (gross rent minus utility cost).

Canal Street Apartments is a supportive and affordable rental housing development being developed by East House Corporation (EHC). Due to the complex financing structure, EHC has partnered with consulting developer MM Development Advisors, Inc. (Monica McCullough, President, 133 S. Fitzhugh Street, Rochester). The project includes the adaptive reuse and historic rehabilitation of 67-69 Canal Street; a vacant, five-story, 166,251 square foot building located in the Susan B Anthony Neighborhood. The project is located in a relatively stable historic neighborhood, west of Downtown Rochester and north of Main Street. There are several proximate affordable housing developments, including Carriage Factory Apartments, which is directly adjacent to the proposed project. This site is also close to the Bull's Head Urban Renewal Agency (URA).

This development will result in the creation of 123 apartments, 70 of which are to be permanent supportive housing with rental subsidies and support services on-site. This development includes studio, one- and two-bedroom units, and all units are affordable to households at or below 60% of Area Median Income (AMI); with 70 units at or below 30% and 50% of Area Median Income (AMI) and 53 units at or below 60% AMI. Rent includes gas, electric, and hot water. Tenants will be responsible for phone, cable and internet, although free WiFi internet will be available in the many common areas in the building. East House will be the service provider for all of the supportive housing units, which will serve a combination of special need populations – 37 units targeting individuals with Serious Mental Illness (SMI), 25 units targeting individuals with Substance Abuse Disorder (SUD), and 8 units targeting the chronically homeless.

East House Corporation, a Rochester, NY based non-profit organization, is the project sponsor and owner. EHC and MM Development Advisors, Inc., a NYS Certified WBE, will serve as project co-developers. EHC and MMDA have collaborated successfully on both Paul Wolk Commons and Alexander Street Apartments. The development team also includes PLAN Architectural Studio

P.C. (architect/design), Hamilton Stern Construction (general contractor), Preservation Studios (historic tax credit consultant), and Sustainable Comfort, Inc. (energy efficiency consultant). East House has selected Providence Housing Development Corp. to serve as property manager. The City has partnered with many of the organizations involved in this transaction, and has had positive outcomes.

The proposed PILOT received approval from the PILOT Review Committee on October 25, 2021. The project scheduled to start March 2022. The construction and lease-up for the project will take approximately 22 months. It is anticipated that the project will create or retain 150 jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-221

Ordinance No. 2021-398
(Int. No. 434)

Authorizing a payment in lieu of taxes agreement for the Canal Street Apartments 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 payment in lieu of taxes agreement (PILOT Agreement) with the East House Corporation, East House Canal Street LLC, or an affiliated partnership or housing development fund (collectively, the Developer) to develop the Canal Street Apartments Project comprised of approximately 123 units of housing affordable to households with extremely low, very low and low incomes, supportive services and other amenities (the Project) on the following parcel of land. This PILOT Agreement shall provide that said Project parcel shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents, including governmental subsidies, less utility costs.

Address	SBL #
67-89 Canal Street	120.36-2-1.002

Section 2. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-399
Re: Amendments- Vacant Property
Remediation and Prevention
Initiative- Round II

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval related to the City's current grant through the Zombie and Vacant Property Remediation and Prevention Initiative- Round II (the program) from the NYS Attorney General's Office, administered by Local Initiative Support Corporation (LISC). This legislation will:

1. Amend Ordinance No. 2019-222 to extend the term of the existing grant agreement with Local Initiatives Support Corporation (LISC) (Lisa Glover, President and CEO, 28 Liberty Street, Floor 34, New York, NY) by up to 5 months through April 30th, 2022. LISC is extending the grant period for all cities in the program to help accommodate for delays in project implementation due to COVID. The agreement was previously extended through November 30th, 2021 by Ordinance No. 2021-238. All other terms will remain the same.
2. Amend Ordinance No. 2019-279 to extend the term of the existing agreement with Volunteer Legal Services Project of Monroe County, Inc. (D.B.A. JustCause, Tina Foster, Executive Director, 1 West Main Street, 5th Floor, Rochester, NY) by up to 7 months through April 30th, 2022. The amendatory agreement will also increase the maximum compensation by \$18,500 to a new maximum compensation of \$68,500. JustCause will continue to provide access to legal services for low income households impacted by property title issues or the lack of a will that could contribute to the blighting or abandonment of properties in the city. This agreement and the added maximum compensation is funded by the LISC Zombie Grant agreement extended herein. All other terms will remain the same.

The additional \$18,500 for the added maximum compensation is being reallocated from LISC grant funding previously budgeted for the City's costs related to filing property abandonment actions in efforts to acquire zombie properties. Even after the funds are reallocated, NBD is still projected to meet the grant goals for abandonment actions.

This grant is provided through the the New York State Housing Stabilization Fund, a LISC program funded by the NYS Attorney General's Office that is funding the work of municipalities or their housing finance agencies to support Housing Quality Improvement and Enforcement Programs.

The LISC grant has enabled the City to initiate a vacant property hazard abatement program; provided strategic planning training for the Community Land Trust; provided Will preparation and probate resolution assistance; increased the capacity to manage the vacant property program and facilitate Abandonment Actions; provided website development support for the Monroe County Vacant and Abandoned Property Task Force; and assisted with the development of efficient and effective means of collaborating with State agencies to ensure compliance with the new Zombie Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-399
(Int. No. 457)

Authorizing amendatory agreements for the Zombie and Vacant Property Remediation and Prevention Initiative – Round II

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 grant agreement with Local Initiatives Support Corporation to fund the Zombie and Vacant Property Remediation and Prevention Initiative – Round II (Initiative). The amendatory agreement shall amend the existing agreement, as authorized by Ordinance No. 2019-222 and as amended by Ordinance No. 2021-238, to extend the term for up to 5 months.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Volunteer Legal Services Project of Monroe County, Inc. to continue to provide legal services for households impacted by legal issues that may contribute to the blighting or abandonment of real property. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2019-279 to extend the term for up to 7 months and to increase the maximum compensation by \$18,500 to a new total of \$68,500. The additional compensation shall be funded by the Initiative funds appropriated in Ordinance No. 2019-279.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2021-29
Re: Appointment – Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member to the Zoning Board of Appeals. Mr. Tompkins will start a new, two year term that will expire on December 31, 2023.

<u>Name</u>	<u>Address</u>
Tim Tompkins	113 Liberty Pole Way Rochester NY 14604

Mr. Tompkins' resume is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2021-29
(Int. No. 459)

Resolution approving appointment to the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointment of the following individual to the Zoning Board of Appeals as a regular member for a term which shall expire on December 31, 2023:

Name	Council District
Tim Tompkins	Northeast

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Gruber
December 14, 2021

To the Council:

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

Int. No. 435	Appropriating funds for the Minister Franklin D. Florence Civil Rights Park
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- Int. No. 436 Appropriating American Rescue Plan Act funds and authorizing agreements for Downtown tour boat service
- Int. No. 437 Appropriating American Rescue Plan Act funds and authorizing agreements for the Broad & Allen Firehouse Kitchen Renovation and Exhaust Hood Upgrades project
- Int. No. 438 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$249,000 Bonds of said City to finance the costs of the Broad & Allen Firehouse Kitchen Renovation and Exhaust Hood Upgrades project
- Int. No. 439 Appropriating funds and authorizing an agreement for the Riverway Main to Andrews – East project
- Int. No. 440 Appropriating funds and amending Ordinance No. 2021-20 relating to the East Main Street Bridge over CSX Trans/Amtrak project
- Int. No. 441 Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$961,000 Bonds of said City to finance the costs of the Hemlock Filtration Plant HVAC Upgrades project
- Int. No. 442 Authorizing an agreement for the Hemlock Filtration Plant HVAC Upgrades project
- Int. No. 443 Authorizing an amendatory agreement for the Rundel Memorial Library Exterior Building Repairs project
- Int. No. 444 Authorizing an agreement for the Goodman Firehouse Improvement Project
- Int. No. 445 Appropriating American Rescue Plan Act funds for the Spring 2022 Lead Service Line Replacement Program 2A project
- Int. No. 446 Authorizing an amendatory agreement for occupational and environmental core training services
- Int. No. 447 Authorizing an agreement for energy program support services
- Int. No. 465 Resolution to identify and rename public spaces named for slaveholders

Respectfully submitted,
 Mitch Gruber
 Malik Evans
 Jose Peo (*Voted against Int. No. 465*)
 Willie J. Lightfoot
 Loretta C. Scott
 PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-400
Re: Funding Appropriation- Minister
Franklin D. Florence Civil Rights Park

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

Transmitted herewith for your approval is legislation related to the Minister Franklin D. Florence Civil Rights Park. This legislation will appropriate \$500,000 from the American Rescue Plan Act (ARPA) funding to fund a portion of the design and construction of the project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This project, is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 3.9 Healthy Childhood Environments.

The Minister Franklin D. Florence Civil Rights Park is a joint initiative of the City, the Spiritus Christi Anti-Racism Coalition and the Black Community Focus Fund. The project site is located within the City owned Baden Park in the Upper Falls and Marketview Heights neighborhoods.

This impactful community project will create an outdoor learning environment that will present historical narratives of Rochester's Black Freedom Struggle, emphasizing the rich history of civil rights and civic engagement. The project will give voice and visibility to the story of the Rochester Black community's struggle for liberation and equity, from the historically significant work of Frederick Douglass, to the groundbreaking initiatives of FIGHT (Freedom, Independence, God, Honor, Today -- the activist group begun here after the riots and led by Minister Franklin D. Florence), to the current Black Lives Matter movement

The project has received initial support of a \$500,000 State and Municipal Facilities (SAM) capital grant through the office of the Honorable Harry B. Bronson, New York State Assembly.

Design will begin in early 2022, with construction anticipated in 2023. The project will result in the creation and/or retention of the equivalent of 10.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-222

Ordinance No. 2021-400
(Int. No. 435)

Appropriating funds for the Minister Franklin D. Florence Civil Rights Park

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

Section 1. The Council hereby appropriates the sum of \$500,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 to fund a portion of the design and construction of the Minister Franklin D. Florence Civil Rights Park (the Project). The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund said Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-401
Re: Agreement – The Corn Hill
Waterfront & Navigation Foundation
Tour Boat and Service

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to The Corn Hill Waterfront & Navigation Foundation's establishment of a new Downtown tour boat service. This legislation will:

1. Appropriate an amount not to exceed \$150,000 from the American Rescue Plan Act (ARPA) to fund a portion of the purchase of the tour boat, build out of the ticket office, and other startup costs; and,
2. Authorize an agreement with The Corn Hill Waterfront & Navigation Foundation (Bruce Van Hise, Executive Director, P.O. Box 373, Pittsford, NY), to administer this funding.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This service, is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 2.11 Aid to Tourism, Travel, or Hospitality.

The Corn Hill Waterfront & Navigation Foundation (CHN) is a non-profit organization dedicated to connecting the community and visitors to Rochester's historic waterways through authentic guided boat experiences and educational programs. CHN was significantly impacted by the pandemic as it eliminated their 2020 season, which negatively impacted their finances and ability to fundraise. Establishment of their new downtown tour boat, docked at Corn Hill Landing, is an important ROC

the Riverway initiative and is anticipated to be a major tourist attraction for our community. In addition, CHN will establish its new ticket and back office operation at Corn Hill Landing.

CHN was awarded \$250,000 in Upstate Revitalization Initiative/ROC the Riverway funding in 2018 toward the purchase of the new Downtown tour boat. An additional \$120,000 in private sector fundraising has been completed to-date. The estimated cost to build and deliver the new tour boat is over \$500,000. ARPA funding will support CHN's important educational and recreational mission and ensure that the tour boat and ticket office are both delivered in summer 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-401
(Int. No. 436)

Appropriating American Rescue Plan Act funds and authorizing agreements for Downtown tour boat service

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

Section 1. The Council hereby authorizes the receipt and use of \$150,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount to fund a new Downtown tour boat service (the Project). The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to obtain the funds and carry out the Project.

Section 2. The Mayor is hereby authorized to enter into an agreement with The Corn Hill Waterfront & Navigation Foundation to establish and operate the Project. The maximum compensation for the agreement shall be \$150,000, which shall be funded from the ARPA funds appropriated in Section 1 herein.

Section 3. The agreements authorized herein 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. 2021-402
Ordinance No. 2021-403
Re: Broad & Allen Firehouse Kitchen
Renovation & Exhaust Hood Upgrades

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 Broad & Allen Firehouse Kitchen Renovation & Exhaust Hood Upgrades. This legislation will:

1. Authorize the issuance of bonds totaling \$249,000 and the appropriation of the proceeds thereof to partially finance the architectural/engineering design and construction of the Project, and;
2. Appropriate \$162,000 from the American Rescue Plan Act (ARPA) funding to fund a portion of the construction of the project, and;
3. Establish \$90,000 as maximum compensation for a professional services agreement with Architectura, P.C., (Jennifer Takatch, C.E.O., 17 Pitkin St, Suite 100 Rochester, New York) for architectural and engineering design services. The agreement will be funded with bonds appropriated herein;

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project was included in the City of Rochester’s Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This project is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 6.1 Provision of Government Services.

The Broad & Allen Firehouse Kitchen Renovation & Exhaust Hood Upgrades Project will renovate the existing kitchen with stainless steel cabinets and countertops, lighting upgrades, new flooring, and painting. Replacement is required of the existing hood with a code complaint exhaust hood and fire suppression system with make-up air unit.

Funding Source	Design	Construction	Total
Debt authorized herein	90,000	159,000	\$249,000
ARPA funds appropriated herein	0	162,000	\$162,000
Total	\$90,000	\$321,000	\$411,000

Architectura, P.C. was selected for Design Services through a Request for Proposal process, which is described in the attached summary.

Design will begin in late 2021, with construction starting in fall 2022. The project will result in the creation and/or retention of the equivalent of 4.4 full-time jobs.

The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-223

Ordinance No. 2021-402
(Int. No. 437)

Appropriating American Rescue Plan Act funds and authorizing agreements for the Broad & Allen Firehouse Kitchen Renovation and Exhaust Hood Upgrades project

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

Section 1. The Council hereby authorizes the receipt and use of \$162,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount to fund the Broad & Allen Firehouse Kitchen Renovation and Exhaust Hood Upgrades project (Project). The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to obtain the funds and carry out the Project.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Architectura, P.C. to provide architectural and engineering design services for the Project. The maximum compensation for the agreement shall be \$90,000, which shall be funded from a portion of the funds authorized and appropriated in a concurrent bond ordinance. The term of the agreement shall continue to three months after completion of the 2-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed Unanimously.

Ordinance No. 2021-403
(Int. No. 438)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$249,000 Bonds of said City to finance the costs of the Broad & Allen Firehouse Kitchen Renovation and Exhaust Hood Upgrades project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") is hereby authorized to finance the costs of design and construction of the Broad & Allen Firehouse Kitchen Renovation and Exhaust Hood Upgrades which include the replacement or renovation of cabinets, countertops and flooring, painting and installation of a code compliant exhaust hood and fire suppression system at the firehouse located at the corner of West Broad and Allen streets

(collectively, 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 \$411,000. The plan of financing includes the issuance of \$249,000 bonds of the City, which amount is hereby appropriated therefor, \$162,000 in United States Treasury funds provided pursuant to the American Rescue Plan Act of 2021 and appropriated in a concurrent ordinance 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 \$249,000 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 \$249,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 13. of the Law, is ten (10) years.

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

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

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

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

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

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

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

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-404
Re: T.Y. Lin International Engineering
& Architecture, P.C.
Genesee Crossroads Park Revitalization

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Genesee Crossroads Park Revitalization Project. This legislation will:

1. Appropriate \$350,000 in anticipated reimbursements from ROC the Riverway / Upstate Revitalization Initiative funding administered by the New York State Department of State (NYS DOS) to finance the preliminary engineering and design of the project; and,
2. Establish \$350,000 as maximum compensation for a professional service agreement with T.Y. Lin International Engineering & Architecture, P.C., (Robert J. Radley, C.E.O., 255 East Avenue, Rochester) for preliminary engineering, landscape architecture, urban design services, public outreach, and SEQR review for the project.

This project, also known as Riverway Main to Andrews – East, was awarded funding through Phase 1 of ROC the Riverway in 2018. The project includes upgrades to Genesee Crossroads Park, on the east side of the Genesee River between East Main Street and Andrews Street, including a new link in the Genesee Riverway Trail system. The existing riverside pedestrian promenade will be upgraded to meet current multi-use trail design standards, including full ADA accessibility. This project will also include a redesign of the aging greenspace to create a more attractive, vibrant public space.

T.Y. Lin International Engineering & Architecture, P.C. was selected for preliminary design services based on their recent experience with the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project, currently under construction. A full justification for not issuing a request for proposal is attached.

Preliminary design services are anticipated to begin in January 2022. Construction is anticipated to begin in spring 2024. The preliminary design phase of the project will result in the creation and/or retention of the equivalent of 3.3 full-time jobs.

Council previously authorized entering into an agreement with NYSDOS for this project in March 2019 (Ordinance No. 2019-62). The term of the agreement shall terminate six (6) months after completion and acceptance of preliminary design and SEQR determination.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-224

Ordinance No. 2021-404
(Int. No. 439)

Appropriating funds and authorizing an agreement for the Riverway Main to Andrews – East project

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

Section 1. The Council hereby appropriates the sum of \$350,000 from anticipated reimbursements from Upstate Revitalization Initiative funds administered by the New York State Department of State to fund preliminary engineering and design of the Riverway Main to Andrews – East project component of ROC the Riverway (Project), which was authorized in Ordinance No. 2019-62.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with T.Y. Lin International Engineering and Architecture, P.C. for preliminary engineering, landscape architecture, urban design services, public outreach, and review pursuant to the New York State Environmental Quality Review Act (SEQR) for the Project. The maximum compensation for the agreement shall be \$350,000, which shall be funded from the Upstate Revitalization Initiative funds appropriated by Section 1 herein. The term of the agreement shall continue to six months after completion and acceptance of preliminary design and SEQR determination.

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. 2021-405
Re: East Main Street Bridge over
CSX Trans/Amtrak

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 East Main Street Bridge over CSX Tran/Amtrak. This legislation will:

1. Appropriate \$138,460 in anticipated reimbursements from the Federal Highway Administration (FHWA), administered by New York State Department of Transportation (NYSDOT) through the Bridge NY program, to finance a portion of the construction and Resident Project Representative (RPR) services for the project; and,
2. Amend Section 2 of Ordinance No. 2021-20, which established funding for an agreement with Erdman, Anthony and Associates, Inc. for Resident Project Representation (RPR) services related to this project, by reducing \$82,732.72 of the City bonds authorized in Ordinance No. 2021-21, reducing \$28,372.45 of 2019-20 Cash Capital, and replacing those funds with \$111,105.17 of the FHWA funds appropriated herein.

Bridge work consists of element specific maintenance repairs which include: milling the existing overlay, complete a top mat exposure utilizing hydro demolition, pour a new concrete overlay, eliminate the existing bridge joint system and make the deck jointless over the abutment backwall, modify the existing backwall to accept the jointless detail, remove and replace granite curb, complete necessary sidewalk repairs, remove and replace the existing concrete parapet and fencing system.

Construction started in spring 2021 and will be substantially complete in fall 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-225

Ordinance No. 2021-405
(Int. No. 440)

Appropriating funds and amending Ordinance No. 2021-20 relating to the East Main Street Bridge over CSX Trans/Amtrak project

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

Section 1. The sum of \$138,460 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the construction and Resident Project Representative (RPR) services for the East Main Street Bridge over CSX Trans/Amtrak project (Project).

Section 2. Ordinance No. 2021-20, authorizing an appropriation and agreement for the Project, is hereby amended in Section 2 thereof as follows:

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Erdman, Anthony and Associates, Inc. to provide RPR services for the Project. The maximum compensation shall be \$250,000, which shall be funded from \$88,580 of the FHWA funds appropriated in Section 1 herein, \$111,105.17 of the FHWA funds appropriated in Ordinance No. 2021-405 and ~~\$133,047.55~~ \$50,314.83 from the proceeds of the City bonds authorized in ~~a concurrent Ordinance No. 2021-21, and \$28,372.45 in 2019-20 Cash Capital.~~ The term of the agreement shall continue to six months after final completion of the Project.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-406
Ordinance No. 2021-407
Re: Hemlock Filtration Plant HVAC
Upgrades

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 Hemlock Filtration Plant HVAC upgrades. This legislation will:

1. Authorize the issuance of bonds totaling \$961,000 and the appropriation of the proceeds thereof to finance the architectural and engineering design, construction administration services, and construction of the project, and;
2. Establish \$145,000 as maximum compensation for a professional services agreement with Erdman Anthony (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York) for architectural and engineering design and construction administration services;

The Hemlock Filtration Plant was constructed in 1993 and mechanical equipment original to the facility has reached the end of its serviceable life. This project will replace antiquated systems with new, high efficiency, code compliant equipment to adequately cool and ventilate critical areas of the facility including, but not limited to, primary lab and chemical storage areas.

Erdman Anthony was selected for design services through a Request for Proposal process, which is described in the attached summary.

Design will begin in early 2022, with construction starting in late 2022. The project will result in the creation and/or retention of the equivalent of 10.4 full-time jobs.

The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-226

Ordinance No. 2021-406
(Int. No. 441)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$961,000 Bonds of said City to finance the costs of the Hemlock Filtration Plant HVAC Upgrades project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of the Hemlock Filtration Plant HVAC Upgrades, which includes the replacement of heating, ventilation and cooling systems in the water filtration plant located at 7412 Rix Hill Road, Hemlock, New York (collectively, the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$961,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$961,000 bonds of the City 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 \$961,000 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 \$961,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.12(a)(1) of the Local Finance Law, is twenty (20) 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. 2021-407
(Int. No. 442)

Authorizing an agreement for the Hemlock Filtration Plant HVAC Upgrades 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 Erdmann, Anthony and Associates, Inc. to provide architectural and engineering design and construction administration services for the Hemlock Filtration Plant HVAC Upgrades project (Project). The maximum compensation for the agreement shall be \$145,000, which shall be funded from the proceeds of bonds appropriated to the Project in a concurrent ordinance. The term of the agreement shall continue until 3 months after completion of a 2-year guarantee inspection 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. 2021-408
Re: Amendatory Agreement – Bero
Architecture, PLLC, Rundel Memorial
Library Exterior Building Repairs
Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Bero Architecture, PLLC, (Jennifer Ahrens, C.E.O., 32 Winthrop Street, Rochester, NY) for final architectural and structural engineering design, and construction administration services for the Rundel Memorial Library Exterior Building Repairs project.

Ordinance No. 2020-80 (in March 2020) authorized the original agreement with Bero Architecture, PLLC in the amount of \$200,000 to begin design and evaluate the existing conditions and extent of current deterioration, and identify creative solutions for the overall preservation and long term care of the building's exterior envelope. This amendment will increase the maximum compensation by \$125,000 to a maximum total of \$325,000 for final design, contract documents, and construction administration for phase 1 (west façade) of that plan. The additional cost will be financed with bonds authorized by Ordinance No. 2020-81.

The project includes repair, restoration and reconstruction of the exterior building parapets, limestone and brick masonry, historic windows, and structural framing systems throughout the west façade along the Genesee River.

The Rundel Library, a three story, 120,000 square foot facility adjacent to the Genesee River and the historic second Erie Canal aqueduct, was completed in 1936 as a Federal Works Progress Administration (WPA) project, along with the construction of its adjoining elevated terraces. The facility is listed on the National Register of Historic Places and on the New York State Registry. Repair and renovation of this important structure is a critical link in the overall revitalization of Rochester's downtown Genesee River corridor.

Construction is anticipated to begin in summer 2022 with completion in summer 2023.

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-227

Ordinance No. 2021-408
(Int. No. 443)

Authorizing an amendatory agreement for the Rundel Memorial Library Exterior Building Repairs project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Bero Architecture, PLLC to add final design and construction administration to the architectural and structural engineering design services that it has been providing for the Rundel Memorial Library Exterior Building Repairs project (Project). The amendment shall increase the maximum compensation provided under the existing agreement, which was authorized in Ordinance No. 2020-80, by \$125,000 to a new total of \$325,000. The increase in compensation shall be funded from the proceeds of bonds appropriated to the Project in Ordinance No. 2020-81.

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. 2021-409
Re: Goodman Firehouse Improvement
Project

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 Goodman Firehouse Improvement Project. This legislation will establish \$240,000 as maximum compensation for a professional services agreement with LaBella Associates, D.P.C. (Steve Metzger, C.E.O., 300 State Street, Suite 201, Rochester, NY) for architectural and engineering design services. The cost of the agreement will be financed from 2021-22 Cash Capital.

A comprehensive building condition assessment for the Goodman Firehouse (built in 1960) was performed by LaBella Associates in 2013. It was noted that the existing HVAC systems serving the building do not provide outdoor air and have insufficient make-up air for exhaust. This project will replace the existing two-pipe hydronic system with a code compliant ducted roof top system. This will project will also rehabilitate the existing restrooms and include interior renovations necessary to accommodate co-gender usage and comply with current accessibility codes.

LaBella Associates was selected for design services through a Request for Proposal process, which is described in the attached summary.

Design will begin in early 2022, with construction anticipated in 2023. The project will result in the creation and/or retention of the equivalent of 2.6 full-time jobs.

The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-228

Ordinance No. 2021-409
(Int. No. 444)

Authorizing an agreement for the Goodman Firehouse Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. for architectural and engineering design services for the Goodman Firehouse Improvement Project (Project). The maximum compensation for the agreement shall be \$240,000, which shall be funded from 2021-22 Cash Capital. The term of the agreement shall continue to three months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed Unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-410
Re: Funding Appropriation- Spring 2022
Lead Service Line Replacement
Program 2A

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Spring 2022 Lead Service Line Replacement Program 2A project. The legislation will authorize the receipt and use of \$8,000,000 from the American Rescue Plan Act (ARPA) and appropriate the proceeds thereof to fund the construction for the project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This project, is an eligible use of ARPA funding per the following Treasury Interim Guidelines Expenditure Category: 5.12 - Drinking water: Transmission & Distribution: Lead Remediation

The funds provided will be used to replace residential lead service lines in an effort to reduce the amount of lead in drinking water and will also restore the streets impacted by the work. It is estimated that over 1000 services will be replaced. The actual number of lead services to be replaced will be determined during the design phase of the project. The funds will also be used to Chip Seal streets where lead services will be replaced as part of the Fall 2021 Lead Service Line Replacement Program 1A project.

The total cost of this project is estimated to be \$8,000,000.

Work is expected to be performed during the summer and fall of 2022. Project administration and construction inspection will be performed by Water Bureau staff.

This project results in the creation and/or retention of the equivalent of 87 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-229

Ordinance No. 2021-410
(Int. No. 445)

Appropriating American Rescue Plan Act funds for the Spring 2022 Lead Service Line Replacement Program 2A project

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

Section 1. The Council hereby authorizes the receipt and use of \$8,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount to fund the Spring 2022 Lead Service Line Replacement Program 2A project (Project). The Mayor is hereby further authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund and carry out said Project as authorized herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-411
Re: Amendatory agreement – Yehl
Environmental Incorporated –
Occupational and Environmental Core
Training Services for the Rochester
Environmental (REJob) 2.0 Training
Program

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to funding for a third round of occupational and environmental core training for REJob 2.0.

This legislation will authorize an amendatory agreement with Yehl Environmental Incorporated (Darren Yehl, President, 460 State Street, Rochester, NY) in the amount of \$19,700 to provide a third round of core training in 2022 for REJob 2.0.

In December 2019, City Council authorized an agreement with Yehl Environmental Incorporated (Ordinance 2019-375) which established \$85,400 as maximum compensation to provide occupational health and safety training services as part of the City's Rochester Environmental REJob 2.0 training program. These services, including the additional training certifications approved in amendatory agreement #1 (Ordinance 2021-141) are funded with the Environmental Workforce Development and Job Training Program (EWDJT) grant from the United States Environmental Protection Agency (USEPA) authorized in the Ordinance 2019-375.

The objectives of the REJob Program are to recruit and train unemployed or underemployed City residents in core occupational and environmental areas that provide certifications toward work in the asbestos abatement, hazardous waste remediation, and environmental cleanup

fields. Yehl Environmental Incorporated provides core training to all students as well as additional training for certifications for high achieving students after the core training is completed.

This additional round of occupational and environmental of core training will be completed in the spring of 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-411
(Int. No. 446)

Authorizing an amendatory agreement for occupational and environmental core training 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 Yehl Environmental Incorporated to provide additional training for employer requested certifications as part of the Rochester Environmental Job (REJob 2.0) Training Program. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2019-375 and as amended by Ordinance No. 2021-141 to increase the maximum compensation by \$19,700 to a new total of \$115,100. The amendatory compensation shall be funded from the United States Environmental Protection Agency grant appropriated in Ordinance No. 2019-375.

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. 2021-412
Re: Professional Services Agreement
Energy Program Support Services

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to services in support of advancing energy projects and programs for the City of Rochester. This legislation will authorize a professional services agreement with PMD Energy and Environments, LLC (PMDEE) (Patrick M. Dishaw, P.E., President, 4 Balsam Drive, Rochester, NY), to provide energy consulting services to the City.

Since 2017, PMDEE President Patrick M. Dishaw has provided direct support to the City of Rochester Department of Environmental Services, providing technical consulting and owner representation services on projects involving LED lighting upgrades, photovoltaic system analysis and energy generation verification, energy audit planning and oversight, utility incentive/rebate

procurement, geothermal HVAC feasibility studies, and management of the City's facility energy usage database in Environmental Protection Agency's (EPA) Portfolio Manager system. All of these projects are current or on-going activities. Projects completed to date utilizing PMDEE services have provided the City with over \$100,000 in annual energy cost savings and over 3,000 MMBTU in energy savings. Mr. Dishaw originally performed these services under an agreement between the City and the New York Power Authority and subsequently under a professional services agreement authorized via Council Ordinance 2018-406. A full justification for not issuing a request for proposals is attached.

Execution of this agreement with PMDEE will allow the City to continue working on these existing energy projects, as well as complete future projects in a timely manner. Many of these projects provide significant energy usage and greenhouse gas emissions reductions as well as cost savings to the City, and help the City advance the goals of the Rochester Climate Action Plan.

Services utilized under this agreement will be financed from the annual budgets of the department using the services or from funds appropriated for specific projects. Services will be requested by the City on an as-needed basis. The agreement will have an initial term of one year, with provisions for renewal for two additional one-year periods based on mutual written agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-230

Ordinance No. 2021-412
(Int. No. 447)

Authorizing an agreement for energy program support 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 PMD Energy and Environments, LLC for services in support of advancing energy projects and programs for the City on an as-needed basis. The agreement shall have a term of one year with the option to extend for up to two additional one-year periods. The compensation for each service provided under the agreement shall be based on billing rates or project-specific fees established by the City. The compensation shall be funded from the annual budget of any department utilizing the services or from funds appropriated for a specific project, and shall be limited to the funds available for this purpose.

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:

Resolution No. 2021-30
Re: Resolution related to Public Spaces
named after Slaveholders

Transmitted herewith for your approval is a resolution related to the survey of public spaces in Rochester named after slaveholders. The resolution strongly urges the current and future City leadership to continue this survey work and to take action in renaming these spaces.

At our request, the City Historian conducted a preliminary survey in search of public spaces named for people who enslaved others. A preliminary survey focused on parcels of land owned and controlled by the City, especially parks. This search identified the Charles Carroll Park (69 Andrews Street) and Nathaniel Square (62 Alexander Street) as public spaces named for two of the City's founders, whose involvement as enslavers and traders is well documented.

We urge the City Administration to continue this survey and to rename all public places that are named after slaveholders. Rochester's rich history includes many individuals who are often on the margins of history but deserve public spaces named after them. From Austin Steward in the 1850s to James McCuller in the 1970s, there are ample Rochesterians more deserving of a public place named after them than individuals like Charles Carroll.

We recognize that any renaming effort would require a significant amount of public engagement for each renaming of a public street or park under the City's Official Map Amendment process. That process includes public hearing before both the City Planning Commission (CPC) and the City Council as well as the CPC's issuance of a recommendation on each proposed renaming. The resolution indicates a commitment to beginning that process with the Charles Carroll Park.

Respectfully submitted,
Lovely A. Warren
Mayor

Mitch Gruber
Councilmember, At-Large

Resolution No. 2021-30
(Int. No. 465)

Resolution to identify and rename public spaces named for slaveholders

WHEREAS, some of the founders of the City's predecessor, Rochesterville, were holders of slaves, including the City's namesake Nathaniel Rochester and his associate, Charles Carroll;

WHEREAS, as the home of Frederick Douglass and Susan B. Anthony, the City subsequently took a big role in initiating and supporting the abolition of slavery and in supporting the enactment and enforcement of the Civil War Amendments to the Constitution which were intended to replace slavery with the full rights of citizenship for African-Americans and all other Americans of color;

WHEREAS, one way to own up to the failures and to live up to the successes in the City's mixed legacy on racial and social justice is to assess who has been honored and who has been overlooked in the naming of the City's streets, parks and other public places;

WHEREAS, in a preliminary survey of City-owned public places, the City Historian has identified the Charles Carroll Park (69 Andrews Street) and Nathaniel Square (62 Alexander Street) as two spaces named for men whose involvement as enslavers and traders is well documented;

WHEREAS, a number of historic Rochesterians, including Austin Steward in the 1850s and James McCuller in the 1970s among others, have not received the recognition that they deserve and are worthy of recognition by means of a public place name due to their contributions toward the healing of historic inequities and to the development of a city that is thriving based on fairness and justice for all;

WHEREAS, Section 76-4 of the Municipal Code authorizes the City Council to initiate an application to rename a City street or park as an amendment to the City's Official Map; and

WHEREAS, Section 120-190(C) of the Municipal Code provides for the adoption of an Official Map Amendment by an ordinance adopted by the City Council only after there are public hearings conducted by both the City Planning Commission (CPC) and City Council and the receipt of a recommendation from the CPC.

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

Section 1. The City Council strongly urges the City Administration to allow and encourage the City Historian to continue her survey of public places for names that commemorate slaveholders and to publish the results that survey.

Section 2. The City Council strongly urges the City Administration to engage the City Historian to survey the historical record and identify Rochesterians who, owing to their contributions toward the healing of historic inequities and to the development of a city that is thriving based on fairness and justice for all, deserve recognition as replacement namesakes for those public places identified by the City Historian in pursuant to Section 1 herein.

Section 3. The Council shall prepare and submit an Official Map Amendment application to rename Charles Carroll Park located at 69 Andrews Street for Austin Steward, for James McCuller, or for a deserving person identified by the City Historian pursuant to Section 2 herein.

Section 4. This resolution shall take effect immediately.

Passed by the following vote:

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

Nays – Councilmember Peo – 1.

By Vice President Lightfoot
December 14, 2021

To the Council:

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

- | | |
|--------------|--|
| Int. No. 449 | Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction |
| Int. No. 450 | Authorizing an agreement related to the training of firefighters |
| Int. No. 451 | Authorizing an agreement for services related to the Summer of Opportunity Youth Employment Program |
| Int. No. 452 | Authorizing an agreement and amending the budget for the MVP Health Care Community Grant |
| Int. No. 453 | Authorizing agreements and amending the 2021-22 Budget for the 2021 Justice Assistance Grant program |
| Int. No. 454 | Authorizing an agreement to Update and Redesign the Police Accountability Board's Website (rocpab.org) |
| Int. No. 458 | Amending Ordinance No. 2021-368 relating to the Comprehensive Adolescent Pregnancy Prevention Program |

The **PUBLIC SAFETY, RECREATION & HUMAN SERVICES COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee

- | | |
|--------------|---|
| Int. No. 448 | Authorizing an intermunicipal agreement with the School District for traffic and crowd control services |
|--------------|---|

Respectfully submitted,
Willie Lightfoot
Mitch Gruber
Lashay D. Harris
Jose Peo
Loretta C. Scott
PUBLIC SAFETY, RECREATION & HUMAN SERVICES COMMITTEE

Received, filed and published.

Vice President Lightfoot moved to discharge Int. No. 448 from committee

Councilmember Patterson seconded the motion

Motion 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:

Ordinance No. 2021-413
Re: Agreement – Rochester City School
District, Traffic and Crowd Control
Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong neighborhoods

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

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or an event sponsored in part or in full by RCSD, such as football games, basketball games, and graduation ceremonies. The agreement will provide for reimbursement by RCSD of the cost of these services, up to a maximum of \$50,000 during fiscal year 2021-22. This will be the fourth time this agreement has been presented to Council, with the last one being approved under Ordinance No. 2020-152.

The term of the agreement is September 1, 2021 through June 30, 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-231

Ordinance No. 2021-413
(Int. No. 448)

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

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (“RCSD”) in the maximum amount of \$50,000 to reimburse the City for traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from September 1, 2021 through June 30, 2022. The anticipated reimbursements from the RCSD under the agreement are hereby appropriated for the costs of providing such traffic and crowd control services.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Lightfoot, Meléndez, Patterson, Peo – 7.

Nays – Councilmember Lupien – 1.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-414

Re: Inter-Municipal Agreement -Monroe County,
Firearms Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675. The term of the agreement is January 1, 2022 through December 31, 2022.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2021-22 Budget of the Police Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-414
(Int. No. 449)

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

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe in the amount of \$55,675 to reimburse the City for providing firearms instruction to Monroe County police agencies through the 2022 Firearms Instruction Program. The term of the agreement shall be January 1, 2022 through December 31, 2022.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays – Councilmember Lupien – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-415
Re: Agreement – Personal Energy, Inc.,
Physical Fitness Training

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with Personal Energy, Inc., Justin Merriam, President, 400 Andrews Street, Rochester, NY for consultation on physical training for Firefighter Recruits in preparation for the Candidate Physical Agility Test (CPAT) and Firefighter Trainees (FFT) in preparation for acceptance to the Fire Recruit Class. The agreement will have a term of two years with an option to renew for an additional two years, and will be funded from the 2021-22 and subsequent Budgets of the Fire Department, contingent upon approval of said budgets.

Personal Energy, Inc. was selected through a request for proposal process as described in the attached summary. The Fire Department has worked with Personal Energy, Inc. since 2013 with the most recent agreement authorized by Ord. No. 2016-217, and amended by Ord. Nos. 2017-144, 2020-244, and 2021-22.

The services of a certified personal trainer during a Fire Recruit class has demonstrated improved results in the overall fitness of recruit class participants and increased their ability to successfully complete the New York State mandated CPAT prior to graduation from the Fire Academy. The

services of this contract also support the Firefighter Trainee program as participants prepare during their internship for entry into the Fire Recruit class. Services provided include:

- Educate on weight training and aerobic exercise routines that will assist them in a successful outcome on the CPAT;
- Train how to do exercises correctly and how to prevent or reduce the risk of injuries;
- Provide instruction on how to work all the major muscles of the body;
- Provide consultation and evaluation of each Fire Academy recruit for training and preparation for CPAT;
- Develop individual aerobic exercise programs for Firefighter Recruits and FFTs;
- Teach sound and necessary nutrition practices that will lead to better performance and healthier participants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-232

Ordinance No. 2021-415
(Int. No. 450)

Authorizing an agreement related to the training of firefighters

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 Personal Energy, Inc. for consultation on physical training for firefighter recruits and trainees. The term of the agreement shall be two years with an option to extend for two more years. The maximum annual compensation for the agreement shall be \$25,000, which shall be funded from the 2021-22 Budget of the Fire Department for the first year and from a subsequent year's Budget of the Fire Department for each subsequent year, contingent upon approval of that year's 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. 2021-416
Re: Agreement - Evolution Payroll
Processing, LLC

Council Priority: Support the Creation of
Effective Education Systems

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$9,000 as maximum compensation for an agreement with Evolution Payroll Processing, LLC (Shawn Knapp, Rochester, NY) for services related to the Summer of Opportunity Youth Employment Program (SOOP). The cost of this agreement will be funded from the 2021-22 Budget of the Department of Recreation and Human Services (DRHS) and the term of the agreement will not exceed one year.

Evolution Payroll Processing, LLC, a USA Payroll Company, has been a partner of the Summer of Opportunity (SOOP) program for the past four years. Under this agreement, Evolution Payroll Processing will execute payroll processing that includes setting up direct deposit; processing time and attendance; printing and delivering stipends; printing and delivering 1099s. The Summer of Opportunity program has employed over 350 youth annually. The City also utilized Evolution Payroll Processing for payroll services for the new 2021 My Brother's Keeper summer institute.

This is the first authorization by City Council for this agreement. Authorization is required because the total value of DRHS professional services agreements with this vendor for this fiscal year will exceed \$10,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AU-233

Ordinance No. 2021-416
(Int. No. 451)

Authorizing an agreement for services related to the Summer of Opportunity Youth Employment Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Evolution Payroll Processing, LLC for payroll processing services related to the Summer of Opportunity Youth Employment Program (Program). The maximum compensation for the agreement shall be \$9,000, which shall be funded from the 2021-22 Budget of the Department of Recreation and Human Services. The term of the agreement shall not exceed one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-417
Re: Grant Agreement – MVP Health Care,
Inc., Community Grant for R-Center
Libraries

Council Priority: Support the Creation of Effective
Education Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with MVP Health Care, Inc. (Christopher Del Vecchio, President/CEO, Schenectady, NY) for the receipt and use of a \$7,500 grant to support the purchase of new books for R-Center libraries; and amending the 2021-22 Budget of the Department of Recreation and Human Services to reflect the grant. The term of this agreement will not exceed one year.

These funds will be used to purchase new books to include entertaining new titles as well as culturally responsive titles representative of our young readers. All City R-Centers will receive between 50-75 new books, with a focus on readers in kindergarten through fifth grade. Books will remain at R-Center locations to be enjoyed as part of programming or individually. This is the first time that the R-Centers have received the MVP Health Care, Inc. community grant and it is a one-time award.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-417
(Int. No. 452)

**Authorizing an agreement and amending the budget for the MVP Health Care
Community Grant**

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 MVP Health Care, Inc. for the receipt and use of Community Grant funds in the amount of \$7,500 to support the purchase of new books for R-Center libraries. The term of the agreement shall not exceed one year.

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

Section 3. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Human Services by \$7,500 to reflect the receipt of the funds authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2021-418
Re: Grant Agreement and Budget
Amendment – US Department of
Justice, Justice Assistance
Grant Program

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the FY21 Edward Byrne Memorial Justice Assistance Grant Program (JAG). This legislation will:

1. Authorize an agreement with the US Department of Justice for the receipt and use of the 2021 Bureau of Justice Assistance FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$164,896. The term of the grant is October 1, 2020 through September 30, 2024.
2. Amend the 2021-22 Budget of the Department of Recreation and Human Services (DRHS) by \$69,300 to reflect a portion of this grant. These funds will be utilized for an agreement with Monroe County (\$64,310) and toward reaching compliance in crime reporting to standards established by the National Incident-Based Reporting System (\$4,947). This is a requirement of the funder.
3. Authorize the continuation of an agreement with Monroe County for \$64,310 for implementation of the “Operation Nightwatch” program. The cost of the agreement will be funded by 2021-22 Budget of DRHS. “Operation Nightwatch” is a program of the Monroe County Office of Probation that allows Probation Officers to engage probationers in specialized supervision. The City of Rochester is contractually obligated to provide these funds to the County as part of the receipt and use of the grant funds.

The remaining grant funds will be utilized for the salary (\$72,832) and fringe (\$22,807) expenses for a full-time Clinical Supervisor in the DRHS Crisis Intervention Services Unit. The Clinical Supervisor will provide supervision and case management support to Crisis Intervention Services staff to ensure that clients are provided the best and most-up-to-date services. These funds were anticipated and included in the 2021-22 Budgets of DRHS and Undistributed Expenses.

The City has received JAG funding for more than 15 years. The prior JAG program was last authorized by City Council on February 16, 2021 via Ordinance No. 2021-56.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-418
(Int. No. 453)

Authorizing agreements and amending the 2021-22 Budget for the 2021 Justice Assistance Grant program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for the receipt and use of funding from the 2021 Edward Byrne Memorial Justice Assistance Grant program (Program) in the amount of \$164,896, which is hereby appropriated for Program activities. The term of the agreement shall be October 1, 2020 through September 30, 2024.

Section 2. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Human Services (DRHS) by \$69,300 to reflect the receipt of a portion of the funds appropriated in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe in the maximum amount of \$64,310 to fund the Monroe County Office of Probation's "Operation Nightwatch" program. Said amount shall be funded from the 2021-22 Budget of DRHS.

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 vote:

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

Nays – Councilmember Lupien – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2021-419
Re: Agreement – Phu Concepts Inc.

Council Priority: Public Safety

Updating & Redesigning the Police
Accountability Board's Website

(ROCPAB.ORG)

Transmitted herewith for your approval is legislation establishing \$34,980 as maximum compensation for an agreement with Phu Concepts Inc. (Latrell Liptrot, President, 236 Central Avenue, Suite 2, Rochester, New York 14605), for consulting services to update and redesign the Police Accountability Board's website (rocpab.org). The cost of this agreement will be funded from the 2021-22 Budget of the City Council & Clerk. The term of this agreement will be one year.

Phu Concepts Inc. was selected for these services through a Request for Proposal process described in the attached summary.

Respectfully submitted,
Loretta C. Scott
President

Attachment No. AU-234

Ordinance No. 2021-419
(Int. No. 454)

Authorizing an agreement to Update and Redesign the Police Accountability Board's Website (rocpab.org)

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 Phu Concepts Inc. to Update and Redesign the Police Accountability Board's Website (rocpab.org). The term of the agreement shall be up to one year. The maximum compensation for the agreement shall be \$34,980, which shall be funded from the 2021-22 Budget of the City Council & Clerk.

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. 2021-420
Re: Amending Ordinance 2021-368 relating
To New York State Department of Health
Comprehensive Adolescent Pregnancy
Prevention Grant

Transmitted herewith for your approval is legislation amending Ordinance No. 2021-368 as it relates to the appropriation of Comprehensive Adolescent Pregnancy Prevention Grant (CAPP) funds. The original ordinance was passed by Council on November 17, 2021. The amended ordinance corrects typographical errors to match the original transmittal, which provides that the 2021-22 Budget of the Department of Recreation and Human Services (DRHS) will be increased by \$97,400, and the Budget of Undistributed increased by \$53,000, to fund the CAPP program.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2021-420
(Int. No. 458)

Amending Ordinance No. 2021-368 relating to the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. Section 2 of Ordinance No. 2021-368 is hereby amended to read in its entirety as follows:

Section 2. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Human Services (DRHS) by ~~\$53,000~~ \$97,400 and the Budget of Undistributed Expenses by \$53,000, which amounts ~~is~~ are hereby appropriated from the funds to be received under the grant agreement and for the purpose authorized in Section 1 herein.

Section 2. This ordinance shall take effect immediately.

Underlining indicates new text, strikeout indicates removed text.

Passed unanimously.

The meeting was adjourned at 9:02 p.m.

HAZEL L. WASHINGTON
City Clerk